

Scottish Borders Consolidated Local Plan

ADOPTED 2011

VOL1 POLICIES

SCOTTISH BORDERS CONSOLIDATED LOCAL PLAN

ADOPTED 2011

(incorporating Scottish Borders Local Plan 2008
and Local Plan Amendment 2011)

Further copies of this document, Volume 1 on Policies, or Volume 2 on Settlements,
including copies in large print are available from:

IAN LINDLEY
DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT
Council Headquarters | Newtown St Boswells | Melrose | Scotland | TD6 0SA
tel: 01835 824000 | fax: 01835 825158
email: localplan@scotborders.gov.uk

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AVAILABLE SEPARATELY (there may be a charge)

Statement on Strategic Environmental Appraisal
Settlement Appraisals Incorporating Reasoning for Site Allocations
Site Notes for Individual Sites
Supplementary Planning Guidance

FOREWORD

BY COUNCILLOR CAROLYN RIDDELL-CARRE

Scottish Borders Council Executive Member for Planning and Environment



I am delighted to introduce this new Consolidated Local Plan 2011 which is a statutory land use strategy drawn up to meet the needs of the people within the Scottish Borders. This Consolidated document merges the adopted Local Plan of 2008 and the adopted Local Plan Amendment of 2011.

Planning for all forms of new development, whether it be new homes, employment sites, schools or shops is one of the most important functions of the Council. All these different, but necessary, land uses need to be balanced carefully against the need to safeguard our uniquely special landscape.

This Consolidated Plan includes the identification of:

- a new village expansion at Newtown St Boswells,
- a high amenity employment land site at Tweed Horizons,
- a new supermarket site at Pinnaclehill, Kelso,
- new housing sites across the region up until the period 2018,
- potential sites for longer term developments,
- a Countryside Around Towns policy area within the core area of the Central Borders for its protection and enhancement.

Importantly, it supports the re-instatement of the Waverley Line. Furthermore, the Plan supports the principle of requiring new housing developments to be attractively and sustainably designed in order that they can add to the beauty of the area.

The Plan includes a number of policies which give detailed advice and guidance to the Council and any other interested parties following the submission of planning applications.

Throughout the process of creating this Consolidated Local Plan many individuals, organisations and interested groups gave their opinions. I would like to thank everyone who took part. Whilst it was impossible to satisfy the many conflicting desires submitted, all comments received helped to shape this Plan. To all those who took the trouble to respond to the consultations I am truly grateful.

CHAPTER 1

INTRODUCTION

PURPOSE AND CONTENT OF THE PLAN

- 1.1 There are two main development plans within the Scottish Borders area. These are the approved Structure Plan and the Local Plan. Although they are prepared separately, with the Local Plan being adopted by the Council and the Structure Plan being approved by Scottish Ministers, they should be seen as complementary, together providing the development plan for the Scottish Borders.
- 1.2 The Structure Plan sets the broad framework for development within the Scottish Borders, and the Local Plan provides detailed policies and site allocations. The Structure Plan was initially approved in September 2002, with an Alteration on strategic direction and housing land being subsequently approved in June 2009. These consolidated documents constitute The New Way Forward Structure Plan – Consolidated Version 2001-2018, commonly referred to as the approved Structure Plan.
- 1.3 The Local Plan, which requires to conform to the Structure Plan, was adopted by the Council in September 2008. This followed a rigorous process as set out in Figure 1 below.

FIGURE 1: LOCAL PLAN ADOPTION PROCESS

Consultative Draft Published	14th May 2004
Public Consultation on Consultative Draft	14th May – 31st October 2004
Second Stage Consultative Draft Published	4th July 2005
Public Consultation on Second Stage Draft	4th July – 12th August 2005
Finalised Local Plan Deposit	13th December 2005
Finalised Local Plan objection period	13th December – 31st January 2006
Local Plan Inquiry	September 2006 – January 2007
Proposed Modifications to Finalised Local Plan Advertised	2nd November 2007 – 25th January 2008
Advertisement of Local Plan following Modification	20th March 2008
Adoption of Local Plan	4th September 2008

- 1.4 The Local Plan Amendment Consultative Draft was published in October 2008 and was subject to public consultation to the end of January 2009. The Finalised Local Plan Amendment was agreed by the Council in August 2009 and the plan was out for public consultation to the end of November 2009. The Local Plan Amendment was adopted by the Council in February 2011 and consolidated with the 2008 Plan.
- 1.5 The main functions of the Local Plan are:
 - to apply national and regional policies
 - to stimulate and encourage sustainable economic development
 - to protect the environment from inappropriate development to provide a detailed basis for the determination of planning applications within the context of national legislation
 - to demonstrate how those who have an interest in the area are affected by, or can contribute to, the implementation of the plan

- 1.6 The Local Plan consists of a written statement and a proposals map for each settlement which are designed to be read in conjunction with one another. The written statement and incorporated policy maps are set out as follows:

VOLUME 1: POLICIES

Chapter 1: Introduction (this chapter)
 Chapter 2: Summary of development and land-use change
 Chapter 3: Policies (basis for the consideration of planning applications)
 Chapter 4: Action Plan, Monitoring and Review
 Appendices: Technical background information

VOLUME 2: SETTLEMENTS

Chapter 5: Settlement profiles and maps (providing information about the settlement and any land use proposals)

- 1.7 The proposals map is made up by the policy maps and the individual settlement plans. Should there be a conflict between the map and the written statement, the written statement takes priority. Users are advised that a number of sections from the overall plan framework could be applicable to any particular land use issue or proposal. In addition, reference should also be made to the Structure Plan to understand the strategic planning context.
- 1.8 The Scottish Borders Local Plan replaced the previous local plans for Berwickshire, Ettrick and Lauderdale, Roxburgh and Tweeddale. The Consolidated Local Plan 2011 extends the provision of guidance to take into account the provisions of the Consolidated Approved Structure Plan and other relevant matters. The Local Plan is intended to give firm guidance over the period up to 2018.

THE PLAN CONTEXT

National Guidance

- 1.9 The Scottish Government provides national spatial and policy guidance for authorities preparing statutory plans. It produces a National Planning Framework (NPF) and this provides the overarching context for all spatial plans. The NPF recognises the need to promote economic diversification and environmental stewardship in areas such as the Borders. It sees the diversification of the economy and the creation of higher value jobs and the improvement of transport connections as important objectives. It identifies a key corridor and strategic route running through the Borders related to the A68 and the East Coast Main Line. The Waverley Line now has parliamentary approval and is being taken forward by Transport Scotland.
- 1.10 The Scottish Government also publishes Scottish Planning Policy. The policies provide the national considerations to be taken into account by the planning process. The Local Plan must be consistent with Scottish Planning Policy, Planning Advice Notes (PANs) and Circulars prepared by the Scottish Government (available on the Scottish Government website at www.scotland.gov.uk/about/Planning/policy.aspx). These cover a variety of subjects and, where appropriate, they are referred to in the relevant section of the written statement.
- 1.11 The Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004 requires a Strategic Environmental Appraisal (SEA) as part of the preparation of all plans and programmes related to the planning process. The SEA approach is intended to be implemented at the outset of plan preparation because it is founded on the evaluation of options. SEA cannot therefore be applied at a mid-point of the Local Plan process. The Scottish Borders Local Plan has employed a number of approaches to ensure that environmental issues have been considered throughout the plan preparation process. It is considered that these approaches are in accordance with the provisions of SEA and a supporting paper summarising these is available as a background paper. Further action is proposed in Chapter 4 Action Plan, Monitoring and Review. On 13 January 2006 the Council submitted an application to the Strategic Environmental Assessment Gateway

(comprised of SNH, SEPA and Historic Scotland) for exemption from the process. The application was based on the fact that the SEA process had come into force at a late stage in the preparation of the Local Plan and that the processes and activities undertaken during the preparation of the Plan met the SEA requirements. The Council was granted exemption by the SEA Gateway on 14 February 2006. The Council prepared a SEA for the Local Plan Amendment and the Environmental Report was subject to public consultation alongside the consultative draft. There was a subsequent analysis of the responses for both documents before the preparation of the Finalised Local Plan Amendment and the Environmental Report. This was approved by Council in August 2009. An updated Environmental Report and Appropriate Assessment was approved by Council in October 2010. A post adoption statement will be made once the Consolidated Local Plan 2011 has been adopted by Council.

Approved Structure Plan

- 1.12 The Structure Plan provides the strategic planning framework within which local plans base their detailed policies and specific proposals. The Scottish Borders Structure Plan was approved by Scottish Ministers in September 2002, and an Alteration to this plan was approved in June 2009. The Consolidated Structure Plan's strategic land use policies and proposals provide the context for the Local Plan's site specific proposals and detailed policies, and also determine the amount and general location of the housing and employment sites identified in the Local Plan. The housing land requirement is particularly important as it guides the scale of housing land in each Housing Market Area and main settlement.
- 1.13 The approved Structure Plan establishes the Development Strategy with which the Local Plan is required to comply. This is developed further in Chapter 2.

New Ways Community Planning

- 1.14 The Local Plan is linked to a number of other plans and strategies that together feed into 'New Ways', the Community Planning process in the Borders. Of particular relevance to the Local Plan are the Environmental Strategy, Economic Development Strategy (including regeneration), Local Housing Strategy, Local Transport Strategy, Tourism Strategy and Waste Management Strategy.

PROFILE OF THE SCOTTISH BORDERS

- 1.15 The Scottish Borders extends from the southern fringes of greater Edinburgh in the north to the national boundary with Cumbria and Northumberland in the south east and South Lanarkshire and Dumfries & Galloway in the south west. The principal towns and cities outwith the boundaries which affect the Scottish Borders through work and retail or leisure opportunities are Edinburgh, Berwick-upon-Tweed, Newcastle and Carlisle. Although there is no Borders 'capital', there are important networks of towns and villages with complementary roles, notably in the Central Borders. As part of the changes in the Scottish Planning System brought into place by the Planning (Scotland) Act 2006, there is a requirement to produce a Strategic Development Plan for the Edinburgh City Region. This plan covers a wider geographical area covering City of Edinburgh, Midlothian, West Lothian, East Lothian, Fife and the Scottish Borders.
- 1.16 The population in the Scottish Borders rose from 97,200 in 1981 to 106,800 in 2001, an increase of 9.8%. The projected population for the area by 2026 is 124,300. Alongside the projected increase in population there is also a significant expected change in the population structure. The proportion of the population aged 0-15 years is projected to increase by approximately 4.1% between 2006 and 2026. In addition, the population aged 65 or older is projected to increase by approximately 57.6%. There has been general population growth throughout most of the area, with the most rapid recent increases being in the Peebles and West Linton areas which fall within the sphere of influence of the wider Edinburgh Housing Market Area. The population in the Borders is concentrated in the Central Borders hub, centred on the towns of Hawick (14,120), Galashiels (14,090), Kelso (5,380), Selkirk (5,610), Jedburgh (3,860) and Melrose (2,080).

- 1.17 Whilst the population has increased by some 2,900 (2.8%) between year 1991-2001 the number of households has grown three times as fast as the population and is one of the factors driving the requirement for more housing. This follows a national trend and is in part due to the average household size having fallen from 2.49 persons per household in 1981 to 2.25 persons per household in 2001. The most recent (2006 based) projections indicate that a continuation of this trend of decreasing household size will in part result in an additional 10,920 households in the Scottish Borders between 2006-2026, as the average household size is expected to decline from 2.19 to 2.02. The increase in number of households creates greater pressures on the housing market. The net in-migration to the Borders which averaged 989 persons per year between 2001-2006 has also added to the pressure for housing in the area.
- 1.18 The main employment sectors in the Borders are public administration, education & health (32%) along with distribution, hotels & restaurants (22%). The Borders have a relatively large proportion of its employment in the manufacturing sector (14%) compared to Scotland in general (9%). Employment in agriculture, fishing, energy and water is 6.9%. The structure of employment has changed over the past 10 years and become more focused on the service sector. However, the Borders is still under-represented in the growing services sector in general and most notably in the banking and financial services industries. To avoid dependence on one sector of employment, the Council and its partners are working towards diversifying the economy. To achieve this, sites are needed for new industry as well as upgrading infrastructure in the area. At present there are a number of infrastructure projects underway in the Borders, for example upgrading parts of the road network. The Waverley Railway Project is seen as providing a major boost to employment prospects.
- 1.19 The quality of the natural and built environment is one of the Scottish Borders' principal assets. The area is recognised as having many outstanding landscapes. Many elements of the built environment are protected as listed buildings or conservation areas. The listed buildings and conservation areas are important resources as they contribute to the general amenity as well as to the economy through cultural tourism. The 43 conservation areas in the Borders vary in size, character and appearance. The history of the Borders together with the natural and built environment gives the area its own character and identity.

USING THE PLAN

Finding a Policy

- 1.20 All the policies in the Plan are contained in Volume 1. To find out what the Council's policy and guidance is on various types of development refer to Chapter 3 where there is an index of policies (Tables 3.1, 3.2) giving page numbers to guide you to your area of interest.

Finding out what is proposed in a particular settlement

- 1.21 All the maps and plans are contained in Volume 2. The land use proposals for each settlement are contained in individual settlement profiles which are set out in alphabetical order in Volume 2 of this Plan (Chapter 5). Each written profile contains a summary of the proposals which are shown in the accompanying maps. The profile provides other information, summarised in the introduction to Chapter 5. There is a complete list of the settlements included at the beginning of Chapter 5. The Consolidated Local Plan proposed changes to many Conservation Area boundaries as a result of reappraisal. It should be noted that the settlement maps indicate proposed Conservation Area boundaries which are moving through the formal adoption process.

STAGE THE PLAN HAS REACHED

1.22 The process of the adopted Local Plan and Local Plan Amendment is set out in Figure 2 below.

FIGURE 2: THE MAIN PHASES IN LOCAL PLAN AND AMENDMENT PREPARATION

Adopted Local Plan	Local Plan Amendment
Issues stage (completed March 2002)	
Consultative Drafts Published (May 2004, August 2005)	
Finalised Local Plan Published (December 2005)	
Public Local Inquiry (Winter 2006-07)	
Local Plan Adopted (September 2008)	
	Consultative Draft Published (October 2008)
	Finalised Plan Published (Autumn 2009)
	Examination (June 2010)
	Local Plan Amendment Adopted (February 2011)

BACKGROUND TO THE CONSOLIDATED LOCAL PLAN 2011

Housing

- 1.23 The approved Structure Plan puts forward proposals to meet future housing requirements within the area. This is a response to the General Register Office's projections on future population and household growth within the Scottish Borders. Using projections from the General Register Office for Scotland, the Council estimates that there will be an increase in the number of households totalling 11,160 between 2006 and 2026. The Council applied a further 20% flexibility to provide for a range and choice of housing and to accommodate affordable housing needs.
- 1.24 The housing allowances within the approved Structure Plan are designed to meet the overall Development Strategy aimed at encouraging sustainable development across the Scottish Borders focusing on the key development hubs in the Central Borders covering the Galashiels, Earlston, Melrose, Kelso, Jedburgh, Hawick and Selkirk area; the Western Borders covering the Peebles, Innerleithen and Walkerburn area; and the Eastern Borders covering the Eyemouth and Duns area. The housing allowances are set out in the Table 1 by housing market area and provide the basis for the proposed allocations within this Consolidated Local Plan.

TABLE 1: STRUCTURE PLAN HOUSING ALLOWANCES 2006-2018

Housing Market	Settlement	Housing Allowance 2006-18
Berwickshire	Duns	0*
	Eyemouth	0*
	Greenlaw	50
	Coldstream	50
	Reston	0*
	Rest of Area	100
Central	Clovenfords	0
	Earlston	250*
	Galashiels	100
	Hawick	200
	Jedburgh	100
	Kelso	0
	Newtown St Boswells	900*
	Selkirk	50
	Rest of Area	200
Northern	Innerleithen	200
	Lauder	100
	Peebles	250
	Walkerburn	100
	Rest of Area	50
Southern	Newcastleton	50
	Rest of Area	50

*opportunities for major redevelopment identified

1.25 It should be noted that the figures set out in the table above have been updated to take into account any substantive additions to the land supply arising from planning permissions or allocation in the Local Plan since the baseline housing land audit in 2006 (see Appendix A1).

1.26 The Consolidated Local Plan therefore identifies the sites required to meet the approved Structure Plan housing allowances. The sites detailed in the Consolidated Local Plan have been subject to a detailed assessment process looking at a range of factors including landscape capacity, infrastructure, services, built and natural environment (see Appendix C1). The proposals within the settlement statements and maps also set out the key requirements (for those sites allocated at the Local Plan Amendment stage) that will be necessary for the development of the sites.

1.27 The Consolidated Local Plan also identifies potential future longer term development areas for the period beyond 2018. This is the first stage in preparing to meet the potential shortfall in housing land in the future.

1.28 This process will be further informed in due course by the Strategic Development Plan for Edinburgh and the South East of Scotland (SESplan). Consequently, at this stage it is not possible to say with any certainty that the potential longer term development areas, identified in the Consolidated Local Plan, will be required. However, in the interests of effective forward planning and in line with Structure Plan policy, a small number of future significant settlement extensions are identified. This will allow landowners and developers to consider whether the areas are able to be brought forward as part of a sustainable community. The main settlements identified in the settlement statements and plans as having future potential growth areas include Galashiels, Hawick, Kelso, Earlston, Peebles, Innerleithen, Duns, Reston, and Coldstream.

Employment Land

1.29 The Consolidated Local Plan also identifies extensions to the employment land supply. This is to provide for future economic development within the area. The proposals have been informed by a report by Ryden on business space provision within the Borders as well as by the Council's monitoring processes. The studies acknowledge the limited supply of serviced employment land as well as the market conditions that make it very difficult for the private sector to deliver the required product. The studies indicate that there is the need to augment the area's portfolio of employment land and property particularly in the Central hub area. As a response to these issues new employment land allocations were brought forward during the process of the Local Plan Amendment in the following locations:-

- Tweed Horizons, Newtown St Boswells (high amenity site)
- Galashiels
- Kelso
- Hawick
- Earlston
- Jedburgh
- Morebattle
- Eyemouth
- Coldstream
- Lauder

Countryside around Towns

1.30 The Consolidated Local Plan also includes a Countryside Around Towns (CAT) policy area within the core area of the Central Borders for its protection and enhancement (see Policy Map 6). This follows a study undertaken by the Council on the qualities and opportunities of this key area. It recognises the importance of the area as a landscape and recreational resource for the main concentration of population within the Borders. It also serves to prevent the potential coalescence of the settlements in the central hub area in the corridor from Galashiels to St Boswells. It also assists in the protection and enhancement of the Eildon and Leaderfoot National Scenic Area (NSA) which is unique in Scotland in that it includes a large built up area.

1.31 It is anticipated that the CAT area will provide a focus for future environmental investment and the future management of the NSA and serve the recreational needs of the Borders population.

Galashiels Schools

1.32 The Consolidated Local Plan identifies possible development locations for schools within Galashiels (see Policy Map 9). For some time schooling provision within Galashiels has been identified as being under considerable pressure, insufficient or unsuitable in some respects and not meeting current or predicted needs. A small number of sites have been identified as potentially suitable but none are without constraints and a significant amount of further work is required. Integral to this process will be the merger of two or more schools to improve the cost efficiency of the service – a requirement of the Transforming Children's Services Project.

1.33 The next step will be to set up a project group to consider a wider Galashiels School Review. The group will be asked to represent views from interested parties such as local community groups, school communities and local councillors. The project group will steer the project through an Option Appraisal process with the purpose of identifying possible solutions for school provision in Galashiels. No final decision will be taken until a statutory consultation process has been concluded by the Council.

Crematorium and Cemeteries

1.34 The Plan (in Policy Map 10) sets out potential locations for a crematorium to serve the Scottish Borders and cemetery extensions. A crematorium for the Borders has been a community aspiration for a number of years. Currently residents have to travel to crematoria outwith the Council area. From a business economics point of view the location for a Borders crematorium would require to be within the central hub where the majority of the population live. The site requires to provide a calm, reflective environment and to be in reasonably close proximity to hospitality facilities. A site search process has been undertaken to identify potential locations within the Borders for a potential crematorium. Two possible locations at the Wairds, Melrose and Lindean, Selkirk are identified.

1.35 Finally, the Council's Planning and Economic Department have undertaken an assessment of the future requirement for cemetery provision within the Borders. Policy Map 10 and individual settlement plans identify the locations for additional cemetery provision.

Policy Amendments to Adopted Local Plan (2008)

1.36 Policy Maps 0-5 reflect the new Housing Market Areas set out in the approved Structure Plan. Policy Map 6 on Prevention of Settlement Coalescence is replaced by a map showing the Countryside Around Towns (linked to the new Policy EP3). Policy Map 9 shows the potential locations for the consideration of future school provision in Galashiels (linked to new Policy Inf12). Policy Map 10 shows the potential locations for a crematorium for the Borders, and additional cemetery provision (linked to new Policies Inf12 and Inf12a).

1.37 The previous Policy Map 7 on the Safeguarding of the Newtown Expansion Area is removed from the Plan on the basis that the area is now identified as an allocation within the Newtown St. Boswells settlement statement and map.

1.38 The Consolidated Local Plan 2011 includes policy amendments in respect of the adopted Scottish Borders Local Plan 2008.

1.39 Policies G7 (Infill Development), EP3 (Countryside Around Towns), ED1 (Protection of Employment Land), ED2 (Employment Uses Outwith Employment Land), H2 (Protection of Residential Amenity), and D2 (Housing in the Countryside) are amended. In addition, Policies Inf12 (Public Infrastructure and Local Service Provision) and Inf12a (Crematorium Provision) are included.

1.40 In addition, the Consolidated Local Plan also deletes those policies that are now superseded by the fact that previous long term sites are now identified as allocations at Newtown St. Boswells, Hawick and Kelso settlement statements and maps. These are as follows:-

- Policy BE10 Newtown St Boswells Expansion Safeguarding
- Policy BE11 H1A Land Safeguarding

CHAPTER 2

SUMMARY OF DEVELOPMENT AND LAND USE CHANGE

SCOTTISH BORDERS DEVELOPMENT STRATEGY

- 2.1 The Development Strategy for the Scottish Borders is set out in the approved Scottish Borders Structure Plan 2001-2018. The Local Plan is the mechanism through which the strategic policies of the Structure Plan are taken forward to a detailed level. This includes the allocation of sites for development and guidance for all the towns and villages in the Scottish Borders.
- 2.2 The full description of the Strategy including a reasoned justification is contained in the approved Structure Plan. The Strategy may be summarised below:
- A Principal Aim relating to the promotion of sustainable communities
 - Four Key Elements:
 - Sustainable Growth
 - Development Hubs (Primary, Eastern and Western)
 - Managing Change
 - Environmental Quality
 - Two Founding Principles:
 - Principle S1 – Environmental Impact – providing for substantial development to be assessed against sustainability criteria
 - Principle S2 – Development Strategy – describing the main locations for development, major infrastructure projects and the key criteria for the control of development
 - Four Area Strategies:
 - Central Borders
 - Northern Borders
 - Eastern Borders
 - Southern Borders
- 2.3 The strategies cover broad areas only and no defined boundaries are intended. Housing land allocations must however be made by Housing Market Area (4 in the Borders) and by settlement. The Housing Market Area boundaries are shown on Local Plan Policy Maps P0-P5. A description of how these strategies are proposed to be implemented through the Local Plan is given later in this chapter.
- 2.4 Following the initial approval of the Structure Plan in 2002, the Council has reinforced the emphasis given to the area regeneration priorities: Hawick, Coldstream, Eyemouth and East Berwickshire Villages, Innerleithen/Walkerburn and Selkirk. It is also promoting town improvement through the 'Small Towns Initiative'
- 2.5 The main land use proposals in the Local Plan comprise of housing land allocations to meet the housing land requirement. The allocation of land provides for an adequate range and choice of sites. In addition, the supply includes the flexibility provision set by the approved Structure Plan. Longer term potential search areas for housing and mixed use development are identified in a number of locations and will be subject to review by the future Local Development Plan. Further background on the housing figures is given in Appendix A1.

- 2.6 There are other land use proposals set out within the plan. A number of employment land allocations are made to maintain the portfolio for future economic development. This includes the identification of a high amenity business site at Tweed Horizons to serve the Central Borders. The plan provides policy protection to the allocated sites. The identified redevelopment and commercial development opportunities are not intended to be exhaustive but provide an indication of current potential. The Council’s aspirations for enhanced schools provision are being taken forward through a Public-Private Partnership, and the Local Plan allocates these new school sites. In addition, potential search areas are identified for new schools within Galashiels. The Plan also contains key transport proposals and policies for safeguarding. Search areas are identified for a crematorium in the Central Borders along with additions to the existing provision of cemeteries.
- 2.7 The lack of sewerage capacity or waste water treatment remains one of the most significant impediments to the realisation of development throughout the Scottish Borders. From a position where 85% of settlements in the Local Plan had no or limited waste water and treatment works capacity the Council and Scottish Water have sought to direct additional funding to remove development constraints through successive capital programmes. The intention of Scottish Water is to ensure the provision of sufficient capacity to service sites allocated through the Local Plan. Inadequate roads infrastructure is also a constraint on development in some areas, particularly for longer term growth.
- 2.8 Implementation of the Structure Plan approaches to sustainability will require the development of improved criteria by which to measure the impact of development. This includes the principles on Strategic Environmental Appraisal and Supplementary Guidance on Biodiversity which have been developed by the Council. The approach is that, whilst it is accepted that new development and change are desirable and inevitable, change should be sustainable and achieved without irreversible change to the natural heritage or net loss of biodiversity.
- 2.9 Summaries of the land use proposals for housing land, employment land, redevelopment and commercial opportunities, education, transport and cemeteries are given in Tables 2.1-2.7. The complete list of proposals by settlement is given in Chapter 5. A list of the housing proposals by Housing Market Area and settlement is also given in Chapter 5. Policy H3 gives guidance on the approach to allocated land use proposals.

TABLE 2.1 TOTAL HOUSING PROPOSALS BY NEW HOUSING MARKET AREAS

Housing Market Area	Total Housing Units (Indicative Capacity)	Area (ha)
Berwickshire	1440	92.7
Central	5183	345.7
Northern	1310	87.9
Southern	104	6.5
Scottish Borders Total	8037	532.8

Note: This table does not include housing units identified within redevelopment opportunities.

TABLE 2.2 SUMMARY OF EMPLOYMENT LAND DESIGNATIONS BY SETTLEMENT

Settlement	Site Name	Area (ha)
Broughton	Former Station Yard	2.1
Chirnside	Berwick Road	1.7
Chirnside	Southfield	0.7
Coldstream	Coldstream Workshops	0.7
Coldstream	Hillview Industrial Estate	3.1
Coldstream (LPA site)	Lennel Mount North	7.2
Duns	Cheeklaw	19.3
Duns	Peelrig Farm	3.9
Earlston	Turfford Park	1.5
Earlston	Station Road, Earlston	2.4
Earlston	Mill Road, Earlston	1.9
Earlston (LPA site)	Townhead	4.6
Eyemouth	Acredale Industrial Estate	8.5
Eyemouth	Eyemouth Industrial Estate	4.2
Eyemouth (LPA site)	Gunsgreenhill	6.3
Eyemouth	Hawk's Ness	2.4
Galashiels	Easter Langlee Industrial Estate	2.0
Galashiels	Netherdale Industrial Estate	6.7
Galashiels	Huddersfield Street Mill	3.4
Galashiels	Wheatlands Road	5.6
Galashiels (LPA site)	Galafoot	2.6
Galashiels (LPA site)	Langhaugh Employment Safeguarding	0.9
Greenlaw	Extension to Duns Road Industrial Estate	0.4
Greenlaw	Duns Road Industrial Estate	0.7
Hawick	Gala Law Employment Land Proposal	1.1
Hawick	Burnfoot	17.2
Hawick	Weensland	3.1
Hawick	Mansfield Road	5.6
Hawick	Loch Park Road	2.1
Hawick	Liddesdale Road	1.6
Hawick (LPA site)	North West Burnfoot	5.0
Hawick (LPA site)	Gala Law North	9.4
Innerleithen	Traquair Road	3.0
Innerleithen	Traquair Road East	0.9
Jedburgh	Wildcat Gate	2.0
Jedburgh	Hartrigge Park	9.8
Jedburgh	Edinburgh Road	2.3
Jedburgh	Bankend South Industrial Estate	3.2
Jedburgh	Bongate South	0.9
Jedburgh	Bongate North	1.3

Jedburgh (LPA site)	Wildcat Wood and extension	8.0
Kelso	Extension to Pinnaclehill Industrial Estate	5.9
Kelso	Pinnaclehill/ Spylaw Road	23.2
Kelso (LPA site)	Wooden Linn	3.2
Lauder	Lauder Industrial Estate	3.6
Lauder (LPA site)	North Lauder Industrial Estate	2.0
Morebattle (LPA site)	Croft Industrial Park	0.6
Morebattle (LPA site)	Extension to Croft Industrial Park	0.6
Newcastleton	Moss Road	0.5
Newtown St Boswells (LPA site)	Tweed Horizons Expansion	13.9
Newtown St Boswells	Waverley Place	0.3
Peebles	South Park (Land use proposal)	0.9
Peebles	South Park (Safeguarded site)	1.9
Peebles	Cavalry Park	6.3
Selkirk	Dunsdale Haugh	13.0
Selkirk	Dunsdale Road	7.9
Selkirk	Riverside 1	0.8
Selkirk	Riverside 2	0.6
Selkirk	Riverside 3	0.6
Selkirk	Riverside 4	2.7
Selkirk	Riverside 5	1.6
Selkirk	Riverside 6	0.8
St Boswells	Extension to Charlesfield	15.7
St Boswells	Charlesfield	24.1
Swinton	Coldstream Road	1.2
Tweedbank	North of Tweedbank Drive	6.3
Tweedbank	Tweedbank Industrial Estate	9.6
West Linton	Deanfoot Road	0.7
Whitsome	Waste Transfer Station	0.8
Total		318.6

TABLE 2.3 SUMMARY OF REDEVELOPMENT, COMMERCIAL DEVELOPMENT AND MIXED USE PROPOSALS BY SETTLEMENT

Settlement	Site Name	Area (ha)	Phase proposal added
Chirnside	Comrades Park East	13.2	LPA
Coldstream	Duns Road	0.8	ALP
Coldstream	Lees Farm Mill	1.2	ALP
Coldstream	Trafalgar House	0.5	ALP
Duns	Berwickshire High School (Former Site)	6.4	ALP
Duns	Duns Primary School (Existing Site)	2.9	LPA
Earlston	Brownlie Yard	1.5	ALP
Earlston	Former Earlston High School	2.6	LPA
Eyemouth	Gunsgreen	34.1	ALP
Eyemouth	Former Eyemouth High School	7.0	LPA
Eyemouth	Gunsgreen Mixed Use	6.1	LPA
Galashiels	Currie Road	5.8	ALP
Galashiels	Huddersfield Street/ Hill Street	1.5	ALP
Galashiels	Stirling Street	0.7	ALP
Galashiels	Huddersfield Street/ Paton Street	3.4	ALP
Galashiels	Plumtreehall Brae	1.8	ALP
Galashiels	Roxburgh Street	1.4	ALP
Galashiels	Low Buckholmside	0.5	ALP
Galashiels	Heriot Watt Halls of Residence	3.2	ALP
Galashiels	Melrose Road	2.1	ALP
Galashiels	S of Coopersknowe	1.2	LPA
Galashiels	Winston Road	0.7	LPA
Galashiels	St Aidan's Church	0.2	LPA
Hawick	Commercial Road	7.9	ALP
Hawick	Gala Law	29.2	LPA
Hawick	Slitrig Crescent	1.6	LPA
Hawick	Liddesdale Road	0.2	LPA
Innerleithen	High Street Gap Site	0.1	ALP
Jedburgh	The Anna	0.3	LPA
Kelso	Henderson's Bldg	0.4	ALP
Kelso	Roxburgh Street	0.6	ALP
Kelso	Keltek/ Forbes Site	2.3	ALP
Kelso	Former Foundry	0.6	LPA
Lauder	Burnmill	0.8	LPA
Lauder	Lauder Primary School (Existing Site)	0.3	LPA
Newtown St Boswells	Garage	0.1	ALP
Newtown St Boswells	Mills	0.6	ALP
Newtown St Boswells	Depot	1.3	ALP

Newtown St Boswells	Auction Mart	8.9	LPA
Peebles	Bus Depot, Innerleithen Road	0.3	ALP
Peebles	Dovecot Road	0.4	LPA
Peebles	George Street	0.1	LPA
Peebles	Tweedbridge Court	0.5	LPA
Preston	Preston Farm	2.0	ALP
Reston	Auction Mart	4.3	ALP
Selkirk	Philiphaugh Mill	1.9	ALP
Selkirk	Forest, High, Low and Elliot Mills	0.5	LPA
Selkirk	Former St Mary's Church	0.1	LPA
Stow	Royal Hotel	0.2	LPA
Walkerburn	Caberston Farm/ Old Mill Site	1.9	ALP
Total		166.2	

Note: Longer Term allocations are subject to review and are shown on individual settlement maps
ALP – Indicates the site was identified as part of the Scottish Borders Adopted Local Plan 2008
LPA – Indicates the site was identified as part of the Scottish Borders Finalised Local Plan Amendment

TABLE 2.4 SUMMARY OF EDUCATION PROPOSALS BY SETTLEMENT

Settlement	Site name	Area (ha)
Clovenfords	Meigle	3.0
Duns	High School Site at Langtongate	11.7
Earlston	Turfford Park	13.3
Lauder	Allanbank School Site	2.3
Peebles	Violet Bank	2.6
Peebles	Neidpath	3.2
West Linton	Deanfoot Road (Playing Field)	2.1
Total		38.2

Note: Policy Map 9 identifies search areas for schools in the Galashiels area.

TABLE 2.5 SUMMARY OF TRANSPORT PROPOSALS BY SETTLEMENT

Settlement	Site name	Area (ha)
Galashiels	Transport Interchange	0.6
Galashiels	Inner Relief Road	0.3
Galashiels	Railway Station	0.2
Kelso	Spylaw Roundabout	0.1
Melrose	Dingleton Road	0.1
Reston	Railway Station	1.0
Selkirk	Bypass Route	n/a
Stow (LPA site)	Railway Station	0.8
Tweedbank	Railway Station	3.9
Total		7

TABLE 2.6 SUMMARY OF CEMETERY PROPOSALS BY SETTLEMENT

Settlement	Site name	Area (ha)
Bedrule, Denholm	Cemetery Expansion	0.10
Earlston	Cemetery Expansion	0.42
Ednam	Cemetery Expansion	0.05
Ettrickbridge	Cemetery Expansion	0.14
Castlewood, Jedburgh	Cemetery Expansion	1.10
Ferneyhill Toll, Kelso	Cemetery Site	3.33
Roxburgh	Cemetery Expansion	0.06
Sprouston	Cemetery Expansion	0.11
Eyemouth	Cemetery Expansion	0.26
Cocket Hat, Coldingham	Cemetery Site	0.69
Peebles	Cemetery Expansion	0.35
Houndwood, Reston	Cemetery Expansion	0.03
Lennel, Coldstream	Cemetery Expansion	0.44
Total		7.08

Note: Sites within settlement boundaries are shown on settlement maps, those outwith are shown on Policy Map 10.

Policy Map 10 identifies search areas for crematorium sites in the Borders

AREA STRATEGIES

Central Borders

- 2.10 This area broadly equates to the Central Borders Housing Market Area and takes in Galashiels, Hawick, Jedburgh, Kelso, Melrose and Selkirk, and forms the Primary Development Hub. It is the area that will see the greatest change, particularly in the Galashiels-Melrose-St Boswells corridor where land for substantial development to meet the housing land requirement has been identified. The Consolidated Local Plan looks to focus development on a range of towns across the Primary Hub. The Local Plan identifies a major planned expansion of Newtown St Boswells. This emerged as the Council's preferred option in the initial Local Plan. The background to the emergence of this preferred option is set out in Appendix B.
- 2.11 Galashiels, Hawick and Selkirk provide centres of substantial redevelopment activity including road improvements. Hawick has particular significance as the key area regeneration priority and the Local Plan identifies opportunities for redevelopment and mixed use development in the Galalaw area. Galashiels has achieved significant retail development and a public transport hub connected with the re-opening of the Waverley railway and proposed station is also proposed. A new conservation area is proposed for Galashiels. Land for a railway station is provided at Tweedbank. Selkirk's Riverside Area provides a major opportunity for employment generating and complementary uses. Prime retail frontage in Hawick, Galashiels, Melrose and Kelso will continue to be protected from non-shop uses.
- 2.12 Within the Central Borders major allocations of housing land have been made at Galashiels, Newtown St. Boswells, Hawick, Jedburgh and Kelso. Sites have also been allocated at Melrose, Tweedbank, Selkirk and Clovenfords. Longer term development at Selkirk is dependent on achieving greater certainty over the preferred line for a town bypass, the general site of which is safeguarded. Land for a new primary school is proposed in Clovenfords. Options for schooling in Galashiels are still being investigated by the Council and search areas are identified on Policy Map 9.

- 2.13 It is proposed that substantial housing land supplies contributing to Structure Plan housing requirements will be met through a major planned expansion of Newtown St Boswells. In addition to housing, provision is also made for other land uses to complement the regeneration of Newtown St Boswells, including a high amenity employment site at Tweed Horizons.
- 2.14 In Hawick, in addition to the identified housing allocations and potential longer term sites there are proposals to enhance the quality of employment land and a major redevelopment site is identified at Commercial Road. All are designed to contribute towards the regeneration of the town. An over-allocation of housing supply is being made to ensure adequate range and choice of housing sites.
- 2.15 There are substantial development proposals in Kelso reflecting buoyant demand and opportunities for redevelopment. Land for a supermarket and employment land is identified at Pinnaclehill to the south of Kelso. Housing and employment land allocations are also identified in Jedburgh. Longer term development opportunities in Jedburgh pose a significant challenge because of topographical and road access constraints. Both Kelso and Jedburgh are part of the Primary Development Hub and therefore are regarded as an appropriate focus for development.

Northern Borders

- 2.16 This area which is broadly aligned to the Northern Housing Market Area takes in Peebles as the focus of the Western Development Hub, and it is here that most of the housing allocations are located, all reflecting its status as an important service centre. Cavalry Park has provided the focus for recent employment land development and will continue to be promoted for employment land development as a Structure Plan strategic development site. A site for a new school has been identified and has now been completed. Prime retail frontage will continue to be protected from non-shop uses. The extent to which the lack of a second bridge across the Tweed is a constraint on development to the south east of the town will continue to be investigated and be considered in relation to potential longer term development opportunities.
- 2.17 In addition to Peebles, relatively significant housing allocations are also proposed at Cardrona, whose development can be seen to have taken some pressure away from Peebles, and in Broughton. Housing allocations are also identified in Innerleithen and Walkerburn in recognition of their status as regeneration area priorities. Substantial longer term housing potential, subject to review at the next Local Development Plan, is also identified at Innerleithen.
- 2.18 The Northern Borders have come under particular pressure for commuter housing development owing to its proximity to Edinburgh. Modest allocations are provided in the towns closest to Edinburgh at Stow, Lauder and West Linton to help meet local needs and support community facilities. An extension to the Lauder industrial estate is identified. A site for a new primary school has been identified in Lauder and this has now been developed. Land for a new primary school has been allocated in West Linton.

Eastern Borders

- 2.19 This area, takes in Eyemouth and Duns as a focus for development in the Eastern Development Hub and consequently the bulk of new land allocations is in these towns. With the area's north-south transport links by road and rail, the Eastern Borders offers significant potential for housing and employment-related development. Eyemouth will continue to be a focus for major development with the Gunsgreen area providing an opportunity for mixed use development including housing, employment along with the recently completed new school. The new secondary school at Duns is complemented by additional employment and potential longer term development area. Housing, employment land, redevelopment and potential longer term development areas are proposed in Coldstream, taking account of its identification as an area regeneration priority. A substantial redevelopment opportunity with potential expansion in the longer term is also proposed in Reston taking account of the potential demand for housing and the Council's actions for improved East Coast rail links linked to a new station in the village.

2.20 In addition to the major housing land allocations in Duns and Eyemouth, there are also relatively large housing allocations in Chirnside, Cockburnspath and Coldingham. In Chirnside, this includes a mixed use allocation to allow future retail development closely associated with the main shopping street. An over allocation of housing land supply is being made in Berwickshire to provide adequate range and choice of sites in an area that has seen growing demand, partly influenced by the growth of the Edinburgh market, and by the significant pressure for housing in the countryside.

Southern Borders

2.21 This area, which broadly corresponds to the Southern Housing Market Area is characterised by its relative remoteness and the absence of any major settlements. Improving transport links to the Central Borders, Peebles and Carlisle is therefore particularly important for these rural communities. Few development proposals are therefore appropriate although housing allocations are proposed in Newcastleton, Bonchester Bridge and Ettrick (Hopehouse). The role of dispersed communities in the Ettrick and Yarrow Valleys, together with the importance of anchor points, has been recognised through policies rather than any specific proposals.

CHAPTER 3

POLICIES

INTRODUCTION

DEFINITION OF LOCAL PLAN POLICY

- 3.1 A Local Plan policy is a statement that establishes the Council's stance on a significant land use planning issue. Policies in a Local Plan must be relevant to planning: that is, dealing with the development and use of land, including measures for the improvement of the physical environment and the management of traffic. This means that there may be matters which could be of great importance to the public but which because they have no land use implications or cannot be implemented through the planning process, are not suitable for the Local Plan.
- 3.2 The Local Plan policies are of great importance in providing clear guidance to the public and developers and in determining planning applications. Efficient development management depends largely on having clear development plan policies. Government guidance states that decisions on planning applications must be made in accordance with the development plan unless 'material considerations' indicate otherwise.

POLICY GROUPINGS AND GENERAL APPROACH

- 3.3 Traditionally, Local Plans have divided policies into topic headings: housing, infrastructure, environment and so on which are then shown on Proposals Maps. The difficulty with this approach is that many geographical areas can accommodate more than one land use. The approach followed in this Local Plan recognises that it is unrealistic to attempt to divide towns into too many specific policy categories and instead acknowledges that a variety of different land uses will often be appropriate, subject to safeguards on amenity.
- 3.4 The approach is generally supportive of development, seeking to permit development wherever possible, subject to precisely defined criteria. This approach is therefore known as 'criteria based'. It reflects a positive and enabling rather than negative or restrictive attitude to development, whilst still maintaining an appropriate degree of planning control. The approach should encourage consistent decision-making and an identifiable process by which decisions are reached.
- 3.5 The topics by which policies have been formulated comprise:

General – Prefix G
Built Environment – Prefix BE
Natural Environment – Prefix NE
Environmental Protection – Prefix EP (apply mainly to countryside)
Economic Development – Prefix ED
Housing – Prefix H
Infrastructure – Prefix Inf (includes Transport)
Development in the Countryside – Prefix D
Rural Resources – Prefix R (apply mainly to countryside)
The prefixes used mirror those used in the Structure Plan.

3.6 The policies also fall into one of 4 categories depending on their general purpose:

1. General policies providing guidance for new development
2. Policies providing guidance on specific types of land uses and how they will be controlled
3. Policies that protect environmental assets
4. Policies that safeguard existing land uses either to retain the current use or to avoid prejudicing future development.

3.7 The policies are reproduced in full in topic order. However for convenience, the index of policies will also order the policies in relation to their main purpose.

STRUCTURE PLAN POLICIES

3.8 Some of the policies in the Structure Plan are adequate for use in determining planning applications without further adaptation or modification. Where this is the case, the relevant Structure Plan is repeated exactly and a note made to clarify that it is a Structure Plan and not a Local Plan policy. It is particularly relevant for the policies on the environment to encourage a hierarchy of protection for the natural heritage and adoption of the 'precautionary principle' but at the same time recognise the importance of ecological networks and important habitats as identified in the Local Biodiversity Action Plan.

POLICY JUSTIFICATION AND INTERPRETATION

3.9 Government guidance requires policies to be supported by 'reasoned justification'. Each Local Plan policy is followed by a justification which provides reference where appropriate to government guidance. Points of clarification or interpretation of policy are also included where necessary.

3.10 It is rarely the case that a single policy will be applicable to a particular planning application, rather it is likely that a number of policies may apply. The policy justification provides an indication of the key policies to which it should be cross referenced but it should not be regarded as a comprehensive listing of all the policies that may apply. In recognition of this, the pages of the Local Plan containing the policies have the following wording as a footnote:

Each development proposal will be assessed against all relevant policies within this Local Plan, and within the approved Structure Plan.

All policies are underpinned by Sustainability Principle 1.

POLICY CONTENT

TABLE 3.1 INDEX OF POLICIES BY PURPOSE AND PAGE NUMBER

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Inf3	Road Adoption Standards	81
Inf4	Parking Provisions and Standards	82
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2. Policies providing guidance on specific types of land uses and how they will be controlled

		Page
G3	Hazardous Developments	33
BE5	Advertisements	49
BE7	Care Homes	52
BE8	Caravan and Camping Sites	53
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BE4	Conservation Areas	47
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NE4	Trees, Woodlands and Hedgerows	60
NE5	Development affecting the Water Environment	61
EP1	National Scenic Areas	63
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EP3	Countryside Around Towns	65
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R1	Protection of Prime Quality Agricultural Land	101

4. Policies that safeguard existing land uses either to retain the current use or to avoid prejudicing future development.

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BE9	Education Safeguarding	54
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ED4	Prime Retail Frontages	73
Inf1	Transport Safeguarding	79
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Built Environment		Page
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BE2	Archaeological Sites and Ancient Monuments	44
BE3	Gardens and Designed Landscapes	46
BE4	Conservation Areas	47
BE5	Advertisements	49
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BE7	Care Homes	52
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Natural Environment		Page
NE1	International Nature Conservation Sites	56
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Environmental Protection		Page
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Economic Development		Page
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ED3	Shopping Development	71
ED4	Prime Retail Frontage	73
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Housing		Page
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Infrastructure		Page
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Rural Resources		Page
R1	Protection of Prime Quality Agricultural Land	101
R2	Safeguarding of Mineral Deposits	102
R3	Mineral and Coal Extraction	103

N.B. The Local Plan Amendment deleted the following policies from the Scottish Borders Local Plan 2008 - Policy BE10 (Newtown St Boswells Expansion Safeguarding); Policy BE11 (H1A Land Safeguarding), and made amendments to the following policies- Policy D2 (Housing in the Countryside); Policy ED1 (Protection of Employment Land); Policy ED2 (Employment Uses Outwith Employment Land); Policy EP3 (Countryside Around Towns); Policy G7 (Infill Development); Policy H2 (Protection of Residential Amenity). The Local Plan Amendment added the following new policies – Inf12 (Public Infrastructure and Land Service Provision); and Policy Inf12a (Crematorium Provision).

PRINCIPLE 1

SUSTAINABILITY

This Local Plan is founded upon the basic premise of supporting and encouraging sustainable development in accordance with the New Ways Environmental Strategy, the Council's Environmental Action Plan and the need for action on climate change. It also takes account of the provisions for Strategic Environmental Appraisal as set out in the Environment Assessment of Plans and Programmes (Scotland) Regulations 2004. As a result, all the policies contained within the Plan should be read against Principle 1.

PRINCIPLE 1

Sustainability

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

1. The long term sustainable use and management of land.
2. The preservation of air and water quality.
3. The protection of natural resources, landscapes, habitats and species.
4. The protection of built and cultural resources.
5. The efficient use of energy and resources, particularly non-renewable resources.
6. The minimisation of waste, including waste water and encouragement to its sustainable management.
7. The encouragement of walking, cycling and public transport in preference to the private car.
8. The minimisation of light pollution.
9. The protection of public health and safety.
10. The support to community services and facilities.
11. The provision of new jobs and support to the local economy.
12. The involvement of the local community in the design, management and improvement of their environment.

POLICY G1

QUALITY STANDARDS FOR NEW DEVELOPMENT

All new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings. The standards which will apply to all development are that:

1. It is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form,
2. it can be satisfactorily accommodated within the site,
3. it retains physical or natural features or habitats which are important to the amenity or biodiversity of the area or makes provision for adequate mitigation or replacements,
4. it creates developments with a sense of place, designed in sympathy with Scottish Borders architectural styles; this need not exclude appropriate contemporary and/or innovative design,
5. in terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including the use of renewable energy and resources and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance referred to in Appendix D,
6. it incorporates appropriate hard and soft landscape works, including structural or screen planting where necessary, to help integration with its surroundings and the wider environment and to meet open space requirements. In some cases agreements will be required to ensure that landscape works are undertaken at an early stage of development and that appropriate arrangements are put in place for long term landscape/open space maintenance,
7. it provides open space that wherever possible, links to existing open spaces and that is in accordance with current Council standards pending preparation of an up-to-date open space strategy and local standards. In some cases a developer contribution to wider neighbourhood or settlement provision may be appropriate, supported by appropriate arrangements for maintenance,
8. it provides appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings,
9. it provides for linkages with adjoining built up areas including public transport connections and provision for bus laybys, and new paths and cycleways, linking where possible to the existing path network; Green Travel Plans will be encouraged to support more sustainable travel patterns,
10. it provides for Sustainable Urban Drainage Systems where appropriate and their after-care and maintenance,
11. it provides for recycling, re-using and composting waste where appropriate,
12. it is of a scale, massing, height and density appropriate to its surroundings and, where an extension or alteration, appropriate to the existing building,
13. it is finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and, where an extension or alteration, the existing building,
14. it incorporates, where required, access for those with mobility difficulties,
15. it incorporates, where appropriate, adequate safety and security measures, in accordance with current guidance on 'designing out crime'.

Developers may be required to provide design statements, design briefs or landscape plans as appropriate.

JUSTIFICATION

The policy is aimed at ensuring that all new development, not just housing, is of a high quality and respects the environment in which it is contained. The policy does not aim 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. In some locations the local environment will be more sensitive to change than in others.

The policy is also aimed at providing guidance to developers in advance of their submitting schemes. The Council will work towards developing more detailed Supplementary Planning Guidance on design standards including sustainable construction. An ongoing programme of planning and development briefs for individual sites is also underway.

The Scottish Government has signalled its clear intention to raise the quality of new development. Relevant documents include PAN 68 – Design Statements and ‘secure by design’ guidance contained within PAN 46. Further guidance on ‘good design’ can be found in Scottish Government Policy Statement ‘Designing Places’, which details that developments should be appraised on six design qualities – ‘identity, safe and pleasant places, ease of movement, a sense of welcome, adaptability and good use of resources.’

POLICY G2

CONTAMINATED LAND

Where development is proposed on land that is contaminated, or suspected of contamination, the developer will be required to:

1. Carry out any necessary site investigations and assessments to identify any actual or possible significant risk to public health or safety, or to the environment, including possible pollution of controlled waters that arise from the proposals;
2. consult with relevant agencies as part of their assessment, in particular the Scottish Environment Protection Agency in relation to impact on controlled waters and Scottish Natural Heritage and other relevant agencies in relation to other environmental risks; and
3. undertake effective remedial action to ensure the site is made suitable for any new use, in scale with planning permission given for that particular use.

JUSTIFICATION

The aim of the policy is to allow for development on contaminated or potentially contaminated sites but in a manner that ensures that the re-use and restoration of such sites is made possible without any risk to public health and safety or to the environment.

Contamination of land may result from an existing or historical use of the land, such as gasworks, sewage treatment, waste tips or chemical-using industry. As such sites will often be brownfield opportunities, the policy aims to encourage their re-use subject to safeguards

Key policies to which this Policy should be cross-referenced:

Policy NE5 Development affecting the Water Environment

Policy G7 Infill Development

Some of the Plan's environmental policies may also be relevant

The general nature of this policy means that many other Plan policies may be relevant particularly policies aimed at the protection of environmental assets and other general guidance on development including flooding, affordable housing and other standards. H3 is noted in regard to the requirement for developments to be in accordance with approved planning/development briefs.

POLICY G3

HAZARDOUS DEVELOPMENTS

Proposals for hazardous developments as defined under the relevant legislation will be subject to strict controls on siting to maintain appropriate separation from residential areas and areas frequented by the public, major transport routes and areas of national heritage importance.

Development will be refused if, guided by the advice of the Health and Safety Executive and other consultees as appropriate:

1. the proposal would cause unacceptable levels of pollution or public nuisance or result in an unacceptable hazard to the public or the environment, or
2. the proposal is located in close proximity to existing facilities or infrastructure that would result in the development causing unacceptable levels of pollution or nuisance or result in an unacceptable hazard to the public or the environment.

JUSTIFICATION

The purpose of the policy is to ensure that the public and the environment are adequately protected from development that would cause pollution, be a nuisance or lead to a hazard. The potentially hazardous impact could be through the nature of the development itself or through the location of the development relative to an existing facility or installation, such as an agricultural unit, pipeline or powerline.

The relevant legislation is the Planning (Hazardous Substances) (Scotland) Act 1997 and the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993. The technical specification of hazardous substances is contained in the Town and Country Planning (Control of Major Accident Hazards)(Scotland) Regulations 2000 which is the subject of current (2005) update following an EC Directive.

Key policies to which this Policy should be cross-referenced:

Policy Inf9 Development within Exclusion Zones

Natural Environment, Environmental Protection and Built Environment policies.

POLICY G4

FLOODING

As a general principle, new development should be located in areas free from significant flood risk. Development will not be permitted if it would be at significant risk of flooding from any source or would materially increase the probability of flooding elsewhere. The ability of floodplains to convey and store floodwater should be protected.

Proposals for the development of land where there is evidence of flood risk that has been the result of unanticipated planning applications, historical land use allocations or the emergence of new information on flood risk, must give consideration to ensure any such risk is managed in accordance with the principles set out in the Risk Framework provided in the Scottish Planning Policy (SPP) or any subsequent government guidance which supersedes it.

In particular, within certain defined risk categories, particularly where the risk is greater than 0.5% annual flooding probability or 1 in 200 year flood risk, which will normally be the case for functional flood plains, some forms of development will generally not be acceptable. These include:

1. Development comprising essential civil infrastructure including schools, emergency services and telecommunications;
2. Additional built development in sparsely developed areas.

Other forms of development will be subject to an assessment of the risk and mitigation measures.

Developers will be required to provide, including if necessary at outline stage:

1. A competent flood risk assessment and/or drainage assessment in support of the application; and
2. A report of the measures that are proposed to prevent and minimise the flood risk.

The information used to assess the acceptability of development will include:

1. Information and advice from consultation with SEPA and where appropriate, the Flood Liaison and Advice Group;
2. Flood risk maps provided by SEPA including, when available, the second generation flood maps which will indicate the extent of the flood plain;
3. Historical records and flood studies held by the Council and other agencies, including past flood risk assessment reports carried out by consultants and associated comments from SEPA, held by the Council.

JUSTIFICATION

This policy is intended to discourage 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 provides guidance to developers on the information that will be expected to assist in determining applications. Current information does not allow a comprehensive and consistent application of the risk framework but this will be refined over time. The approach is to act reasonably using the best available up to date information.

A competent Flood Risk Assessment (FRA) should include hydrological analysis, hydraulic analysis (as required) and associated survey data. Most FRAs would include any mitigation proposals, eg landraising and compensatory storage. SEPA's Policy 41, SEPA – Planning Authority Protocol Development at Risk of Flooding: Advice and Consultation, includes minimum standards for FRAs and should be read in conjunction with Reporting Requirements For Flood Risk Assessments which are available on SEPA's web site.

The relevant Scottish Government Scottish Planning Policy (SPP) sets out the full Risk Framework. Planning Advice Note 69 Planning and Building Standards Advice on Flooding contains further relevant information and advice. SEPA Policy 41 SEPA – Planning Authority Protocol Development at Risk of Flooding: Advice and Consultation contains principles which will be followed by SEPA and planning authorities regarding advice and consultation on flood risk issues.

Key policies to which this Policy should be cross-referenced:

Policy N5 Development affecting the Water Environment

Policy Inf6 Sustainable Urban Drainage Standards

Other environmental policies may also be relevant

POLICY G5

DEVELOPER CONTRIBUTIONS

Where a site is otherwise acceptable 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 part contribution through S.75 or alternative Legal Agreements towards the cost of addressing such deficiencies.

Each application will be assessed to determine the appropriate level of contribution guided by: the requirements identified in the Council's Supplementary Planning Guidance on developer contributions; planning or development briefs; outputs from community or agency liaison; information in settlement profiles; other research and studies such as Transport Assessments; the cumulative impact of development in a locality; provisions of Circular 12/96 in respect of the relationship of the contribution in scale and kind to the development. Contributions will be required at the time that they become necessary to ensure timely provision of the improvement in question. The Council will pursue a pragmatic approach, taking account of the importance in securing necessary developments, and exceptional development costs that may arise. Contributions are intended to address matters resulting from new proposals, not existing deficiencies. In general, the Council does not intend to require contributions arising from the needs of affordable housing. Contributions towards maintenance will generally be commuted payments covering a 10 year period.

Contributions may be required for one or more of the following:

1. Treatment of surface or foul waste water in accordance with the Plan's policies on preferred methods (including SUDS maintenance);
2. Provision of schools, school extensions or associated facilities, all in accordance with current educational capacity estimates and schedule of contributions;
3. Off-site transport infrastructure including new roads or road improvements, Safer Routes to School, road safety measures, public car parking, cycle-ways and other access routes, subsidy to public transport operators; all in accordance with the Council's standards and the provisions of any Green Travel Plan;
4. Leisure, sport, recreation, play areas and community facilities, either on-site or off-site;
5. Landscape, open space, trees and woodlands, including costs of future management and maintenance;
6. Protection, enhancement and promotion of environmental assets either on-site or off-site, having regard to the Local Biodiversity Action Plan and the Council's Supplementary Planning Guidance on Biodiversity, including compensation for any losses and/or alternative provision;
7. Provision of other facilities and equipment for the satisfactory completion of the development that may include: measures to minimise the risk of crime; provision for the storage, collection and recycling of waste, including communal facilities; and provision of street furniture.

JUSTIFICATION

The purpose of the policy is to provide guidance on how the Council intends to apply the provisions of Circular 12/96 on the use of Section 75 Planning Agreements. The Policy also provides for the use of Section 69 or other legal agreements. In turn this will help ensure that the quality of services and facilities is not compromised by new development. The policy aims to ensure, as far as practicable, that the burden of additional infrastructure and/or services that are related to the development is absorbed by the landowner and developer as opposed to the Council or other public service providers.

Contributions for Affordable Housing are provided for in a separate Policy (H1). Contributions to the Waverley Railway Project are the subject of special provisions set out in Policy G6. The policy is only intended to cover planning agreements, not planning conditions which cover on-site matters that are an integral part of the development and are regarded as normal development costs.

Developer contributions may assist in overcoming obstacles to the granting of planning permission through the compensation for, reduction, or elimination of, negative impacts. In some instances, the cumulative effect of a number of developments will require to be considered, and in such cases contributions may be sought and held by the Council until such time as sufficient funds are available to allow the relevant work to proceed.

The range of infrastructure and services to which the policy applies and the level of costs to be sought will be periodically reviewed to reflect ongoing needs and priorities of the Council and other organisations responsible for delivering public services.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy G7 Infill Development

Policy Inf6 Sustainable Urban Drainage

Policy G8 Development outwith the Development Boundary.

Infrastructure policies particularly Inf2-Inf6 and Inf11 that cover standards and travel plans

Policy BE7 Care Homes

POLICY G6

DEVELOPER CONTRIBUTIONS RELATED TO RAILWAY REINSTATEMENT

In accordance with the provisions of the Waverley Railway (Scotland) Act 2006, the Council will seek developer contributions towards the cost of providing the Waverley rail link from any developments that may be considered to benefit from, or be enhanced by, the re-instatement of the rail link. The postcodes affected and level of contribution sought will be in accordance with the Council decision of 5 October 2004 or from any subsequent Council decision during the Local Plan period.

JUSTIFICATION

The policy is specifically geared to seeking developer contributions towards the cost of the Waverley Railway in postcode sectors where new housing development is considered to benefit from, or be enhanced by the rail link. In turn this policy will assist in providing funding for the railway which will provide considerable social, economic and environmental benefits to the area.

The approach to developer contributions in these special circumstances is set out in the Waverley Railway (Scotland) Act 2006. It is acknowledged that this policy represents a change in the way that the existing Section 75 regime operates.

The Bill provides for a rail link between Edinburgh and the Central Borders. The postcode sectors affected by this policy are therefore concentrated in the Housing Market areas in the Central Borders, Northern and Southern areas. In the longer term, the aim is to achieve a rail link through to Carlisle as provided for in the Structure Plan and the route is safeguarded in both Plans.

Key policies to which this Policy should be cross-referenced:

Policy G5 Developer Contributions

Policy Inf1 Transport Safeguarding

POLICY G7

INFILL DEVELOPMENT

Within Development Boundaries, as shown on Proposals Maps, development on non-allocated, infill or windfall, sites, including the re-use of buildings, will be approved if:

1. in the case of a gap site, it can be justified under Policies BE6 (Protection of Open Space), Policy NE3 (Local Biodiversity) and Policy Inf11 (Developments that Generate Travel Demand);
2. in the case of employment land the proposed new use can be justified under Policy ED1 to prevent the loss of employment land with prospects of future use;
3. in the case of garden ground or backland sites, it can be justified under Policy H2 to safeguard the amenity of residential areas;

In all cases, the following criteria will apply to proposed infill development:-

- i) where relevant, it does not conflict with the established land use of the area; and
- ii) it does not detract from the character and amenity of the surrounding area; and
- iii) the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and it does not lead to over-development or 'town and village cramming'; and
- iv) it respects the scale, form, design, materials and density of its surroundings; and
- v) adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity; and
- vi) it does not result in any significant loss of daylight, sunlight or privacy to adjoining properties as a result of overshadowing or overlooking.

All applications will be considered against the Council's Supplementary Planning Guidance on Placemaking and Design.

JUSTIFICATION

The purpose of the policy is to be generally supportive to suitable infill development provided it meets certain criteria. Such development will however usually be unplanned and the policy is intended to ensure its careful assessment. The policy applies to all areas within the Development Boundary, not just areas where the predominant use is residential. It may apply to areas of mixed use, town centres or areas of established industrial use, or utilities and their landholdings which, due to changes to technology and new practices may become surplus to requirements.

The Council will consider carefully any proposal to develop alternative uses on employment land sites. Policy ED1 seeks to ensure that employment land with continued prospects for such use should be retained wherever possible.

Policy H2 will be applicable for development on garden ground or 'backland' proposals, development on gap sites and redevelopment of brownfield sites. Policy G7 applies to all forms of development, not just housing. Unlike Policy H2 it does not apply to alterations and extensions.

The policy complies with the Scottish Government Scottish Planning Policy (SPP) which acknowledges the contribution of infill development to the housing land supply but provide for its careful control, particularly within residential areas. SPP also supports the principle that settlements must be able to absorb and sustain the individual and cumulative effects of infill development and care must be taken to ensure that no over-development takes place.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy H2 Protection of Residential Amenity

Policy ED1 Protection of Employment Land

Policy BE6 Protection of Open Space

Policy Inf11 Developments that Generate Travel Demand

Policy Inf2 Protection of Access Routes

Policy NE3 Local Biodiversity

Built environment policies BE1-BE4

In cases of any part intrusion into the open countryside, other policies will apply including Policy G8 –Development outwith Development Boundaries, Policies D1-D2 and environmental protection (EP)/ natural environment (NE) policies.

POLICY G8

DEVELOPMENT OUTWITH DEVELOPMENT BOUNDARIES

Where Development Boundaries are defined on Proposals Maps, they indicate the extent to which towns and villages should be allowed to expand during the Local Plan period. Development should be contained within the Development Boundary and proposals for new development outwith this boundary and not on allocated sites identified on the proposals maps will normally be refused.

Exceptional approvals may be granted provided strong reasons can be given that:

1. it is a job-generating development in the countryside that has an economic justification under Policy D1 or D2, OR
2. it is an affordable housing development that can be justified under in terms of Policy H1, OR
3. there is a shortfall identified by Scottish Borders Council through the housing land audit with regard to the provision of an effective 5 year housing land supply, OR
4. It is a development that it is considered would offer significant community benefits that outweigh the need to protect the Development Boundary.

AND the development of the site:

5. represents a logical extension of the built-up area, and
6. is of an appropriate scale in relation to the size of the settlement, and
7. does not prejudice the character, visual cohesion or natural built up edge of the settlement, and
8. does not cause a significant adverse effect on the landscape setting of the settlement or the natural heritage of the surrounding area.

The decision on whether to grant exceptional approvals will take account of:

1. any indicators regarding restrictions on, or encouragement of, development in the longer term that may be set out in the settlement profile in Section 5;
2. the cumulative effect of any other developments outwith the Development Boundary within the current Local Plan period;
3. the infrastructure and service capacity of the settlement.

JUSTIFICATION

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.

The policy recognises that it is not practicable to provide detailed development boundaries for every settlement. It also recognises that within the lifetime of the local plan, it is inevitable that unanticipated or windfall developments will arise immediately outwith development boundary and that on occasion these might be acceptable provided they are in line with the Plan's other policies. Examples of developments offering significant community benefits might be a school, community or health centre or in the case of a village, there might be community support for housing development that could help provide a population to support local services.

For clarification, any development for affordable housing must meet the requirements of policy H1, namely, there must be evidence that the proposed development meets an identified housing need for the settlement and that it will provide housing defined as affordable under the Council's Supplementary Planning Guidance on Affordable Housing.

This policy is supported by Scottish Government's Scottish Planning Policy (SPP) and Planning Advice Note (PAN) 44 which set out development control criteria for expansions to existing settlements and guidance on fitting new housing development into the landscape.

Key policies to which this Policy should be cross-referenced:

Development in the Countryside Policies D1-D2

Natural Environment Policies particularly NE1-NE4

Environmental Protection policies particularly EP1-EP2

POLICY BE1

LISTED BUILDINGS

1. The Council will support development proposals that protect, maintain, and enhance active use and conservation of Listed Buildings.
2. All Listed Buildings contained in the statutory list of Buildings of Special Architectural or Historic Interest will be protected against all works which would have a detrimental effect on their listed character, integrity or setting.
3. Internal or external alterations and extensions to Listed Buildings, or new developments within their curtilage, must meet the following criteria:
 - i) must be of the highest quality,
 - ii) must respect the original structure in terms of setting, scale, design and materials, whilst not inhibiting contemporary and/or innovative design,
 - iii) must maintain, and should preferably enhance, the special architectural or historic quality of the building,
 - iv) must demonstrate an understanding of the building's significance.
 Applications for Listed Building Consent or applications affecting the setting of Listed Buildings may be required to be supported by Design Statements.
4. New development that adversely affects the setting of a Listed Building will not be permitted.
5. The demolition of a Listed Building will not be permitted unless there are overriding environmental, economic, social or practical reasons. It must be satisfactorily demonstrated that every effort has been made to continue the present use or to find a suitable new use.
6. Decisions on proposals for any alterations or demolition of a Listed Building will be made in accordance with the advice contained within the Scottish Historic Environment Policy (SHEP) produced by Historic Scotland and in consultation with the appropriate heritage bodies.

JUSTIFICATION

The aim of the policy is to protect Listed Buildings from works that would spoil their character. In turn this will protect a major asset that contributes significantly towards the character and amenity of the Scottish Borders and represents a valuable resource for recreational, tourism and educational purposes. 'Listed Buildings' may include structures as well as buildings.

Listed Buildings are most vulnerable when they are unoccupied and, consequently, encouragement will be given to appropriate development that would both provide occupancy and protect and enhance the character of the building. The fact that a building has been unoccupied for a period is not a justification for unsympathetic alteration. In order to assess proposals affecting Listed Buildings, the views of Historic Scotland, the Architectural Heritage Society of Scotland and other amenity bodies will be sought as appropriate.

Design Statements are a tool by which the design principles and design concepts of proposals may be illustrated and allow for the proper assessment of proposals. Brief statements may be useful even for minor developments.

The relevant government policy is Scottish Planning Policy (SPP) which aims to conserve the historic environment and Historic Scotland's. PAN 68 'Design Statements' is also relevant.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy G7 Infill Development

Policy Inf8 Radio Telecommunications

Other Built Environment policies BE2-6

POLICY BE2

ARCHAEOLOGICAL SITES AND ANCIENT MONUMENTS

Where development proposals impact on a Scheduled Ancient Monument, other nationally important sites not yet scheduled, or any other archaeological or historical site, developers will be required to carry out detailed investigations to ensure compliance with Structure Plan policies N14, N15 and N16.

STRUCTURE PLAN POLICY N14

Development proposals, which would destroy or adversely affect the appearance, fabric or setting of Scheduled Ancient Monuments or other nationally important sites not yet scheduled will not be permitted unless:

- (i) the development offers substantial benefits, including those of a social or economic nature, that clearly outweigh the national value of the site,
- (ii) there are no reasonable alternative means of meeting that development need, and
- (iii) the proposal includes a mitigation strategy acceptable to the Council.

STRUCTURE PLAN POLICY N15

Development proposals which will adversely affect an archaeological site of regional or local significance will only be permitted if it can be demonstrated that the benefits of the proposal will clearly outweigh the archaeological value of the site or feature.

STRUCTURE PLAN POLICY N16

Where there is reasonable evidence of the existence of archaeological remains, but their nature and extent are unknown, the Council may require an Archaeological Evaluation to provide clarification of the potential impact of a development before a planning decision is reached. Where development is approved which would damage an archaeological site or feature, the Council will require that such development is carried out in accordance with a strategy designed to minimise the impact of development upon the archaeology and to ensure that a complete record is made of any remains which would otherwise be damaged by the development. Such a strategy might include some or all of the following:

- (i) the preservation of remains in situ and in an appropriate setting,
- (ii) surface or geophysical survey,
- (iii) archaeological excavation,
- (iv) study of the excavated evidence and publication of the results.

The preferred solution will be influenced by the value of the site in national, regional or local terms.

JUSTIFICATION

The aim of the policy is to give Scheduled Ancient Monuments, and any other archaeological or historical sites, strong protection from any potentially damaging development. Archaeological sites represent an irreplaceable part of the Scottish Borders heritage. In addition to their inherent historical importance, they are of great interest and value for educational, recreational and tourism purposes.

When determining development proposals the Council will seek to have the remains preserved in situ. If this is determined to be unachievable, the policy allows for a full assessment of the value of any archaeological remains to establish the likely impact of the development on them and provide appropriate mitigation. Any investigation must be carried out in accordance with the Council's requirements with regard to the scale of investigations, method of studying evidence and reporting of results. In order to assess proposals affecting archaeological sites, the views of Historic Scotland will be sought as appropriate.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy G7 Infill Development

Policy G8 Development outwith Development Boundaries

Policy R3 Mineral Extraction

Policy D4 Renewable Energy

Many other environmental policies may also be relevant particularly BE1, BE 3-4, NE1-2, NE4, EP1-EP2

POLICY BE3

GARDENS AND DESIGNED LANDSCAPES

Development will be refused where it has an unacceptable adverse impact on the landscape features, character or setting of:

1. sites listed in the Inventory of Gardens and Designed Landscapes,
2. any additional sites that may be included in any revised Inventory in course of preparation by Historic Scotland or other designator bodies, or
3. historic gardens and designed landscapes recorded in the Council's Sites and Monuments Record.

Where development is approved, it should enhance the design and setting of the garden or designed landscape. All development should be carefully sited, of the highest standards of design using appropriate finishing materials and planting, to fit in with the existing landscape structure and boundary enclosures.

JUSTIFICATION

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

The Council are required to consult both Historic Scotland and Scottish Natural Heritage on any proposed development which may affect a historic garden or designed landscape as identified in the Inventory of Gardens and Designed Landscapes.

This Policy meets Scottish Government Scottish Planning Policy (SPP) which aims to preserve, protect and enhance gardens and designed landscapes and also takes account of the Scottish Historic Environment Policy (SHEP) on listed buildings and conservation areas.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy G7 Infill Development

Policy G8 Development outwith Development Boundaries

Many other environmental policies may also be relevant particularly BE1-2, BE 4, BE6, NE1-2, NE4, EP1-EP2

POLICY BE4

CONSERVATION AREAS

1. Development within or adjacent to a Conservation Area that would have an unacceptable adverse impact on its character and appearance will be refused.
2. All new development must be located and designed to preserve or enhance the special architectural or historic character of the Conservation Area. This should accord with the scale, proportions, alignment, density, materials, and boundary treatment of nearby buildings, open spaces, vistas, gardens and landscapes.
3. Conservation Area consent, which is required for the demolition of an unlisted building within a Conservation Area, will only be considered in the context of appropriate proposals for redevelopment and will only be permitted where:
 - i) the building is incapable of reasonably beneficial use by virtue of its location, physical form or state of disrepair, and
 - ii) the structural condition of the building is such that it cannot be adapted to accommodate alterations or extensions without material loss to its character, and
 - iii) the proposal will preserve or enhance the Conservation area, either individually or as part of the townscape.

In cases i) to iii) above, demolition will not be permitted to proceed until acceptable alternative treatment of the site has been approved and a contract for the replacement building or for an alternative means of treating the cleared site has been agreed.
4. Full consideration will be given to the guidance given in the Scottish Historic Environment Policy(SHEP) in the assessment of any application relating to development within a Conservation Area.
5. The Council may require applications for full, as opposed to outline, consent. In instances where outline applications are submitted, the Council will require a 'Design Statement' to be submitted at the same time, which should explain and illustrate the design principles and design concepts of the proposals. Design Statements will also be required for any applications for major alterations or extensions, or for demolition and replacement.

JUSTIFICATION

The aim of the policy is 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, and, as such, must be protected from inappropriate development. The policy aims to subject applications for demolition to scrutiny such that in cases where the building is of value, demolition should be a last resort and only considered after all the alternatives have been evaluated, regardless of the quality of the replacement. The current use of the building will be considered and the efforts made to seek alternative uses. In cases where the value of the building is limited, re-use may be of less importance and replacements of suitable quality may do more to enhance the Conservation Area.

'Development' includes alterations to existing property. Where an Article 4 Direction is in place, certain defined developments that would normally be 'permitted' under the legislation will require an application to be submitted.

Decision making will be guided by supplementary information, particularly Design Statements which provide a tool by which the design principles and design concepts of the proposals may be illustrated.

The legislation defines Conservation Areas as 'areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance' (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Conservation Areas have evolved over many years and in some instances innovative or contemporary architecture can be appropriate.

The settlements that have a Conservation Area are indicated in Table 5.1. The boundaries of all Conservation Areas are shown on the Proposals Maps for the relevant settlements. Decision making will be guided by the Conservation Area Appraisals which have been carried out for all Conservation Areas and summarised in the Settlement Profiles.

The relevant government policy is Scottish Planning Policy (SPP) which aims to conserve the historic environment and Historic Scotland's Scottish Historic Environment Policy (SHEP). PAN 68 'Design Statements' and PAN 71 'The Management of Conservation Areas' are also relevant.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy G7 Infill Development

Policy Inf8 Radio Telecommunications

Other Built Environment policies BE1-3,5-6

POLICY BE5

ADVERTISEMENTS

Applications for advertisements will be assessed against the Council's published supplementary guidance. This guidance is concerned with amenity and safety considerations. A higher standard of design will be required on Listed Buildings and in Conservation Areas. Proposals will also be assessed against the following criteria:

1. advertisements must be related to the location at which they are displayed and must be in keeping with the character of the building to which they are attached and/or the area in which they are located;
2. excessive or badly arranged advertisements which cause unsightly clutter will not be permitted;
3. advertisements which could be detrimental to road safety will not be permitted.

JUSTIFICATION

The aim of the policy is to ensure that advertisements within built-up areas do not adversely affect local character, amenity or safety. Advertisements add information, colour and interest to a commercial street however, cumulatively, they can result in a premises or an area appearing untidy and cluttered. The policy reflects the need to ensure a higher quality of design and materials for Listed Buildings and Conservation Areas, reflecting the property or area's character and appearance.

The relevant government guidance is contained in Circulars: Circular 10/1984, Circular 22/1986 and Circular 31/1992. Reference should also be made to the existing Supplementary Planning Guidance relating to Shop Fronts and Shop Signs, Tourist Advertising Signs and Tourism Signposting listed in Appendix D.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy H2 Protection of Residential Amenity

Policy BE1 Listed Buildings

Policy BE4 Conservation Areas

Policy D3 Advertisements in the Countryside

POLICY BE6

PROTECTION OF OPEN SPACE

Open space within the Development Boundary of settlements will be protected from development wherever this can be justified by reference to any of the following:

1. The strategic, local or neighbourhood importance of the open space;
2. The environmental, social or economic value of the open space;
3. The role that the open space plays in defining the landscape and townscape structure and identity of the settlement;
4. The function that the open space serves.

The categories of open space applicable to this policy comprise:

1. Functional open spaces including: outdoor sports facilities such as playing fields; play areas; allotments; cemeteries; churchyards; green corridors such as rivers or former railway lines, and
2. Amenity open spaces including: parks and gardens; natural greenspaces and woodlands; greenspaces within residential areas used informally; and civic spaces.

Development that would result in the loss of open space will only be permitted if it can be satisfactorily demonstrated that, based on consultation with user groups and advice from relevant agencies:

1. The loss of the open space is judged to have minimal environmental, social and economic impacts; OR
2. The need for the development is judged to outweigh the need to retain the open space; AND
3. Where appropriate, comparable open space or enhancement of existing open space may be provided and/or paid for by the developer at an alternative location within or immediately adjacent to the settlement where this will provide adequate and acceptable replacement for the open space lost as a result of the development. In some cases, recreational provision in the form of indoor sports facilities may be a suitable alternative provided it is equally accessible and is judged to compensate fully for the loss of the open space resource.

Development that would result in the loss of functional open space where a quantifiable demand can be demonstrated must in addition be justified by reference to:

1. The levels of existing provision and predicted requirements for the settlement;
2. The extent to which current or predicted future demand can be met on a reduced area.

JUSTIFICATION

The purpose of the policy is to give protection to a wide range of defined types of open space within settlements and to prevent their piecemeal loss to development. It also aims to ensure that where development is proposed, the loss is justified and that compensatory provisions are made. The policy approach starts from a position that values open spaces equally and does not seek to impose a hierarchy. It also recognises that some open spaces will come under greater pressure than others, particularly greenspaces within residential areas. Equally however, it recognises that open space may be required to meet development needs through infill development. Open space on the edge of settlements is not always incorporated in the Development Boundary hence the importance of referring to Policy G8.

The reference to consultation with user groups is intended to assist the decision making process. Other information, such as community views given as part of the Consultative Draft Local Plan would also be relevant. Expert advice would be sought where needed; for example sportsScotland would be consulted on any applications which include development on or new provision of playing fields.

The open spaces covered by the policy are based on the typology contained in the Scottish Government's Planning Advice Note (PAN) 65. At this stage, insufficient work has been done to allow such areas to be shown on the Local Plan proposals maps. The policy therefore applies to all open spaces within the Development Boundary, as defined on the Proposals Maps, that come within the definition covered by this policy. In the future, an improved typology may be included in the Local Plan through Review or Amendment.

Key policies to which this Policy should be cross-referenced:

Policy G7 Infill Development which covers garden ground

Policy G8 Development outwith Development Boundaries.

Policy EP3 Prevention of Settlement Coalescence; currently applies to the area between Darnick and Melrose.

Policy G1 Quality Standards for New Development which covers the provision of open space in new development.

Policy Inf2 Protection of Access Routes

POLICY BE7

CARE HOMES

Proposals for new or extended care homes or supported accommodation provision will only be supported where this meets an identified local need as defined by agreed joint strategies and commissioning plans by the Council and NHS Borders. Where local need has been identified, developer contributions to address deficiencies may be required from those proposing to develop or extend care homes in accordance with Policy G5.

JUSTIFICATION

The purpose of the policy is to ensure that applications for care homes take account of the identified local need for such facilities and the impact that such uses may have on support services and facilities. It provides for developer contributions to address such impacts. Care Homes are often run as private businesses and with the growing proportion of older people in the Borders the demand is likely to grow.

Key policies to which this Policy should be cross-referenced:

Policy H2 Protection of Residential Amenity

Policy G7 Infill Development

POLICY BE8

CARAVAN AND CAMPING SITES

Proposals for new or extended caravan and camping sites will be supported in locations that can support the local economy and the regeneration of towns and are in accordance with the Scottish Borders Tourism Strategy. Developments within or immediately outwith the development boundary of settlements that can help support local shops and services will be favoured over countryside locations.

Proposals must:

1. Be in keeping with their local environment and not cause unacceptable environmental impacts;
2. Be acceptable in terms of impact on infrastructure;
3. Be in locations free of flood risk.

JUSTIFICATION

The purpose of the policy is to support new caravan and camping facilities in locations that are environmentally acceptable and that fit with wider tourism, economic and regeneration objectives. Decision making will be guided where appropriate by advice from VisitScotland Borders. Caravan and camping sites are an important part of the network of visitor accommodation options but they can be visually intrusive in countryside or coastal locations. Within or close to towns they can complement regeneration; the potential in Hawick has been identified in particular. They are identified in government guidance as a high risk use in terms of flooding.

Key policies to which this Policy should be cross-referenced:

Policy D1 Business, Tourism and Leisure Development in the Countryside

Policy H2 Protection of Residential Amenity

Policy G8 Development outwith Development Boundaries

Policy G4 Flooding

Many of the environmental policies will be relevant particularly for applications in countryside locations.

Reference should also be made to Structure Plan policy E21 Tourism Development.

POLICY BE9

EDUCATION SAFEGUARDING

Within areas identified for educational uses judged to be of strategic importance, consent will only be granted for those uses that would facilitate or improve educational facilities within the Scottish Borders.

JUSTIFICATION

The purpose of the policy is to support existing educational facilities by controlling alternative uses. It is aimed at facilities considered to be fundamental to the wellbeing of Borders communities and to the economy of the region. It is therefore most likely to be used to safeguard further or higher education facilities and currently only applies to the Heriot-Watt University Campus at Netherdale, Galashiels.

Key policies to which this Policy should be cross-referenced:

Policy H2 Protection of Residential Amenity

Policy G7 Infill Development

Policy NE1 International Nature Conservation Sites

POLICY BE12

FURTHER HOUSING LAND SAFEGUARDING

The areas indicated in the settlement profiles for longer term expansion and protection shall be safeguarded accordingly. Proposals for housing development in such expansion areas coming forward in advance of the identification of a shortfall in the effective housing land supply will be treated as premature.

JUSTIFICATION

This policy is intended to assist the Council to maintain the housing land supply at all times, while safeguarding particularly sensitive areas from development. The housing land audit process will be used to monitor the need for any additional land release. These safeguarded expansion areas are similar to but in addition to those necessary to meet the requirements of structure plan policy H1A. Where possible, safeguarded areas are shown on the Proposals Maps. Any proposals that come forward in these areas will be assessed against the policies in the approved development plans.

Key policies to which this Policy should be cross-referenced:

Policy NE1 International Nature Conservation Sites

Policy G8 Development out with Development Boundaries

Policy H1 Affordable Housing

Policy D1 Business, Tourism and Leisure Development in the Countryside

POLICY NE1

INTERNATIONAL NATURE CONSERVATION SITES

Sites of international importance for nature conservation will be afforded the highest level of protection from development. Development proposals that impact on an internationally important wildlife site must comply with Structure Plan Policy N2.

STRUCTURE PLAN POLICY N2

Development proposals which will have a significant effect on a designated or proposed Natura 2000 site, or a listed or proposed Ramsar site, and are not directly connected with or necessary to the conservation management for that site, will be subject to an assessment of the implications on the site's conservation objectives. The development will only be permitted where the assessment demonstrates that:

- (i) there are no alternative means of meeting that development need, and
- (ii) there are imperative reasons of overriding public interest, including those of a social or economic nature that clearly outweigh the international nature conservation value of the site.

JUSTIFICATION

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

The process is referred to as carrying out an 'appropriate assessment', and can be broken down into two distinct phases. The first is a scientific appraisal of the impact of the proposals on the qualifying interests of the site. The second is the decision based on this appraisal regarding whether the proposal will have an effect on the integrity of the site. An Appropriate Assessment is different to the Environmental Statement resulting from an Environmental Impact Assessment, although information presented in an Environmental Statement can be used to carry out the Appropriate Assessment. It is the 'competent authority' that is required to carry out the assessment but the developer is required to provide sufficient information to enable it to be carried out.

Natura 2000 sites comprise Special Areas of Conservation and Special Protection Areas which are shown on Proposals Maps P0-P5. Ramsar sites are also SSSIs which are shown on the Proposals Maps.

The relevant government guidance is NPPG14 Natural Heritage.

Key policies to which this Policy should be cross-referenced:

As there are sites to which a number of designations apply, other NE and EP environmental policies may be relevant.

Policy D4 Renewable Energy

Policy Inf8 Radio Telecommunications

POLICY NE2

NATIONAL NATURE CONSERVATION SITES

Where development proposals impact on a national nature conservation site, developers will be required to submit sufficient information about the impact of the development on the features of interest of the site to ensure compliance with Structure Plan Policy N3.

Information should include the consideration of alternative sites for the development and opportunities for mitigation of potential damage.

STRUCTURE PLAN POLICY N3

Development proposals which will have an adverse effect, either directly or indirectly, on a Site of Special Scientific Interest will not be permitted unless:

- (i) the development will not adversely affect the integrity of the site, and
- (ii) the development offers substantial benefits, including those of a social or economic nature, that clearly outweigh the national nature conservation value of the site.

Where the site concerned is a National Nature Reserve, particular regard will be paid to the site's national importance.

JUSTIFICATION

The aim of the policy is to give nature conservation sites of national importance adequate protection from potentially damaging development. Where such development is permitted under Structure Plan Policy N3, mitigation measures of an appropriate nature and scale to compensate for damage to the site and its features of interest will be required, and may be located on or off the site.

Nationally important sites are legally protected by their designation as Sites of Special Scientific Interest (SSSI) for their floral, faunal, geological and geomorphological interests, and as National Nature Reserves (NNR). There are 94 SSSIs in the Scottish Borders and 3 NNRs (locations shown on Proposals Maps P0-P5).

Key policies to which this Policy should be cross-referenced:

As there are sites to which a number of designations apply, other NE and EP environmental policies may be relevant.

Policy G5 Developer Contributions

Policy D4 Renewable Energy

Policy Inf8 Radio Telecommunications

POLICY NE3

LOCAL BIODIVERSITY

1. The Council will seek to safeguard the integrity of habitats both within and outwith settlements which are of importance for the maintenance and enhancement of local biodiversity. The rationale and detail for this is set out in the Supplementary Planning Guidance for Biodiversity.
2. Where development is proposed on a site for which there is evidence to suggest that a habitat or species of importance exists, the developer may be required, at their own expense, to undertake a survey of the site's natural environment. Major developments, as defined by the categories of development identified in the Council's biannual Scottish Government Planning Application Returns, may require an Ecological Impact Assessment.
3. Development that could impact on local biodiversity through impacts on habitats and species should
 - i) Be sited and designed to minimise adverse impacts on the biodiversity of the site, including its environmental quality, ecological status and viability,
 - ii) Aim to avoid the fragmentation or isolation of habitats,
 - iii) Aim to enhance the biodiversity value of the site through the creation or restoration of habitats and wildlife corridors and provision for their long term management and maintenance.
4. Development that would have an unacceptable adverse effect on habitats or species of Conservation Concern as identified in the regional listings in the Local Biodiversity Action Plan (LBAP) will be refused unless it can be demonstrated that the public benefits of the development clearly outweigh the value of the habitat for biodiversity conservation.
5. Where the reasons in favour of development clearly outweigh the desirability of retaining particular habitat features, mitigation measures aimed at ensuring no net loss of LBAP habitats will be sought, including the creation of new habitats or the enhancement of existing habitats, in accordance with Policy G5 Developer Contributions and the associated Supplementary Planning Guidance.

JUSTIFICATION

The purpose of the policy is to safeguard and enhance local biodiversity in line with the Council's environmental policies and its commitment to sustainability. It also contributes to the Council's statutory duty to further the conservation of biodiversity under Part 1 of the Nature Conservation (Scotland) Act 2004. 'Local' in this context refers to the Scottish Borders. The approach seeks to encourage developers to consider biodiversity at the outset and to try to build it into their schemes. This can be assisted by the Supplementary Planning Guidance on Biodiversity which provides detailed guidance to developers on the protection and enhancement of biodiversity.

The policy is aimed at sites not subject to special designations under Policies NE1 and NE2 which only account for 6% of the Scottish Borders' land area. Much of the biodiversity of the region, and the continued biodiversity within the designated sites, is dependent on the wider countryside. Protection of wider biodiversity is also important for the conservation of widely dispersed species with national protection. This policy does however recognise that biodiversity is also an issue in urban areas and it therefore covers habitats within settlements as well as in the countryside.

Decision making will be supported by the Local Biodiversity Action Plan (LBAP) and Supplementary Planning Guidance on Biodiversity, and guided by planning/development briefs, expert advice from relevant environmental agencies and information from the Biological Resources Centre. Any biological site survey undertaken by developers will be deposited with the Council's Ecology Officer and in the Scottish Borders Biological Resources Centre.

The LBAP provides the framework for determining the requirements of biodiversity in the wider countryside, and its main focus is to integrate actions to ensure the enhancement of an ecological habitat network beyond the protected sites. This approach follows Article 10 of the EC Habitats Directive which

provides for the sensitive management of habitats and species in the wider countryside, particularly those features that are of major importance to wild flora and fauna. The Council is committed to adopt this approach and will support it through a tranche of priority Habitat Action Plans, detailed in the Supplementary Planning Guidance on Biodiversity.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy G4 Flooding

Policy G5 Developer Contributions

Policy BE6 Protection of Open Space

Policy Inf 8 Radio Telecommunications

Policy D4 Renewable Energy

Policy R3 Mineral Extraction

Other environmental policies may also be relevant particularly NE1- NE2, NE4-NE5.

POLICY NE4

TREES, WOODLANDS AND HEDGEROWS

The Council supports the maintenance and management of trees, woodlands, including ancient woodlands and ancient woodland pastures, and hedgerows, (hereafter referred to as the 'woodland resource') and requires developers to incorporate, wherever feasible, the existing woodland resource into their schemes.

1. Development that would cause the loss of, or serious damage to the woodland resource, will be refused unless the public benefits of the development at the local level clearly outweigh the loss of landscape, ecological, recreational, historical or shelter value. Decision making will be informed by the Scottish Borders Woodland Strategy, expert advice from external agencies, the existing condition of the woodland resource and BS5837: Trees in Relation to Construction;
2. The siting and design of the development should aim to minimise adverse impacts on the biodiversity value of the woodland resource, including its environmental quality, ecological status and viability;
3. Where there is an unavoidable loss of the woodland resource, appropriate replacement planting will normally be a condition of planning permission. In some locations planning agreements will be sought to enhance the woodland resource;
4. Development proposals should demonstrate how the protection of the woodland resource will be carried out during construction, adopting British Standard 5837.

JUSTIFICATION

The aim of the policy is to give protection to the woodland resource and in turn to give protection to the character of settlements and the countryside, maintain habitats and provide an important recreational asset. The policy seeks to protect the whole resource, not only individual trees that might be protected by a Tree Preservation Order or safeguarded by a condition on a planning permission. It is also equally aimed at protecting the woodland resource in towns as well as in countryside. The policy encourages developers to take account of the existing woodland resource at the outset of their development schemes and provides for the protection of the resource during construction. This will be guided by the Council's planning and development briefs which provide for the retention and enhancement of the woodland resource.

Key policies to which this Policy should be cross-referenced:

Policy NE3 Local Biodiversity

Policy G1 Quality Standards in new Development

Policy G5 Developer Contributions

Policy G7 Infill Development

Other environmental policies may also be relevant particularly NE1 International Nature Conservation Sites and NE2 National Nature Conservation Sites

POLICY NE5

DEVELOPMENT AFFECTING THE WATER ENVIRONMENT

The Council aims to protect the quality of the water resource and requires developers to consider how their proposals might generate potentially adverse impacts and to build in measures that will minimise any such impacts and enhance and restore the water environment.

Development affecting a water body, water catchment area, river corridor or other waterside areas, that is judged to have an unacceptable impact on nature conservation, biodiversity, landscape, fisheries, recreation, riverworks or public access, will be refused.

Decision-making will be guided by an assessment of:

1. pollution of surface or underground water, including water supply catchment areas, as a result of the nature of any surface or waste water discharge or leachate,
2. pollution resulting from the disturbance of contaminated land,
3. flooding risk or the exacerbation of existing flooding problems, within the site or the wider river catchment,
4. compliance with current best practice on Sustainable Urban Drainage (SUDS).

JUSTIFICATION

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.

The responsibility for protecting the water environment requires the co-ordination of the Scottish Environmental Protection Agency, Scottish Natural Heritage, Tweed Forum and other partners in terms of land use planning and environmental management. The Council will liaise with its partner organisations particularly in regard to the River Tweed Special Area of Conservation

The policy is intended to meet the requirements of the Water Environment and Water Services Act, the Water Framework Directive and the requirement for River Basin Management Planning.

Opportunities to enhance and restore the water environment in support of biodiversity are set out in the supplementary policy guidance on biodiversity.

Key policies to which this Policy should be cross-referenced:

Policy NE6 River Engineering Works

Policy G1 Quality Standards for New Development

Policy G4 Flooding

Policy G5 Developer Contributions

Policy Inf 5 on Waste Water Treatment Standards

Policy Inf 6 Sustainable Urban Drainage

Many environmental policies will be relevant particularly NE1-NE3, EP1-EP2.

POLICY NE6

RIVER ENGINEERING WORKS

River engineering works, either 'in-stream' or 'on-bank', that would have a significant adverse effect upon water quality, quantity or flow rate, ecological status, riparian habitat, protected species or floodplains, whether up or downstream from the works, will be refused.

JUSTIFICATION

River engineering works may be required for fisheries management, flood defence or erosion control. It is essential that a proper assessment is made of any potential adverse effect on the environment of the watercourse. The aim of the policy is to provide watercourses with adequate protection against inappropriate or insensitive river engineering works.

POLICY EP1

NATIONAL SCENIC AREAS

Where development proposals impact on a National Scenic Area, developers will be required to comply with Structure Plan policy N10.

STRUCTURE PLAN POLICY N10

Development in National Scenic Areas will only be permitted where:

- (i) the objectives of designation and the overall landscape value of the site will not be compromised, or
- (ii) any significant adverse effects on the qualities for which the site has been designated are clearly outweighed by social or economic benefits of national importance

JUSTIFICATION

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

Where development proposals impact on an NSA, compliance with Structure Plan Policy N10 will require developers to carry out detailed assessments involving the identification of the scenic qualities of the NSA, the contribution the application site currently makes to the NSA and the way in which the proposed development will enhance the qualities of the NSA. In particular, the scale, siting and design of any development proposed should be appropriate to its location, with a high standard of associated landscaping.

National Scenic Areas were identified in 1978 as 'areas of unsurpassed attractiveness which must be conserved as part of Scotland's national heritage'. Their designation was based on the richness of diverse combinations of landscape elements and spectacular or visually dramatic landscapes. There are forty NSAs in Scotland, of which two are in the Scottish Borders – Eildon and Leaderfoot NSA and Upper Tweeddale NSA. The locations are shown on the Proposals Maps PO-P5.

The relevant government policy is Scottish Planning Policy (SPP).

Key policies to which this Policy should be cross-referenced:

As there are sites to which a number of designations apply, other NE and EP environmental policies may be relevant.

Policy D4 Renewable Energy

Policy Inf8 Radio Telecommunications

POLICY EP2

AREAS OF GREAT LANDSCAPE VALUE

Where development proposals impact on an Area of Great Landscape Value (AGLV), developers will be required to comply with Structure Plan policy N11.

STRUCTURE PLAN POLICY N11

In assessing proposals for development in Areas of Great Landscape Value, the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development. Proposals that have a significant adverse impact will only be permitted where the impact is clearly outweighed by social or economic benefits of national or local importance.

JUSTIFICATION

The aim of the policy is to ensure that areas of identified landscape quality, as defined by the local authority, are afforded adequate protection against inappropriate development. Decision-making will be guided by the Borders Landscape Character Assessment. As a local designation, the protection is less stringent that needs to be the case for National Scenic Areas. Development that complies with other countryside policies may be able to be satisfactorily accommodated in the landscape.

There are 6 AGLVs in the Borders, shown on Proposals Maps P0-P5. As the designation of these AGLVs took place many years ago, the council proposes to carry out a review of the whole Council area, with a view to designating additional areas where the operation of Policy EP2 would be desirable and appropriate.

Key policies to which this Policy should be cross-referenced:

As there are sites to which a number of designations apply, other NE and EP environmental policies may be relevant.

Policy G5 Developer Contributions

Policy D1-D4 Countryside policies

Policy Inf8 Radio Telecommunications

POLICY EP3

COUNTRYSIDE AROUND TOWNS

Within the area defined as Countryside Around Towns, proposals will only be considered if they meet the following considerations:

1. There is an essential requirement for a rural location and the use is appropriate to a countryside setting e.g. agricultural, horticultural, forestry, countryside recreation, nature conservation, landscape renewal, community facilities, or
2. It involves the rehabilitation, conversion, limited extension or an appropriate change of use of existing traditional buildings of character, and,
3. It enhances the existing landscape, trees, woodland, natural & man-made heritage, access and recreational facilities, or
4. Subject to satisfactory design and setting, it has a proven national or strategic need and no alternative is suitable.

The extent of the 'Countryside Around Towns' designation is identified in Policy Map 6. Supplementary Planning Guidance will detail the policy in greater depth and provide an action plan regarding the approach to enhancements.

JUSTIFICATION

The aim of this policy is to ensure that the high quality living environment is protected and enhanced and that this area is not subject to piecemeal development that detracts from the area's outstanding biodiversity, landscape, historical and recreational context. It will also help to prevent the coalescence of individual towns and villages within the area thereby retaining their individual identity. The policy also seeks to allow further enhancement of the area through developments necessary to the rural setting that provide landscaping improvements.

The Structure Plan clearly states in its Principal Aim that growth should be encouraged when it supports the development of individual sustainable communities that have a range of multi-use green space, benefit from the enjoyment of Borders' countryside, rivers and cultural heritage. The area identified in the Proposal Map is of particularly high value in terms of biodiversity, landscape, heritage open space, sports and recreation and therefore requires further protection to ensure that these benefits remain an important resource for the Primary Development Hub. It is also important that the individual settlements within this proposed area are protected from coalescence. A key requirement of the Principal Aim within the Structure Plan is that these objectives are monitored through the Local Plan.

Key policies to which this Policy should be cross-referenced:

Policy G8 Development outwith Development Boundaries.

Policy D1 Business, Tourism and Leisure Development in the Countryside.

Built Environment policies particularly BE1-BE3.

Natural Environment Policies particularly NE1-NE4.

Environmental Protection policies particularly EP1-EP2.

POLICY EP4

COASTLINE

Development proposals at a coastal location will be required to comply with Structure Plan policy N12.

STRUCTURE PLAN POLICY N12

Development proposals at a coastal location will only be permitted where:

- (i) the proposal is located within a defined settlement boundary or related to an existing building group; or
- (ii) the development requires a coastal location; and
- (iii) the benefits of the proposal clearly outweigh any damage to the landscape character or to the nature conservation value of the site as assessed under other relevant Plan policies.

The 'defined settlement boundary' referred to in that policy refers to the Eyemouth development boundary comprising 'developed coast' in terms of National Planning Policy Guideline 13-Coastal Planning (NPPG13). The area outwith the Eyemouth development boundary comprises 'undeveloped coast' in terms of NPPG13.

JUSTIFICATION

The policy is aimed at ensuring that the coastline, in particular the 'undeveloped coast' outwith the Eyemouth settlement boundary, is afforded adequate protection from inappropriate development. The coast is important not just from an environmental point of view but because of its value as a tourism asset. This and other development pressure could conflict with nature conservation objectives.

The policy applies to the coastal zone as defined by the 'Coastal Types' Landscape Character Area, shown on Proposals Maps P0-P5.

Key policies to which this Policy should be cross-referenced:

Other NE and EP environmental policies may be relevant particularly those involving designations.

Policy G5 Developer Contributions

D1-D4 Countryside policies

Policy Inf8 Radio Telecommunications

POLICY EP5

AIR QUALITY

Development proposals that, individually or cumulatively, could adversely affect the quality of air in a locality to a level that could potentially harm human health and wellbeing or the integrity of the natural environment, must be accompanied by provisions that the Council is satisfied will minimise such impacts to an acceptable degree.

JUSTIFICATION

The purpose of this policy is 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. The Borders currently has few areas where poor quality air is an issue and the Council is keen to maintain this standard.

This policy will contribute to the Council's obligation with regard to air quality management in relation to health-based standards for the 8 main pollutants, i.e. particulate matter (PM10) Benzene, 1,3-Butadiene, Carbon Monoxide, Lead, Nitrogen Dioxide, and Sulphur Dioxide.

The policy applies not just to employment development that may involve emissions but to other land uses that, through the generation of traffic, for example, could result in deterioration of local air quality. It applies to visible pollutants and to invisible gases such as CO2 which have been linked to climate change.

The relevant government guidance is Air Quality and Land Use Planning (dated March 2004) PAN51 and Air Quality (Scotland) Regulations 2000 (amended 2002).

Key policies to which this Policy should be cross-referenced:

Policy Inf11 Developments that Generate Travel Demand

POLICY ED1

PROTECTION OF EMPLOYMENT LAND

There is a presumption in favour of the retention of industrial and business use on strategic and other employment sites, including new land use proposals for employment land.

A. STRATEGIC SITES FOR BUSINESS AND INDUSTRY

1. Strategic Employment Sites

Development for uses other than Classes 4, 5 and 6 on strategic employment sites in the locations identified under Policy E13 of the Structure Plan will be refused.

2. High Amenity Sites

Development on Business Parks, including that proposed at Tweed Horizons, Newtown St Boswells, will be predominantly for Class 4 use. Other complementary commercial activity e.g. offices, call centres and high technology uses may be acceptable if it enhances the quality of the business park as an employment location. The proposals will be the subject of a development brief on their design and layout.

B. OTHER EMPLOYMENT SITES

Established or proposed industrial estates as identified on the Proposals Maps, and other industrial locations will be retained for industrial development primarily as set out in Classes 4, 5 and 6. Compatible uses such as waste management may be considered to be acceptable. Other uses will be refused unless:

1. the loss of employment land does not prejudice the existing and predicted long term requirements for industrial and business land in the locality, and
2. the alternative land use is considered to offer significant benefits to the surrounding area and community that outweigh the need to retain the site in employment use, and
3. there is a constraint on the site whereby there is no reasonable prospect of its becoming marketable for employment development in the future, or
4. the predominant land uses have changed owing to previous exceptions to policy such that a more mixed use land use pattern is now considered acceptable by the Council,

In all employment land site categories development must:

- respect the character and amenity of the surrounding area, and be landscaped accordingly, and
- be compatible with neighbouring employment uses.

Shops and outright retail activities will not be allowed on any employment land category; the only retailing permissible will be that which is considered to be ancillary to some other acceptable activity (e.g. manufacture; wholesale). For the purposes of this policy, ancillary is taken as being linked directly to the existing use of the unit and comprising no more than 10% of total floor area.

JUSTIFICATION

The aim of the policy is to ensure that adequate supplies of employment land are retained for business and industrial use and are not diluted by a proliferation of other uses. The policy recognises the financial difficulty in bringing forward new employment land in a rural area such as the Borders where the business economic case is often weak and therefore seeks to protect existing resources into the long term.

The policy provides rigorous protection of strategic employment sites for business and industry which comprise: Charlesfield, Tweedside Park, Galalaw, Pinnaclehill, Cavalry Park and Gungreen as identified in the Structure Plan and the proposed high amenity employment sites at Tweed Horizons, Newtown St Boswells and Lauder.

The policy similarly protects industrial estates and industrial areas, but recognises that there may be limited extenuating circumstances which would allow consideration of redevelopment to other use. However, in view of the Council policy to support existing town and village centres, retailing is not considered to be an appropriate use on industrial estates.

Class 4 covers offices, light industry and research and development, Class 5 is general industrial and Class 6 is Storage and Distribution. 'Marketable' is defined in Scottish Government guidance and means that the site is ready for development.

The policy does however recognise that there are certain uses that can co-exist on an industrial estate; these may include for example waste management facilities, car showrooms and other 'sui generis' uses as identified in the Use Classes Order as well as small scale renewable energy and radio telecommunications development. It also recognises that over the lifetime of the local plan changes can take place which may result in a more mixed use pattern emerging which may be acceptable in some localities. Consultation with the Council's Head of Economic Development and Regeneration and the Local Enterprise Company will often be necessary to assist decision making.

The relevant government policy is Scottish Planning Policy (SPP).

Key policies to which this Policy should be cross-referenced:

Policy G7 Infill Development

Policy ED3 Shopping Development

Policy G1 Quality Standards for New Development

Policy NE1 International Nature Conservation Sites

Policy H3 Land Use Allocations

POLICY ED2

EMPLOYMENT USES OUTWITH EMPLOYMENT LAND

Within the defined Development Boundary there will be a general presumption against industrial or business uses (Use Classes 4, 5 and 6) outwith employment land or redevelopment sites (Policies ED1 and H3). Any proposal for such a use in such a location will be required to:

1. justify the need for that location, and
2. demonstrate significant economic and/or employment benefit, and
3. demonstrate that it can co-exist satisfactorily with adjoining uses.

JUSTIFICATION

The aim of the policy is to ensure that within Development Boundaries of settlements, industrial and business uses are generally restricted to employment land sites identified under policies ED1 and H3 or land use allocations for mixed uses or redevelopment opportunities identified under policy. This to assist in protecting residential amenity and to retain town centres for more appropriate uses such as shopping and leisure.

Key policies to which this Policy should be cross-referenced:

Policy G7 Infill Development

Policy H2 Protection of Residential Amenity

Policy ED5 Town Centres

Policy D1 Business, Tourism and Leisure Development in the Countryside

Policy H3 Land Use Allocations

POLICY ED3

SHOPPING DEVELOPMENT

Proposals for new shopping development including changes of use to a shop will be assessed against Structure Plan policies E17 and E18.

STRUCTURE PLAN POLICY E17

In assessing applications for retailing development, both for food and non-food shopping, the Council will seek to support and enhance the role of town centres. Town centre locations will be preferred to edge-of-centre locations which, in turn, will be preferred to out-of-centre locations. An out-of-centre location will only be considered favourably if there is no suitable site available in a town centre or edge-of-centre location.

STRUCTURE PLAN POLICY E18

The Council will have regard to the following considerations in assessing any application for out-of-centre retail development:

- (i) the individual or cumulative impact of the proposed development on the vitality and viability of existing town centres,
- (ii) the availability of a suitable town centre or edge-of-centre site,
- (iii) the ability of the proposal to meet deficiencies in shopping provision which cannot be met in town centre or edge-of-centre locations,
- (iv) the impact of the proposal on travel patterns and car usage,
- (v) the accessibility of the site by a choice of means of transport,
- (vi) the location of the proposal. Sites will be located within existing settlements and, within them, preference will be given to applications on vacant or derelict sites, or on sites deemed to be surplus to requirements.

JUSTIFICATION

The aim of the policy is to guide new shopping development to town and village centres and thereby help protect and enhance the vitality and viability of these centres, particularly the defined centres in the larger settlements shown on the Proposals Maps. A 'sequential test' ensures that the first preference for retail development is given to town centre sites, followed by edge-of-centre sites and only as a last resort, out-of-centre sites. Retail impact assessments will be used to guide decision-making. This principle is in accordance with Scottish Planning Policy (SPP) which sets out policy for town centres and the key uses, particularly retailing, which contribute to their economic growth.

The policy is aimed at new shopping development, rather than the protection of existing shopping uses which is dealt with in other policies.

Depending on the size and location of development, many other policies may be relevant in assessing applications.

Key policies to which this Policy should be cross-referenced:

Policy ED4 Prime Retail Frontage

Policy ED5 Town Centres

Policy Inf11 Developments that Generate Travel Demand

Policy H2 Protection of Residential Amenity

Policy BE5 Advertisements

Policy G7 Infill Development

Policy G8 Development outwith Development Boundaries

Policy D1 Business, Tourism and Recreational Development in the Countryside

Policy ED1 Protection of Employment Land

Policy G1 Quality Standards for New Development

POLICY ED4

PRIME RETAIL FRONTAGE

The Council will resist the loss of shop uses (Use Class 1) within prime retail frontages as identified on the Local Plan Proposals Maps. Proposals for uses other than shop uses at ground level on prime retail frontages will be refused unless it can clearly be demonstrated that the development would not result in an unacceptable adverse impact on the viability or vitality of the town centre or village.

JUSTIFICATION

The aim of the policy is to give protection to shop uses on the prime retail frontages as defined in the larger settlements and shown on the proposals maps. Shop uses are as defined in Class 1 of the Use Classes Order. In turn this will prevent the gradual loss of shop uses in locations where shops are regarded as important to the vitality and viability of the centre.

Decision making will be guided by any research or studies on vitality and viability by the Council or developers.

The relevant government policy is Scottish Planning Policy (SPP).

Key policies to which this Policy should be cross-referenced:

Policy ED3 Shopping Development

Policy ED5 Town Centres.

POLICY ED5

TOWN CENTRES

Outwith the ground floor level of defined Prime Retail Frontages, the Council will support a wide range of uses appropriate to a town centre. Proposals for shopping development and other appropriate town centre development, will generally be approved within defined town centres of the larger settlements provided that the character, vitality, viability and mixed-use nature of the town centre will be maintained and enhanced. Appropriate development other than Class 1 shop uses could include:

1. Food and drink uses (Class 3 of the Use Classes Order),
2. Offices (Classes 2 and 4 of the Use Classes Order),
3. Commercial leisure and entertainment (including cinemas and theatres),
4. Residential, particularly flats above ground floor retail level,
5. Health care,
6. Education,
7. Tourism-related uses.

Any proposed developments which would create an unacceptable adverse impact on the town centre will be refused.

JUSTIFICATION

The aim of the policy is to encourage an appropriate mix of town centre uses that will maintain and enhance the vitality and viability of town centres. The defined town centres are identified on the Local Plan Proposals Maps. Decision making will be guided by the role that the centre plays in the area, whether the centre is a regeneration priority and by the results of any vitality and viability studies. The principle is in accordance with Scottish Planning Policy (SPP) which sets out policy for town centres and the key uses, particularly retailing, which contribute to their economic growth. Development proposals will also be assessed against any development briefs.

The policy is not intended to apply to the ground floor of Prime Retail Frontages where uses are much more restricted.

Key policies to which this Policy should be cross-referenced:

*Policy ED3 Shopping Development
Policy ED4 Prime Retail Frontage
Policy G7 Infill Development
Policy ED2 Employment Uses outwith Employment Land
Policy BE4 Conservation Areas
Policy G1 Quality Standards for New Development
Policy Inf4 Parking Provisions and Standards
Policy Inf11 Development that Generates Travel Demand*

POLICY H1

AFFORDABLE HOUSING

Where the Local Housing Strategy or local needs assessment identifies a local housing need, the Council will require the provision of a proportion of land for affordable or special needs housing, both on allocated and windfall sites. The final scale of such affordable and/or special needs housing will be assessed against:

1. ongoing local housing needs assessment work being carried out by the Council,
2. the location and size of the site, and
3. the availability of other such housing in the locality.

Developers may be required to make contributions through:

4. the provision of a proportion of the site for affordable housing, or
5. the provision of additional land elsewhere to accommodate the required number of affordable housing units, or
6. the provision of commuted payments.

JUSTIFICATION

The aim of the policy is 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.

The requirement set by this policy, and the means of meeting it, will vary between settlements and between sites. Negotiation on a site by site basis at the time of an application will determine the precise requirements relating to any specific development proposal. Ongoing research as part of the local housing needs assessment has identified, and will continue to identify, areas where there is a demonstrable need for affordable housing. Where surveys have been undertaken on local housing need, this is indicated in the Settlement Profiles.

Decision making will be guided by the Council's Supplementary Planning Guidance on Affordable Housing which, at the time of writing, provides for a minimum 15-25% in line with the PSG on Affordable Housing. These percentages may be revised upwards depending on the site or the information available on local need.

'Affordable' housing is broadly defined as housing that is available for rent or sale that meets local identified needs of people who cannot afford to buy or rent housing for their requirements that is generally available on the open market. A fuller definition is given in the Supplementary Planning Guidance.

POLICY H2

PROTECTION OF RESIDENTIAL AMENITY

Development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against:

1. The principle of the development, including where relevant, any open space that would be lost; and
2. The details of the development itself particularly in terms of:
 - (i) the scale, form and type of development in terms of its fit within a residential area,
 - (ii) the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking and loss of privacy. These considerations apply especially in relation to garden ground or 'backland' development,
 - (iii) the generation of traffic or noise,
 - (iv) the level of visual impact.

JUSTIFICATION

The aim of the policy is 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. The policy will be applicable for alterations and extensions, development on garden ground or 'backland', redevelopment of brownfield sites and development on gap sites. It applies to all forms of development and will often be most applicable to development other than housing.

The Scottish Government's Scottish Planning Policy (SPP), states the need for high quality layout in housing developments in order to protect residential amenity.

Key policies to which this Policy should be cross-referenced:

Policy G7 Infill Development

Policy G1 Quality Standards for New Development

Policy BE6 Protection of Open Space

Built environment policies BE1-BE4

POLICY H3

LAND USE ALLOCATIONS

1. Development will be approved in principle for the land uses allocated on the Land Use Proposals tables and accompanying Proposals Maps.
2. Development will be in accordance with any Council approved planning or development brief including where this has been prepared by developers, provided it meets the requirements for the site and its acceptability has been confirmed in writing by the Council.
3. Sites proposed for redevelopment or mixed use may be developed for housing, employment (classes 4, 5 and 6 of the Use Classes Order) or retailing, subject to the sequential test, or a mix of uses that could include community facilities and open space depending on the location of the site, the needs of the community and the deliverability of alternative uses. Redevelopment sites may be developed for a single use.
4. Sites proposed for commercial redevelopment will comprise appropriate town centre uses within Classes 1-4 of the Use Classes Order.
5. Any other use on allocated sites will be refused unless the developer can demonstrate that:
 - (i) it is ancillary to the proposed use and in the case of proposed housing development, it still enables the site to be developed in accordance with the indicative capacity shown in the Land Use Proposals table and/or associated planning briefs, or
 - (ii) there is a constraint on the site and no reasonable prospect of its becoming available for the development of the proposed use within the Local Plan period, or
 - (iii) the alternative use offers significant community benefits that are considered to outweigh the need to maintain the original proposed use, and
 - (iv) The proposal is otherwise acceptable under the criteria for infill development.

JUSTIFICATION

This policy applies to all the allocated land use proposals as shown on the tables within each Settlement Profile and as illustrated on the proposals maps. The aim of the policy is to ensure that sites allocated in the Local Plan are developed for their intended use and that justification is provided for an alternative use. This is important because the housing sites are needed to meet the Structure Plan Housing Land Requirement and employment sites have been identified to meet identified shortfalls in supply. Examples of the types of uses that might be considered to offer significant community benefits and that could justify an exemption could include a health or sporting facility, school or employment use.

The redevelopment sites are those identified through the Local Plan process but are not intended to represent a comprehensive picture of all the potential opportunities. Classes 1-4 of the Use Classes Order intended for the commercial redevelopment area identified in Galashiels comprise shops, financial and professional services appropriate to a town centre, food and drink and offices and light industry. Employment includes Class 4 and also Class 5 (general industry) and Class 6 (storage and distribution).

Development of housing sites will be guided by Planning Briefs, taking into account the requirements of the Scottish Government's Planning Advice Note (PAN) 44, (Fitting New Housing Development into the Landscape). The development of sites identified for redevelopment (normally brownfield sites) and mixed use (normally greenfield) will be guided by Development Briefs. The Council is progressing a programme of planning and development briefs which, following consultation and Council approval will become Supplementary Guidance and a material consideration in determining planning applications. In some cases, developers may choose to prepare their own briefs and provided these meet the standards employed in the Council-prepared briefs, these will normally be acceptable.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development which covers the provision of open space in new development.

Policy G4 Flooding (and Settlement Profiles)

Policy G7 Infill Development

Policy ED1 Protection of Employment Land

Policy G8 Development outwith the Development Boundary.

Policy NE1 International Nature Conservation Sites

POLICY Inf1

TRANSPORT SAFEGUARDING

Development that could prejudice future road or rail routes or improvements, or railway stations, will not be permitted on or adjacent to the indicative locations as identified on the Proposals Maps or that may be identified in a future Council capital plan.

JUSTIFICATION

The aim of the policy is to prevent any development that would adversely affect future strategic transport schemes which currently include: the Waverley Railway Project, reinstatement of the former Waverley Railway line to Carlisle, the Selkirk bypass; Reston station. Other transport schemes are included as land use proposals.

Key policies to which this Policy should be cross-referenced:

Policy G7 Infill Development

Policy G8 Development Outwith Development Boundaries

Policy NE1 International Nature Conservation Sites

POLICY Inf2

PROTECTION OF ACCESS ROUTES

1. When determining planning applications and preparing development briefs and in accordance with the Scottish Borders Access Strategy, the Council will seek to uphold access rights by protecting existing access routes including: statutorily designated long distance routes; Rights of Way; walking paths; cycle ways; equestrian routes; waterways; identified Safe Routes to School and in due course, Core Paths.
2. Where development would have a significant adverse effect on the continued access to or enjoyment of an access route or asserted Right of Way, alternative access provision will be sought at the developer's cost either by diverting the route or incorporating it into the proposed development in a way that is no less attractive and is safe and convenient for public use. Unless such appropriate provision can be made, the development will be refused.

JUSTIFICATION

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. The policy also contributes to the Council's aim to encourage increased use of walking and cycling as modes of travel and as a means to improved health and wellbeing.

The policy encourages developers to address access needs at the outset, thereby ensuring continued access and enjoyment of the outdoors. Developers should therefore aim to incorporate the need for continued public access by integrating existing outdoor access routes into the layout and design of the scheme. Encouragement to new access routes in new development is provided for in Policy G1

Where development infringes on an existing access route(s), there may be justification to modify existing access provisions. In exceptional cases, alternative access provisions may be sought including any formal diversion. Refusal would be seen as a last resort. The wider community benefits of the development would be taken into account in decision making.

The Land Reform (Scotland) Act also requires local authorities to identify and maintain a Core Path Network. This network may include long distance routes such as the Southern Upland Way and St Cuthberts Way, and other routes which the Council considers are of significant value to tourism and to local residents and which are important to ensure reasonable public access throughout the area.

The relevant government policy is Scottish Planning Policy which states that planning authorities should consider access issues and should protect core and important routes and access rights.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy G5 Developer Contributions

Policy G7 Infill Development

Policy G8 Development Outwith Development Boundaries

Policy BE6 Protection of Open Space

Policy NE1 International Nature Conservation Sites

POLICY Inf3

ROAD ADOPTION STANDARDS

New roads, footways, footpaths and cycleways, and/or extensions thereto, to be adopted by the Council will require road construction consent and must also be constructed to the Council's published adopted standards, or any subsequent standards which may subsequently be adopted by the Council (see Appendix D).

Satisfactory provision must be made for pedestrians and cyclists within all new developments in accordance with these standards.

Relaxation of standards will be considered where the Council determines that a relaxation is required owing to the nature of the development and/or positive amenity gains can be demonstrated that do not compromise road safety.

JUSTIFICATION

The aim of the policy is to ensure that new road, footpath and cycleway infrastructure is constructed to the Council's adopted standards, and that appropriate provision is made for pedestrians and cyclists in new developments. The policy also recognises that in some locations a relaxation may be justified, particularly in the case of substantial new developments where more innovative approaches to road layout and design may be desired as part of an overall masterplan.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy Inf10 Transport Development

POLICY Inf4

PARKING PROVISIONS AND STANDARDS

Development proposals should provide for car and cycle parking in accordance with the Council's published adopted standards, or any subsequent standards which may subsequently be adopted by the Council (see Appendix D).

Relaxation of standards will be considered where the Council determines that a relaxation is required owing to the nature of the development and/or positive amenity gains can be demonstrated that do not compromise road safety.

In town centres where there appear to be parking difficulties, the Council will consider the desirability of additional public parking provision, in the context of policies to promote the use of sustainable travel modes.

JUSTIFICATION

The policy is designed to ensure that development proposals incorporate adequate provision for car and cycle parking in accordance with the Council's adopted standards.

Paragraph 6.23 of the Structure Plan identifies the need to consider parking requirements on a settlement by settlement basis.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

POLICY Inf5

WASTE WATER TREATMENT STANDARDS

The Council's preferred method of dealing with waste water associated with new development will be, in order of priority:

1. direct connection to the public sewerage system, including pumping if necessary, or failing that:
2. negotiating developer contributions with Scottish Water to upgrade the existing sewerage network and/or increasing capacity at the waste water treatment works, or failing that:
3. agreement with Scottish Water to provide permanent or temporary alternatives to sewer connection including the possibility of stand alone treatment plants until sewer capacity becomes available, or, failing that:
4. for development in the countryside i.e. not within or immediately adjacent to publicly sewered areas, the use of private sewerage providing it can be demonstrated that this can be delivered without any negative impacts to public health, the environment or the quality of watercourses or groundwater.

In settlements served by the public foul sewer, permission for an individual private septic tank will normally be refused unless exceptional circumstances prevail and the conditions in criterion 4 can be satisfied,

Development will be refused if:

5. it will result in a proliferation of individual septic tanks or other private water treatment infrastructure within settlements,
6. it will overload existing mains infrastructure or it is impractical for the developer to provide for new infrastructure.

JUSTIFICATION

The aim of the policy is to achieve satisfactory disposal of sewage and to maintain and improve standards of public health. It establishes the Council's hierarchy of preference for dealing with waste water associated with new development. It emphasises that private septic tanks are regarded as a last resort and not encouraged. The policy establishes the Council's commitment to sustainable solutions in dealing with waste water associated with new development in accordance with the Urban Waste Water Treatment Directive.

Alternatives to sewer connection may involve pumping arrangements with storage to allow discharge to the foul sewer at off peak times or prior treatment of effluent before discharging to the foul sewer. Solutions involving stand along treatment plants will require a Business Case to be made to Scottish Water. Scottish Environment Protection Agency (SEPA) have made it clear that it is opposed to proposals which involve private discharges of treated sewage effluent in sewered area. Consultation with SEPA will be required to assist decision making.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

POLICY Inf6

SUSTAINABLE URBAN DRAINAGE

1. Surface water management for new development, for both greenfield and brownfield sites, must comply with current best practice on Sustainable Urban Drainage Systems (SUDS) to the satisfaction of the Council, Scottish Environment Protection Agency, Scottish Natural Heritage and other interested parties.
2. Development will be refused unless surface water treatment is dealt with in a sustainable manner that avoids flooding, pollution, extensive canalisation and culverting of watercourses.
3. A drainage strategy should be submitted with planning applications to include treatment and flood attenuation measures and details for the long term maintenance of any necessary features.

JUSTIFICATION

The aim of the policy is to address the pollution problems that stem from the direct discharge of surface water into watercourses. Sustainable drainage reduces the amount of flooding and diffuse pollution, improves environmental quality and protects the ecological and amenity value of watercourses. Sustainable Urban Drainage Systems (SUDS) is the preferred solution of the Scottish Environment Protection Agency and the Council for the drainage of surface water run-off in all proposed developments.

Developers should take the land requirement implications of SUDS into account in their consideration of layout and design. In due course Scottish Water will produce their own Adoptable Standards for SUDS which allow schemes to be adopted in future. The Scottish Government's Planning Advice Note PAN 61 sets out the provisions for drainage strategies.

Key policies to which this Policy should be cross-referenced:

Policy G4 Flooding

Policy NE5 Development Affecting the Water Environment.

POLICY Inf7

WASTE MANAGEMENT FACILITIES

Applications for waste management facilities, including treatment plants, landfill sites and waste to energy developments, will be assessed against the principle of the development in terms of its location and the details of the application.

In principle, the Council will support proposals for sustainable waste management facilities provided that they are:

1. within or in easy reach of the identified Structure Plan Development Hubs,
2. in potential growth areas identified by Structure Plan Principle S3(v),
3. in locations that are convenient for the major road and rail corridors,
4. on vacant, derelict and brownfield sites, including existing/allocated sites for employment/ industrial use, in preference to greenfield sites.

Applications for waste management facilities as defined in this policy will only be approved if it can be satisfactorily demonstrated that the impacts are within acceptable levels and can be both minimised and properly managed. Key impacts that will be considered in this regard comprise:

1. the impact on local communities, particularly adjacent to the site, in terms of noise, odours and traffic generation,
2. the impact on the environment, biodiversity, landscape and archaeological resources,
3. the impact on water resources, air quality and soil quality.

All planning applications for waste management facilities must be accompanied by supporting information relevant to the type of facility. At the discretion of the Planning Authority, the supporting information may include some or all of the following:

1. details of the likely environmental impacts and how these would be mitigated;
2. details of construction traffic and traffic generation;
3. provision for structural landscape, screening and suitable boundary treatments;
4. arrangements for the removal and preservation of topsoil and subsoil and its replacement;
5. provision for site restoration, aftercare and afteruse including land contouring, site clearance, removal of structures and treatment of contamination.

JUSTIFICATION

This policy is intended to guide the location of any substantial new waste management facilities that might arise to centres of existing and future population and in the case of all such proposals, to ensure that developments are properly controlled, including afteruse. Given the scale of waste that is likely to arise in the Borders, large scale waste to energy plants are unlikely to come forward although smaller scale farm based schemes may grow in importance if the arrangements for government support are enhanced. Such developments are classified as 'bad neighbour' developments in the relevant legislation requiring advertisement and consultation with Scottish Environment Protection Agency. Modern technologies and techniques mean that such uses can however co-exist satisfactorily with other land uses within settlements. Infill or redevelopment opportunities or industrial estates may offer suitable sites.

This policy complements the Structure Plan Policy I17 which requires new facilities to be in accordance with the Area Waste Plan and Scottish Borders Waste Strategy and consistent with the principles of promoting sustainable waste management and the other terms of the National Waste Strategy: Scotland, the National Waste Plan and the Lothian and Borders Area Waste Plan. This provides for a Materials Recovery Facility at Langlee Waste Treatment works and waste transfer stations at Hawick

(Mansfield Depot), Galashiels (Easter Langlee) and Duns (Cumledge). Other than Langlee, no other sites for new facilities have been identified for this local plan although provision for community recycling points (formerly known as Civic Amenity Sites) is being developed to encourage local recycling within communities. This is also encouraged in new development as part of Policy G1.

Key policies to which this Policy should be cross-referenced:

Many of the environmental policies will be relevant particularly

Policies NE1 - NE5 and EP4

Policy G4 Flooding

Policy G7 Infill Development

Policy ED1 Protection of Employment Land

Policy G1 Quality Standards for New Development

POLICY Inf8

RADIO TELECOMMUNICATIONS

There is a presumption in favour of developments that extend radio telecommunications facilities provided that this can be achieved without adverse impacts on the environment.

Development involving telecommunications masts, antennas, power lines and associated structures required for installation including buildings, access and site security will be assessed against siting and design considerations.

1. Within the Development Boundaries of settlements, the siting of telecommunications equipment, particularly larger ground based masts, will be encouraged in industrial or commercial areas or suitable areas of vacant or derelict land in preference to predominantly residential areas or in close proximity to schools. Siting in Conservation Areas or in locations in the vicinity of Listed Buildings or their settings will not normally be permitted.
2. Within countryside, siting of telecommunications equipment should aim to avoid sensitive landscapes particularly within National Scenic Areas, sensitive wildlife habitats and visually prominent locations on hilltops or coastline.
3. Developers must demonstrate that they have considered options for minimising the impact of the development including:
 - (i) the scale and type of equipment used,
 - (ii) the potential for mast or site sharing,
 - (iii) the measures for concealment or disguise through appropriate landscaping, materials and colours,
 - (iv) the timing and method of construction,
 - (v) the arrangement for access during construction and operation which takes account of distance to adjoining users and/or wildlife habitats.
4. Where mast or site sharing is shown to be impractical, the developer must demonstrate that there is no alternative location which will satisfy the system's operational requirements, and/or that siting apparatus on existing buildings or structures would cause greater harm to the appearance of the area than that which is proposed.

JUSTIFICATION

The aim of the policy is to reflect the Council's wish to support the expansion and diversification of the telecommunications industry but in ways which minimise its visual and environmental impact. The policy recognises the social and economic benefits of improved telecommunications infrastructure but wishes to ensure that developers have considered the options for siting and design and justify their preferred solution. Decision making will be guided by advice from environmental agencies where appropriate.

Health and safety considerations are clearly of concern to communities but are not matters for the planning system. The government sets out a number of measures to protect public health including guidance on emissions and exclusion zones.

Key policies to which this Policy should be cross-referenced:

Natural Environment, Environmental Protection and Built Environment policies.

Policy G7 Infill Development

Policy ED1 Protection of Employment Land

POLICY Inf9

DEVELOPMENT WITHIN EXCLUSION ZONES

All proposals for development which are within the exclusion zones of a pipeline or civil aviation navigation beacon as identified on the Proposals Map or within the vicinity of any notifiable installation or of any new hazardous development or notifiable installation that may arise during the lifetime of the Local Plan, will be refused if it is judged to result in unacceptable levels of pollution or nuisance or result in an unacceptable hazard to the public or the environment. The decision making will be guided by expert advice from the appropriate operator/owner and the Health and Safety Executive.

JUSTIFICATION

The purpose of the policy is to ensure that developments proposed within the 'exclusion' zones of certain hazardous structures are subject to careful scrutiny to protect the public and the environment. These 'exclusion' zones relate to the major natural gas and ethylene pipelines and to civil aviation navigation beacons. Certain developments are 'notifiable' under the legislation owing to the processes or materials used. There are currently three known notifiable installations in the Borders.

The relevant legislation is the Planning (Hazardous Substances) (Scotland) Act 1997 and the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993. The technical specification of hazardous substances is contained in the Town and Country Planning (Control of Major Accident Hazards) (Scotland) Regulations 2000 which is the subject of current (2005) update following an EC Directive.

Should any proposed development fall within the specified consultation distances from the following hazardous installations or pipelines, the relevant bodies, as specified below, must be consulted with regard to the proposal.

Hazardous Installation	Consultation Distance and Body
Ahlstrom Fiber Composites, Chirnside	400m-Health & Safety Executive
MacGas, Swinton	400m-Health & Safety Executive
Rathburn Chemicals, Walkerburn	Health & Safety Executive have not defined an exclusion zone
Pipeline	
BP/ICI Ethylene Pipeline	230m-Health & Safety Executive / BP Chemicals Ltd
Natural Gas Pipelines	
13 Feeder Drumeldrie/ Simprim	360m - Health & Safety Executive/Transco
10 Feeder Bathgate / Lennel Tweed (S)	190m - Health & Safety Executive/Transco
Lauder to Threepwood	110m - Health & Safety Executive/Transco
Soutra Connection (L09)	40m - Health & Safety Executive/Transco
Dewarton/Selkirk (L02 & L03)	36m - Health & Safety Executive/Transco
Kelso Branch (PO1) & Hume Branch (PO2)	17m - Health & Safety Executive/Transco
Lauder Branch (L10)	15m - Health & Safety Executive/Transco

Key policies to which this Policy should be cross-referenced:

Policy G3 Hazardous Developments

Natural Environment, Environmental Protection and Built Environment policies

POLICY Inf10

TRANSPORT DEVELOPMENT

1. The Council will encourage improvements to the transport network, particularly on the east-west links, that:
 - (i) will promote more sustainable travel patterns,
 - (ii) will assist in removing barriers to development,
 - (iii) can assist in opening up new bus routes,
 - (iv) can assist local businesses through improved provision for the movement of goods, particularly the potential to promote rail freight.
2. Proposals for new roads, road improvements or railways will be assessed against their impact on the natural and built environment including biodiversity, historic and archaeological value.
3. Support in principle will be given to schemes as indicated on the Proposals Maps which will assist planned new development in Galashiels, Kelso, Melrose, Tweedbank, Reston and Selkirk.

JUSTIFICATION

The purpose of this policy is to promote improvements to the transport network that will assist in meeting the Council's economic, social and environmental objectives for sustainable travel patterns, the generation of jobs and the protection of the environment. The policy is intended to complement the Structure Plan which gives a strategic overview for the location of development and its integration with transport schemes.

The policy is in accordance with the provisions of Scottish Planning Policy (SPP).

Key policies to which this Policy should be cross-referenced:

Natural Environment, Environmental Protection and Built Environment policies particularly Policy NE1 International Nature Conservation Sites

Policy Inf11 Developments that Generate Travel Demand

Policy G5 Developer Contributions

Policy Inf2 Protection of Access Routes

POLICY Inf11

DEVELOPMENTS THAT GENERATE TRAVEL DEMAND

1. The Council is committed to guiding development to locations which are accessible to existing or proposed bus corridors and train stations and which maximise the opportunities for walking and cycling.
2. Transport Assessments and Green Travel Plans will be required for significant travel generating developments guided by Scottish Government thresholds which may include large housing developments, schools, offices and retail developments.
3. Significant travel generating developments which are inaccessible to public transport nodes and/or are likely to lead to increased reliance on the private car will be refused where Transport Assessments and Travel Plans do not provide satisfactory sustainable solutions.
4. For other types of developments under the thresholds, where considered appropriate, planning agreements will be sought with developers to produce Green Travel Plans.
5. Developer contributions may be required to assist in making developments acceptable under Sustainability Principle 1.

JUSTIFICATION

The purpose of this policy is to promote sustainable travel patterns and to ensure that significant travel generating developments are properly scrutinised. The proposals contained in the Local Plan already take account of sustainable transport considerations and this policy allows for more rigorous scrutiny through Transport Assessments. The Council may seek Assessments for developments below the indicative thresholds used in Scottish Government Guidance, taking account of local circumstances. The policy is also intended to be used for unplanned development on infill sites or outwith Development Boundaries (sometimes termed 'windfall' development). The policy is intended to complement the Structure Plan which gives a strategic overview for the location of development and its integration with transport schemes.

The policy is in accordance with the provisions of Scottish Planning Policy (SPP). The Scottish Government's guidance on thresholds for Transport Assessments is contained in 'Transport Assessment and Implementation: A Guide' August 2005.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Developments

Policy G5 Developer Contributions

Policy D1 Business, Tourism and Leisure Development in the Countryside

Policy Inf4 Parking Provisions and Standards

Policy G7 Infill Development

Policy G8 Development Outwith Development Boundaries

POLICY Inf12

PUBLIC INFRASTRUCTURE AND LOCAL SERVICE PROVISION

The Council will encourage the retention of and improvements to public infrastructure and local services.

1. Development that might prejudice the future provision of those infrastructure and service improvements identified on the Proposals Maps will not be permitted.
2. Where the site of an existing public facility or local service is proposed for alternative development it will require to be justified against the following criteria-
 - (i) locational need,
 - (ii) the viability of the public facility or local service,
 - (iii) the provision of significant amenity benefits to the surrounding area by the proposed alternative use,
 - (iv) the wider public and community interest.

JUSTIFICATION

The aim of the policy is to prevent any development that would adversely affect future public infrastructure and local service provision. It also seeks to prevent the loss of public infrastructure, facilities or local services. These could include post offices, filling stations, public or village halls, public houses and hotels, and rural shops etc. The policy is aimed at retaining and enhancing the sustainability and viability of the area's communities.

Key policies to which this Policy should be cross-referenced:

Policy G7 Infill Development

Policy G8 Development Outwith Development Boundaries

Policy NE1 International Nature Conservation Sites

Policy EP1 National Scenic Areas

Policy EP3 Countryside Around Towns

Policy H2 Protection of Residential Amenity

POLICY Inf12a

CREMATORIUM PROVISION

The Council encourages the development of a crematorium in the Scottish Borders.

To achieve a sustainable and suitable development the following requirements must be met:-

- Preparation of a design statement setting out the appropriate design and layout of buildings and car parking to achieve minimal and acceptable impact on landscape surroundings and biodiversity
- Calm and reflective setting of the crematorium
- Suitable access with proximity to a main road
- Location in reasonable proximity to hospitality facilities

Preferred crematorium search areas are identified on Policy Map 10.

JUSTIFICATION

The aim of the policy is to promote the development of a crematorium in the Borders to meet community need in the council area. The development of a crematorium would minimise the need to travel out with the area and provide an essential public service in the Scottish Borders. The development needs to be sustainable and appropriate to the location, and to offer a calm and reflective environment with suitable hospitality facilities in the vicinity. Policy Map 10 identifies potential areas in the central hub where the majority of the population in the Borders live to maximise accessibility to the public and to create the potential for viability from a business economics point of view.

POLICY D1

BUSINESS, TOURISM AND LEISURE DEVELOPMENT IN THE COUNTRYSIDE

Proposals for business, tourism or leisure development in the countryside will be approved and rural diversification initiatives will be encouraged provided that:

1. the development is to be used directly for agricultural, horticultural or forestry operations, or for uses which by their nature are appropriate to the rural character of the area, or
2. the development is to be used directly for leisure, recreation or tourism appropriate to a countryside location and is in accordance with the Scottish Borders Tourism Strategy, or
3. the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the particular countryside location, and that it cannot reasonably be accommodated within the Development Boundary of a settlement.

IN ALL CASES:

4. the development must respect the amenity and character of the surrounding area,
5. the development must have no significant adverse impact on nearby uses, particularly housing,
6. where a new building is proposed, the developer will be required to provide evidence that no appropriate existing building or brownfield site is available, and where conversion of an existing building is proposed, evidence that the building is capable of conversion without substantial demolition and rebuilding,
7. the expansion or intensification of uses will be approved, in principle, where the use and scale of development are appropriate to the rural character of the area,
8. the development must take account of accessibility considerations in accordance with Policy Inf11.

JUSTIFICATION

The aim of the policy is to allow for appropriate employment generating development in the countryside whilst protecting the environment in the countryside and to ensure that business, tourism and leisure related developments are appropriate to their location. This policy will be applied to any applications that involve economic diversification in rural areas, for example diversification of agricultural land. Any diversification must involve land uses that are complementary to or appropriate for the area.

Developments that involve both employment and housing uses will be assessed against this policy and Policy D2.

The policy recognises that some tourism related developments may not be able to be easily accommodated within settlements and may be satisfactorily located in certain countryside locations subject to compliance with environmental policies. Decision making will be guided by reference to the Scottish Borders Tourism Strategy which requires all tourism developments to be of high quality, sustainable and customer focussed.

The relevant government policy is Scottish Planning Policy (SPP).

Key policies to which this Policy should be cross-referenced:

The other countryside policies will be relevant - Policies D2-D4

Policy BE8 Caravan and Camping Sites

Policy Inf4 Parking Provisions and Standards

Policy Inf11 Developments that generate Travel Demand

Policy G8 Development outwith Development Boundaries

Policy G1 Quality Standards for New Development

Policy ED3 Shopping Development may be relevant where an ancillary retail use is involved.

Many of the environmental policies will be relevant particularly those involving the protection of landscape assets.

POLICY D2

HOUSING IN THE COUNTRYSIDE

The Council wishes to promote appropriate rural housing development:

1. in village locations in preference to the open countryside,
2. associated with existing building groups where this does not adversely affect their character or that of the surrounding area, and
3. in dispersed communities in the Southern Borders housing market area.

These general principles will be the starting point for the consideration of applications for housing in the countryside which will be supplemented by Supplementary Planning Policy Guidance on siting, design and interpretation.

(A) BUILDING GROUPS

Housing of up to a total of 2 additional dwellings or a 30% increase of the building group, whichever is the greater, associated with existing building groups may be approved provided that:

1. The Council is satisfied that the site is well related to an existing group of at least three houses or building(s) currently in residential use or capable of conversion to residential use. Where conversion is required to establish a cohesive group of at least three houses, no additional housing will be approved until such conversion has been implemented,
2. Any consents for new build granted under this part of this policy should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted,
3. The cumulative impact of new development on the character of the building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts.

The calculations on building group size are based on the existing number of housing units within the group as at the start of the Local Plan period. This will include those units under construction or nearing completion at that point.

(B) DISPERSED BUILDING GROUPS

In the Southern Housing Market area there are few building groups comprising 3 houses or more, and a more dispersed pattern is the norm. In this area a lower threshold may be appropriate, particularly where this would result in tangible community, economic or environmental benefits. In these cases the existence of a sense of place will be the primary consideration.

Housing of up to 2 additional dwellings associated with dispersed building groups acting as anchor points may be approved provided that:

1. The Council is satisfied that the site lies within a recognised dispersed community that functions effectively as an anchor point in the Southern Borders housing market area,
2. Any consents for new build granted under this part of this policy should not exceed two housing dwellings in addition to the group during the Plan period. No further development above this threshold will be permitted,
3. The design of housing will be subject to the same considerations as other types of housing in the countryside proposals.

(C) CONVERSIONS

Development that is a change of use of a building to a house may be acceptable provided that:

1. the Council is satisfied that the building has architectural or historic merit or is physically suited for residential use,
2. the building stands substantially intact (normally at least to wallhead height) and the existing structure requires no significant demolition. A structural survey will be required where in the opinion of the Council it appears that the building may not be capable of conversion, and
3. the conversion and any proposed extension or alteration is in keeping with the scale and architectural character of the existing building.

(D) REBUILDING

The proposed rebuilding or restoration of a house may be acceptable provided that either:

1. the existing building makes a positive contribution to the landscape,
2. the walls of the former residential property stand substantially intact (normally at least to wallhead height),
3. no significant demolition is required (a structural survey will be required where it is proposed to fully demolish the building, showing that it is incapable of being restored),
4. the restoration/rebuilding and any proposed extension or alteration is in keeping with the scale, form and architectural character of the existing or original building,
5. significant alterations to the original character will only be considered where it can be demonstrated that these provide environmental benefits such as a more sustainable and energy efficient design, or
6. there is evidence of the existence of the building in terms of criteria (a)-(c) immediately above, or, alternatively, sufficient documentary evidence exists relating to the siting and form of the previous house and this evidence is provided to the satisfaction of the Council, and
7. the siting and design of new buildings reflects and respects the historical building pattern and the character of the landscape setting, and
8. the extent of new building does not exceed what is to be replaced.

(E) ECONOMIC REQUIREMENT

Housing with a location essential for business needs may be acceptable if the Council is satisfied that:

1. the housing development is a direct operational requirement of an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and it is for a worker predominantly employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise. Such development could include businesses that would cause disturbance or loss of amenity if located within an existing settlement, or
2. it is for use of a person last employed in an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and also employed on the unit that is the subject of the application, and the development will release another house for continued use by an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and
3. the housing development would help support a business that results in a clear social or environmental benefit to the area, including the retention or provision of employment or the provision of affordable or local needs housing, and
4. no appropriate site exists within a building group, and
5. there is no suitable existing house or other building capable of conversion for the required residential use.

The applicant and, where different, the landowner, may be required to enter into a Section 75 agreement with the planning authority to tie the proposed house or any existing house to the business for which it is justified and to restrict the occupancy of the house to a person solely or mainly

employed, or last employed, in that specific business, and their dependants. A Business Plan, supported by referees or independent business adjudication, may be required in some cases.

In ALL instances in considering proposals relative to each of the policy sections above, there shall be compliance with the Council's Supplementary Planning Policy Guidance where it meets the terms of this policy and development must not negatively impact on landscape and existing communities. The cumulative effect of applications under this policy will be taken into account when determining impact.

JUSTIFICATION

The aims of the policy are:

- *to encourage a long-term sustainable pattern of appropriate rural housing development that restricts development outwith defined settlements, in accordance with the need to support existing services and facilities in villages and the promotion of sustainable travel patterns;*
- *to allow only small scale appropriate additions to existing identifiable building groups, or within dispersed building groups in the Southern Housing Market area where they function as anchor points;*
- *to allow appropriate conversions and rebuilding in the countryside;*
- *to protect the environment from inappropriate and sporadic new housing development;*
- *to support rural businesses.*

The policy restricts isolated new housing in the countryside unless it can be satisfactorily substantiated by an economic justification. Any housing built under this justification as affordable housing will only be supported if it addresses an identified housing need, as listed in Policy H1, or in a local housing needs survey, or in a Registered Social Landlord's delivery programme. Further information on this can be found in Supplementary Planning Guidance on Affordable Housing.

The provisions regarding dispersed building groups within the policy have been formulated in response to concerns over rural sustainability in the Southern Housing Market area. Detailed evidence on the relationship of the proposed new housing to the anchor point should accompany planning applications seeking approval under this provision.

The Council will review its policy guidance on housing in the countryside by producing revised Supplementary Planning Guidance.

The relevant Scottish Government Planning Policy (SPP) supports appropriate housing in the countryside. Planning Advice Note (PAN)72 – Housing in the Countryside states that development in the countryside will be determined by a number of factors including context, identity and connection. It also states that Housing in the Countryside developments must also comply with the six key qualities identified in 'Designing Places' which make a successful place - one major consideration is the requirement for new development to fit within the landscape.

Key policies to which this Policy should be cross-referenced:

Policy G1 Quality Standards for New Development

Policy H1 Affordable Housing

Many of the Plan's environmental policies will be relevant particularly EP1 National Scenic Areas and NE2 Areas of Great Landscape Value.

POLICY D3

ADVERTISEMENTS IN THE COUNTRYSIDE

Outwith settlements, roadside advertisements in the countryside will only be permitted if:

1. a statutory road sign has been considered as a first option,
2. the sign does not detract from the visual amenity of the area or the character of the building (if on a building) in terms of positioning, scale, design or materials,
3. the sign will not represent a threat to road safety or other hazard to the public,
4. the sign is primarily directional, and does not advertise particular products or facilities,
5. the premises to be signed are not clearly visible from a major road and cannot already be reasonably identified by means of an existing directional sign advising of the place name of the locality within which it is located, and
6. not more than one sign is proposed at the nearest junction of the public road and the access road to the premises. In the case of two or more neighbouring premises, a series of individual signs will not be permitted, and composite signs will be encouraged as an alternative, where appropriate.

JUSTIFICATION

The aim of the policy is to encourage accessibility to countryside businesses, facilities and attractions through appropriate signposting but without loss of visual amenity, character or safety.

Key policies to which this Policy should be cross-referenced:

Policy D1 Business, Tourism and Leisure Development in the Countryside

POLICY D4

RENEWABLE ENERGY DEVELOPMENT

The Council will support proposals for both large scale and community scale renewable energy development including commercial wind farms, single or limited scale wind turbines, biomass, hydropower, biofuel technology and solar power where they can be accommodated without unacceptable impacts on the environment. The siting and design of all renewable energy developments should take account of the social, economic and environmental context.

Renewable energy developments will be approved provided that,

1. there are no unacceptable adverse impacts on the natural heritage including the water environment, landscape, biodiversity, built environment and archaeological heritage, or that any adverse impacts can be satisfactorily mitigated;
2. there are no unacceptable adverse impacts on recreation and tourism, including access routes, or that any adverse impacts can be satisfactorily mitigated.

If there are judged to be significant adverse impacts that cannot be mitigated, the development will only be approved if the Council is satisfied that the contribution to wider economic and environmental benefits outweigh the potential damage to the environment or to tourism and recreation.

Commercial Wind Farms

1. Commercial wind farm development will normally be more acceptable in locations within 'preferred areas' outwith environmental designations as set out in Structure Plan Policy I19. As noted in the justification of the local plan policy on Areas of Great Landscape Value (page 60), the Council proposes to carry out a review of the whole Council area with a view to adding additional areas which merit safeguarding under Policy EP2. The results of that review will also be taken into account in assessing the suitability of locations for commercial wind farms.
2. Locations within large scale landscape settings defined as Upland type in the Landscape Classification hierarchy (contained within the Borders Landscape Assessment) will normally be more acceptable than other landscape character types subject to detailed assessment of the fragility of the area to change.
3. Locations where there is surrounding landform that minimises the external visibility of the development, where there is no interference with prominent skylines or where there is no conflict with sensitive habitats will be looked on more favourably than other locations.
4. In assessing the landscape impacts of windfarm developments, particular attention will be given to the effects on high sensitivity receptors including major tourist routes and important landscape viewpoints.
5. In addition to the general provisions for assessment as set out in paragraph 2 of this Policy, proposals for commercial wind farms will be assessed against the following criteria and will be approved where the overall impact is judged acceptable:
 - (i) Impact on landscape character and areas exhibiting remote qualities as guided by expert advice and relevant research including the Scottish Borders Landscape Assessment 1995;
 - (ii) Views of the turbines and associated transmission lines, tracks, plant and buildings from 'sensitive receptors' that include residential properties, important landscape features, prominent landmarks, major tourist routes and popular public viewpoints, including those outwith the Scottish Borders boundary;
 - (iii) Visual impact assessment will include cumulative impact, shadow flicker and the potential for driver distraction, and take account of the distance of the facility from receptors and screening. Decision-making will be guided by expert advice and relevant research.
 - (iv) Generation of noise;
 - (v) Traffic generation, including access during construction;

- (vi) Ecology and ornithology, particularly statutorily protected species and habitats, species and habitats of conservation concern or species vulnerable to wind farms by virtue of their behaviour. Assessment of cumulative impacts on regional populations of birds will be required as appropriate.
 - (vii) Interference with radio telecommunications and aviation;
 - (viii) Provisions for decommissioning, land restoration, after care and after use;
 - (ix) Cumulative impact of wind farm development, including developments in adjoining local authority areas. Unacceptable cumulative impact may restrict development potential in otherwise appropriate areas. In assessing potential cumulative impact, account will be taken of the effect of perceived visual impact.
6. Reference should be made to Scottish Planning Policy (SPP) and PAN 45 Renewable Energy Technologies (revised 2002) in respect of assessing visual and other impacts of wind farm proposals, giving consideration to the size and the number of proposed turbines, the position and number of receptors affected and the distance of the receptors from the turbines.

Developers must demonstrate that they have considered options for minimising the operational impact of the development including:

1. Positioning of the wind farm in relation to landscape character, surrounding landform, wind farms and power lines;
2. Positioning of the wind farm in relation to the biodiversity interest of the site and surrounding area;
3. Siting and design of tracks and ancillary development;
4. Turbine positioning and separation from residential properties and radio telecommunications;
5. Turbine specification and technical controls, including consideration of predicted noise levels at specific properties closest to the wind farm at wind speeds corresponding to cut-in, full rated power and maximum operational wind speed, along with background noise levels and wind speeds;
6. Colours and finishes;
7. Routeing and timing of construction traffic;
8. Road access and improvements, taking account of constraints posed by wetland and upland habitats.

Other Renewable Energy Development

Small scale or domestic renewable energy developments including community schemes, single turbines and micro-scale photovoltaic/solar panels will be encouraged where they can be satisfactorily accommodated into their surroundings in accordance with the protection of residential amenity and the historic and natural environment.

Renewable technologies that require a countryside location such as the development of biofuels, short rotation coppice, 'biomass' or small scale hydro-power will be assessed against the relevant environmental protection policies.

Waste to energy schemes involving human, farm and domestic waste will be assessed against Policy Inf7 Waste Management Facilities.

JUSTIFICATION

The aim of this policy is to support the development of renewable energy whilst ensuring that the impacts on the environment are properly controlled. The policy takes account of government guidance which emphasises the role of local authorities in meeting national renewable energy targets to contribute to action on climate change. It also recognises that although certain upland areas may offer the greatest potential for wind energy developments, such areas may offer special wild and scenic qualities, making them sensitive to change.

The policy focuses on wind energy, recognising that it is currently the main form of renewable energy development that is likely to affect the Borders during the local plan period. However the policy also provides for other technologies which are considered to offer the greatest potential. This includes provision for 'microgeneration', the production of heat or electricity by individual households or small groups of households.

The Council will use other sources of advice and best practice as required including consultation with environmental bodies and government guidance such as 'The Assessment and Rating of Noise from Wind Farms' (ETSU for DTI 1996). The Council intends to work towards Supplementary Planning Guidance on Renewable Energy which will provide more detailed guidance to developers.

In addition to providing policy guidance for new renewable energy development, the local plan encourages quality standards in new development. This may involve renewable energy schemes as part of major developments.

The relevant Scottish Planning Policy (SPP) has replaced the SPP6, Renewable Energy.

Key policies to which this Policy should be cross-referenced:

Many of the environmental policies will be relevant particularly

Policies BE1-BE4, NE1 – NE6, EP1-2, EP4-5

Policy Inf7 Waste Management Facilities

Policy H2 Protection of Residential Amenity

Policy ED1 Protection of Employment Land

Policy G1 Quality Standards for New Development

Policy Inf9 Development within Exclusion Zones

POLICY R1

PROTECTION OF PRIME QUALITY AGRICULTURAL LAND

Development will not be permitted which results in the permanent loss of prime quality agricultural land (Classes 1, 2 and 3.1 of the Macaulay Institute Land Classification for Agriculture system) unless the site is allocated within this Local Plan to meet Structure Plan requirements. Where development proposals impact on prime quality agricultural land, developers will be required to demonstrate compliance with Structure Plan Policy E1.

STRUCTURE PLAN POLICY E1

The Council will protect prime quality agricultural land from irreversible development, unless it can be demonstrated that the development is essential to the implementation of the Development Strategy.

JUSTIFICATION

The aim of the policy is to protect prime quality agricultural land for productive farming use. Prime quality agricultural land is a valuable resource which is in relatively short supply in Scotland. Land use allocations therefore aim to avoid development on prime quality land. The policy is aimed primarily at development involving a permanent loss of the resource therefore developments with a temporary life may be acceptable subject to proper provision for restoration. However as it may take many years to restore the agricultural resource to its former quality the development of such land is not encouraged. This policy will be relevant for any unplanned development including that outwith the Development Boundary of settlements. The impacts of any development on the operational requirements of the farm will also be a consideration.

The relevant government document is Scottish Planning Policy (SPP).

Key policies to which this Policy should be cross-referenced:

The other countryside policies D2-D4 are relevant.

Policy G8 Development outwith Development Boundaries

POLICY R2

SAFEGUARDING OF MINERAL DEPOSITS

The Council will not grant planning permission for development which will sterilise reserves of economically significant mineral deposits unless:

1. extraction of the mineral is unlikely to be environmentally friendly
2. there is an overriding need for development, and prior extraction of the mineral cannot reasonably be undertaken.

JUSTIFICATION

The aim of the policy is to ensure that minerals are not unnecessarily sterilised through inappropriate development. Minerals are a valuable non-renewable resource and should therefore be protected under Sustainability Principle 1. Policy map 8 should be referred to which identifies areas of search and defined areas of search. The policy criteria relates to land both within and out with the Scottish Borders.

The relevant government document is Scottish Planning Policy (SPP).

Key policies to which this Policy should be cross-referenced:

Countryside policies particularly D1-D2 and D4

POLICY R3

MINERAL AND COAL EXTRACTION

Minerals extraction will not be permitted where:

1. It may affect areas designated or proposed for designation under European Directives (Special Areas of Conservation and Special Protection Areas) or Ramsar sites, except in the most exceptional circumstances and where it can be demonstrated conclusively that:
 - The proposed development will not adversely affect the habitats or species being safeguarded, or
 - There is an overriding national interest in allowing mineral extraction to take place, and no reasonable alternative exists.
2. It may affect National Nature Reserves, sites of special scientific interest or other environmental designations of national importance unless it can be demonstrated that:
 - The underlying objectives and overall integrity of the designated area remain largely unaffected, or
 - Any adverse effects on the environmental qualities for which the site has been designated are outweighed significantly by the national benefits that could accrue from mineral extraction.
3. It may affect areas of regional or local nature conservation interest as defined in this local plan and the following other protected areas, namely Conservation Areas, Scheduled Ancient Monuments, Listed Buildings, Historic Gardens and Designated Landscapes, significant archaeological sites and where relevant, their settings, prime agricultural land, areas of great landscape value, national scenic areas, peatland and water supply catchment areas, unless it can be demonstrated that:
 - There is not materially damaging impact, or
 - There is a public interest to be gained from mining which outweighs the underlying reasons for designating the site
4. It is within 500 m of a local settlement and may adversely affect residential and other sensitive property or other activities within that community or areas of locally important landscape character unless it can be demonstrated that there are other mitigating circumstances or a significant public interest to be gained from mining which outweighs this safeguarding.
5. It may damage the local economy in terms of tourism, leisure or recreation to an unacceptable extent.
6. The local roads are unsuitable as mineral haulage routes by virtue of their design and construction, the nature of other usage and the relationship of residential and other sensitive property to the road.
7. It results in adverse effects which, when combined with the effects of other existing, consented and currently proposed nearby workings, would have a significantly adverse cumulative impact on the environment or local communities.

Where the Council is minded to permit development that affects any designated site of nature conservation value, appropriate mitigating measures will be sought to enhance and safeguard the remaining interest.

JUSTIFICATION

The aim of the policy is to ensure that mineral working is carried out with minimal adverse impact on the environment and with appropriate restoration measures following extraction. Structure Plan Policy E8 is also relevant, providing guidance on zones of sensitivity to mineral development and reference should be made to Policy Map 8 which identifies areas of search and defined areas of search. Opencast coal presents different planning considerations as set out in the Structure Plan. The broad areas of search are in the north west and south west of the region and are indicated on Proposals Map P0-P5. The policy criteria relates to land both within and out with the Scottish Borders.

The relevant government guidance is SPP4 Planning and Minerals

Key policies to which this Policy should be cross-referenced:

Countryside policies particularly D1-D2 and D4

Many of the environment policies will be relevant particularly BE2, NE1-NE5, EP1-EP2, EP4

Policy R1 Protection of Prime Quality Agricultural Land

CHAPTER 4

ACTION PLAN, MONITORING AND REVIEW

4.1. The adoption and subsequent amendment of the Local Plan has involved various actions during the stages of the plan preparation. This section highlights the main actions and considers monitoring and review procedures.

REVIEW OF ACTIONS DURING CONSULTATIVE DRAFT PLAN STAGE

4.2. During the Consultative Stage of the Local Plan, the following key actions were progressed:

- (i) Investigation of development concepts for potential new village options in the Central Borders; this led to the discounting of the Huntlyburn site near Melrose and the emergence of the Council's preference for an expansion of Newtown St Boswells rather than a separate new village (see Appendix B)
- (ii) Completion of a transportation study for Peebles, partly to determine the timing and location of a new bridge over the Tweed; this allowed confirmation that existing development can go ahead without the need for a new bridge but with implications for congestion and therefore longer term development will require significant investment in roads infrastructure
- (iii) Completion of the 2004 Housing Land Audit, although timing and staff constraints prevented detailed consideration of programming; based on existing information, land for some additional 1170 house units was identified in the Central Borders and was the subject of a second stage consultation from which around 40% are identified in the Finalised Plan
- (iv) Evaluation of alternative options for supermarket development in Kelso which led to the discounting of the Shedden Park site and the inclusion of a greenfield site at Spylaw Farm on the edge of the town together with additional employment land
- (v) Development of a comprehensive consultancy brief to guide the next stage of housing needs assessment
- (vi) Evolution of the Council's approaches to developer contributions, particularly regarding educational provision
- (vii) Completion of a study that evaluated options for additional employment land in the Central Borders, carried out jointly with Scottish Enterprise Borders
- (viii) Continuation of regular dialogue with the Council's roads and education staff, Scottish Water, the Scottish Environmental Protection Agency and Homes for Scotland to help guide site allocations and policy approaches
- (ix) Approval by the Council of Supplementary Planning Guidance on Affordable Housing
- (x) Approval of a programme of planning and development briefs for local plan site allocations.

REVIEW OF ACTIONS DURING FINALISED STAGE

4.3 During the Finalised Stage of the Local Plan the following key actions were progressed:

- (i) Production of a Paper in accordance with the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004, summarising the measures undertaken throughout the plan preparation process to ensure the comprehensive consideration of environmental issues.
- (ii) The Council submitted an application to the Strategic Environmental Assessment Gateway for exemption from the process based on the fact that the SEA process had come into force at a later stage in the Local Plan preparation stage and the processes and activities undertaken met SEA requirements. The Council was granted exemption by the SEA Gateway
- (iii) Development of further investigatory studies of the feasibility of a Newtown St Boswells expansion including consultation with the local community; this involved discussion of options for the regeneration of the existing village
- (iv) Maintenance of regular dialogue with Scottish Water and Homes for Scotland to help overcome constraints to the delivery of housing land

- (v) Updating of the housing land supply figures to include programming information for the sites in the Consultative Draft Local Plan, and completion of the 2005 Audit; this helped establish the adequacy of the land supply identified in the Local Plan
- (vi) Continuing to support the information requirements for the Waverley Railway (Scotland) Bill, particularly in relation to housing requirements and developer contributions
- (vii) Progressing housing needs assessment to enable a refinement of target percentages in different areas
- (viii) Dialogue with SEB to bring forward new employment land
- (ix) Taking forward preferred school sites through the ongoing Public Private Partnership
- (x) Establishing the thresholds for road improvements needed to serve future development in Galashiels
- (xi) Initiation of a project to develop a strategy for open space management
- (xii) Approval of further Supplementary Planning Guidance including guidance on Biodiversity, Developer Contributions, Renewable Energy for new and existing developments, Trees and Development and Designing Out Crime
- (xiii) Production of Planning and Development Briefs for priority land use allocations
- (xiv) An Appropriate Assessment scoping under the terms of Article 6(3) of the Habitats Directive was undertaken in consultation with Scottish Natural Heritage. This concluded that the Local Plan had no significant impacts on the areas designated Natura (Special Areas of Conservation, Special Protection Areas and Ramsar sites)
- (xv) Production of monitoring report for review and findings purposes

REVIEW OF LOCAL PLAN PUBLIC INQUIRY AND SUMMARY OF REPORTERS FINDINGS

4.4 The Local Plan Public Inquiry ran from September 2006 to January 2007 and considered 2500 objections and involved 3no formal Inquiry sessions (on housing land supply, Kelso supermarkets and the Newtown expansion) and over 130 public hearings. A further 1300 objections were considered solely on the basis of written submissions.

The main recommendations from the reporter's report related to:

- (i) Support for the Council's strategic approach to the provision of housing land within the Borders
- (ii) General and substantive support for the policy framework set by the Plan
- (iii) Support for the safeguarding of land for the substantial expansion of Newtown St Boswells (the overall safeguarding area is now tightly focused)
- (iv) Support for the allocation of the majority of development sites proposed in the Finalised Plan

The Council agreed the proposed modifications to the Finalised Local Plan which were subject to a 12 week consultation period which expired in January 2008. Following the consultation period for the modifications the main substantive changes to the modifications included:

- (i) Inclusion of housing site at West Paddock, Coldstream following further new evidence on limitations to brownfield site potential submitted
- (ii) Exclusion of both Gateside Meadows, Gattonside and Venlaw, Peebles following an objection in principle by Government advisor on Natural Heritage
- (iii) Retention of the site at Deanfoot Road, West Linton for employment land

MONITORING AND REVIEW

4.5 The Local Plan has a notional timescale of 5 years from adoption meaning a requirement for a Local Plan Review by 2013. The Structure Plan Alteration identified a shortfall in housing land for the period 2006 - 2018 and 2019 - 2026. In addition, employment land has been addressed in the Local Plan amendment. The Consultative Draft Local Plan Amendment was subject to public consultation in autumn 2008. The Finalised Local Plan Amendment was agreed by the Council in August 2009 and the plan was out for public consultation to the end of November 2009. The Consolidated Local Plan was adopted by the Council in February 2010.

4.6 The main actions that are required to assist in implementing the policies and proposals during the plan period include:

- (i) The preparation of the Newtown St Boswells expansion masterplan to be prepared in consultation with the local community
- (ii) Updating of the housing land supply figures and completion of annual Housing Land Audit to help establish the adequacy of the land supply identified in the Plan
- (iii) Continue to support the information requirements for the Waverley Line including housing requirements and developer contributions
- (iv) Continue dialogue with Scottish Water and Homes for Scotland to help overcome constraints in relation to the delivery of housing
- (v) Further Production of Supplementary Planning Guidance including Renewable Energy (Wind Farms) as required by SPP6
- (vi) Continue to investigate a possible site for a crematorium within the Scottish Borders
- (vii) Promote and support employment sites including Tweed Horizons
- (viii) Investigate the possible review of existing Areas of Great Landscape Value

4.7 A new regime for development planning is in place in Scotland. This means a single Local Development Plan for the Scottish Borders incorporating strategic and local matters. Strategic and cross-border issues would be addressed through a new Strategic Development Plan for the Edinburgh city region area. There will no longer be a Scottish Borders Structure Plan. The new Strategic Development Plan, which could encompass the Scottish Borders, will be prepared by a consortium of Local Authorities comprising Edinburgh, East Lothian, Fife, West Lothian, Midlothian and the Scottish Borders.

APPENDIX A

HOUSING LAND REQUIREMENT AND ALLOCATION

1. THE SCOTTISH BORDERS STRUCTURE PLAN

The Scottish Borders Structure Plan was approved by Scottish Ministers in September 2002. The Scottish Borders Local Plan requires to conform in general to the provisions of the Structure Plan. In terms of housing land the Local Plan requires to bring forward additional land to meet the specified requirement set out in the Structure Plan.

Structure Plan Policy H1 sets out a total requirement of 2630 housing sites to be provided by the Local Plan to meet the projected housing land shortfall up to 2011. The policy also contains a commitment to review the Structure Plan growth requirements by 2006. The housing land shortfall, taking into account the 1999 effective housing land supply, is set out by housing market area within the policy as follows –

Housing Market Area	Housing Land Shortfall
Berwickshire	500
Central Borders	1690
North Roxburgh	0
South Roxburgh	80
South Tweeddale	360
North Tweeddale	0
North Ettrick and Lauderdale	0
Total	2630

Source: Scottish Borders Structure Plan

The Structure Plan also includes a policy (H1A) to cater for potential additional growth depending on the possible reinstatement of the Waverley Rail Link, and the interim review of housing land in advance of a Structure Plan alteration. The policy identifies a potential further 1100 housing sites with 900 in the Central Borders, 100 in North Roxburgh and 100 in South Roxburgh.

2. HOUSING LAND PROVISION IN THE SCOTTISH BORDERS LOCAL PLAN

The Local Plan housing land allocations are set out in the tables below. The new allocations are calculated as being housing sites additional to the effective housing land supply agreed with the Scottish Housebuilders as part of the 1999 Housing Land Audit, the base audit used in the Structure Plan. Any overallocation provides a range and choice of sites as required by Scottish Planning Policy 3 'Planning for Housing'.

Housing Market Area	Structure Plan Housing Land Allowance (Policy H1)	Local Plan Allocation in excess of 1999 Housing Land Audit	Under/Over Provision
Berwickshire	500	570	+70
Central Borders	1690	1721	+31
North Roxburgh	0	681	+681
South Roxburgh	80	88	+8
South Tweeddale	360	451	+91
North Tweeddale	0	27	+27
North Ettrick and Lauderdale	0	190	+190
Total	2630	3728	+1098

Source: Scottish Borders Structure Plan, Scottish Borders Council

The safeguardings to cater for potential growth under Policy H1A linked to the potential reopening of the Waverley Line are as follows –

Housing Market Area	Structure Plan Housing Land Allowance (Policy H1A)	Local Plan Safeguarding
Central Borders	900	900
North Roxburgh	100	230
South Roxburgh	100	100
Total	1100	1230

3. HOUSING LAND FLEXIBILITY

Flexibility in the provision of housing land within the Local Plan is provided through a number of avenues. It should first be noted that in the calculation of the Structure Plan housing requirement a 10 per cent allowance for flexibility was introduced based on a judgement of demand and possible infrastructure constraints.

Further flexibility is provided by the potential from sites identified within the Local Plan as redevelopment opportunities. An assessment of the redevelopment opportunities shows that the following sites might be developed for housing in the future.

Housing Market Area	Area (ha)	Potential Housing Units
Berwickshire	49.3	486
Central Borders	17.9	328*
North Roxburgh	1.7	92
South Tweeddale	5.1	62
Total	74.0	968

* includes auction mart, Newtown St Boswells.

Windfall sites, that is, sites not allocated within the Local Plan, also contribute towards the overall flexibility of housing land provision. Within the Scottish Borders windfall has accounted for some 62 per cent of all housing development – see the table below.

	2001/02	2002/03	2003/04	2004/05	Total
Total Completions	418	737	408	403	1966
Windfall	277	424	257	261	1219

Note: these figures refer to windfall where the site is not identified in the adopted local plans

4. SUMMARY AND CONCLUSION

The Local Plan has sought to provide sufficient housing land in order to meet the requirements set by the approved Structure Plan. Overall the provision more than meets the requirement. In addition, the Plan has built in a substantial amount of flexibility through the initial calculation of housing land requirement, the identification of redevelopment sites many of which have housing development potential, and through the likely contribution from windfall development over the Plan period.

In conclusion, the Finalised Local Plan meets the requirements set by the approved Structure Plan and provides additional flexibility through which an adequate range and choice of development sites is available to the development industry.

+ This information was provided to the Reporters as part of the Local Plan Inquiry. Note the extent of allocation has subsequently changed following approval of the Local Plan for adoption by the Council.

APPENDIX A1

2008 BASELINE HOUSING LAND REQUIREMENT

UPDATED HOUSING LAND REQUIREMENT

The Structure Plan Alteration was approved by Scottish Ministers in June 2009. It sets out the housing requirement from a base of 2006 through to 2018. As noted in paragraph 4.18 of the Alteration the allocation require to be adjusted to take account of any substantive additions to the 2006 housing land audit supply arising from the adopted Local Plan or planning permission to a 2008 baseline. This section sets out the process undertaken.

Table 1 identifies new sites with a site capacity greater than five units; these sites were over and above the sites included in the baseline Housing Land Audit 2006. In 2006/07 and 2007/08 a total of 1435 additional units were added to the land supply in the Borders.

TABLE 1: NEW SITES AND SITES WITH INCREASE IN CAPACITY 2006/07 – 2007/08

HMA	Settlement	Additional units on medium sites (total site capacity 5-19)	Additional units on large sites (total site capacity 20+)
Berwickshire	Duns	2	39
	Eyemouth	5	86
	Greenlaw	0	25
	Coldstream	1	0
	Reston	1	0
	Rest of Berwickshire	130	163
Central Borders	Clovenfords	15	60
	Earlston	10	20
	Galashiels	40	109
	Hawick	15	4
	Jedburgh	28	0
	Kelso	11	41
	Newtown St Boswells	0	10
	Selkirk	23	84
	Rest of Central Borders	109	43
Northern	Innerleithen	0	83
	Lauder	0	2
	Peebles	11	165
	Walkerburn	1	0
	Rest of Northern	60	24
Southern	Newcastleton	0	0
	Rest of Southern	15	0
Total		477	958
Scottish Borders Total	1435		

The number of additional units in major applications is shown in Table 2. This identified an additional 180 units within major applications in the period of 1 April 2008 – 31 March 2009, the majority of which were on large sites with a total site capacity greater than 19. These units will be included in the next Housing Land Audit to be undertaken in 2009.

TABLE 2: ADDITIONAL UNITS IN MAJOR (3A) APPLICATIONS

HMA	Settlement	Additional units on medium sites (total site capacity 5-19)	Additional units on large sites (total site capacity 20+)
Berwickshire	Duns		12
	Eyemouth		
	Greenlaw		
	Coldstream		26
	Reston		
	Rest of Berwickshire		
Central Borders	Clovenfords		10
	Earlston		
	Galashiels		63
	Hawick		16
	Jedburgh		20
	Kelso		29
	Newtown St Boswells		
	Selkirk	4	
	Rest of Central Borders		
Northern	Innerleithen		
	Lauder		
	Peebles		
	Walkerburn		
	Rest of Northern		
Southern	Newcastleton		
	Rest of Southern		
Total		4	176
Scottish Borders Total	180		

Table 3 identifies sites which have been deleted since the 2006 Housing Land Audit; these sites have previously been included in the Finalised version of the Scottish Borders Local Plan however the sites were not included within the Adopted Local Plan. Table 4 shows site where capacities had been decreased by the Reporter as part of the Proposed Modifications stage. This resulted in a decrease of 335 units across the Borders

TABLE 3: SITES DELETED SINCE 2006 HOUSING LAND AUDIT

Deleted sites (FLP sites not included in adopted LP)

HMA	Settlement	Site Name	Capacity
Berwickshire	Duns		
	Eyemouth		
	Greenlaw	Church Hill	25
	Coldstream		
	Reston		
	Rest of Berwickshire	Crimson Hill, Gavinton The Glebe, Gordon	10 20
Central Borders	Clovenfords		
	Earlston		
	Galashiels	Netherbarns	70
	Hawick		
	Jedburgh	Mayfield	8
	Kelso		
	Newtown St Boswells		
	Selkirk	Murison Hill	20
Rest of Central Borders			
Northern	Innerleithen		
	Lauder		
	Peebles	Eliot's Park	6
	Walkerburn		
	Rest of Northern	Elmsfield, Broughton	40
Southern	Newcastleton		
	Rest of Southern		
Scottish Borders Total			199

TABLE 4: SITES WHERE OVERALL CAPACITY HAS DECREASED

Site Name	Settlement	Capacity Change	Site Code
Linglie Road	Selkirk	-70	ESE10B
The Croft	Melrose	-25	EM4B
Crotchetknowe	Galashiels	-25	EGL13B
Comelybank	Selkirk	-4	ESE13B
Lingle Rd/Bridge Street	Selkirk	-12	ESE200
Scottish Borders Total		-136	

Since the baseline Housing Land Audit in 2006 and the most recent Housing Land Audit in 2008 a total of 1615 additional units have been added to the housing land supply. The geographic distribution of the additional units is shown below in Table 5; the table only includes large sites with a site capacity greater than five.

TABLE 5: TOTAL NUMBER OF ADDITIONAL UNITS SINCE 2006 HOUSING LAND AUDIT

HMA	Settlement	Additional units on medium sites (total site capacity 5-19)	Additional units on large sites (total site capacity 20+)
Berwickshire	Duns	2	51
	Eyemouth	5	86
	Greenlaw	0	25
	Coldstream	1	26
	Reston	1	0
	Rest of Berwickshire	130	163
Central Borders	Clovenfords	15	70
	Earlston	10	20
	Galashiels	40	172
	Hawick	15	20
	Jedburgh	28	20
	Kelso	11	70
	Newtown St Boswells	0	10
	Selkirk	27	84
	Rest of Central Borders	109	43
Northern	Innerleithen	0	83
	Lauder	0	2
	Peebles	11	165
	Walkerburn	1	0
	Rest of Northern	60	24
Southern	Newcastleton	0	0
	Rest of Southern	15	0
Total		481	1134
Scottish Borders Total	1615		

Table 6 identifies the total of additional units taking into account the site deletions and sites where the site capacity has decreased. Overall a total of 1280 units have been added to the housing land supply since 2006. Table 6 also shows the existing Structure Plan Allowances by Housing Market Area.

TABLE 6: SUMMARY TABLE

HMA	Settlement	Additional units on sites capacity (5+)	LP deletions/ decreased capacities	Total	Existing SP Allowances
Berwickshire	Duns	53		53	0*
	Eyemouth	91		91	0*
	Greenlaw	25		25	50
	Coldstream	27		27	50
	Reston	1		1	0*
	Rest of Berwickshire	293	-55	238	100+
Central Borders	Clovenfords	85		85	0
	Earlston	30		30	250*
	Galashiels	212	-95	117	100
	Hawick	35		35	200
	Jedburgh	48	-8	40	100
	Kelso	81		81	0
	Newtown St Boswells	10		10	900*
	Selkirk	111	-106	5	50
	Rest of Central Borders	152	-25	127	200
Northern	Innerleithen	83		83	200
	Lauder	2		2	100
	Peebles	176	-6	170	250
	Walkerburn	1		1	100
	Rest of Northern	84	-40	44	50
Southern	Newcastleton	0		0	50
	Rest of Southern	15		15	50
Total		1615	-335	1280	2800*+

Table 7 shows the revised housing allowances taking into consideration the additional and deleted units on large sites. The revised allowances identify a housing requirement of 2020 units, an overall decrease of 780 units from the existing Structure Plan Allowances.

TABLE 7: REVISED HOUSING ALLOWANCES

Housing Market Area	Settlement	Additions (5+)	Deletions (5+)	Existing allowances	Revised allowances- rounded to nearest 10
Central Borders	Clovenfords	85		0	0
	Earlston	30		250*	220
	Galashiels	212	-95	100	0
	Hawick	35		200	170
	Jedburgh	48	-8	100	60
	Kelso	81		0	0
	Newtown St Boswells	10		900*	900*
	Selkirk	111	-106	50	50
	Rest of Central HMA	152	-25	200	70
Central Subtotal		764	-234	1800	1470
Berwickshire	Duns	53		0*	0*
	Eyemouth	91		0*	0*
	Greenlaw	25	-25	50	50
	Coldstream	27		50	20
	Reston	47		0*	0*
	Rest of Berwickshire HMA	247	-30	100+	100+
Berwickshire Subtotal		490	-55	200*+	170*+
Northern	Innerleithen	83		200	120
	Lauder	2		100	100
	Peebles	176	-6	250	80
	Walkerburn	1		100	100
	Rest of Northern HMA	84	-40	50	10
Northern Subtotal		346	-46	700	410
Southern	Newcastleton	0		50	50
	Rest of Southern HMA	15		50	40
Southern Subtotal		15	0	100	90
Scottish Borders Total		1615	-335	2800*+	2140*+

* Opportunities for major redevelopment identified

+A base level provision of 100 units in the period 2006-2018 is provided in the 'Rest of Berwickshire' area

APPENDIX B

BACKGROUND TO NEWTOWN ST BOSWELLS EXPANSION

THE CHALLENGE

The Central Borders Housing Market Area takes in Galashiels, Melrose and Selkirk. The Structure Plan Housing Land Requirement for this Area is 1,690 units, in addition to land already available or 'effective'. In addition, the Structure Plan provides for substantial development in the Galashiels-Melrose-St Boswells corridor. If, by 2006, the Waverley Railway Project is judged to have a reasonable prospect of proceeding, a further 900 units will be required, taking the total to 2,590 in the Central Borders Housing Market Area.

One of the major challenges for the Local Plan review is to identify sites sufficient to meet this requirement. An area of search was identified (see Figure 1) taking account of the area for substantial development set out in the Structure Plan. The area of search comprised the settlements of Galashiels, Tweedbank, Melrose, Darnick, Newstead, Gattonside, Redpath, Maxton, Bowden, Newtown St Boswells and St Boswells. Over 100 sites were considered in the towns and villages in this search area, many of which were suggested by developers. Local communities and external stakeholders were consulted as part of the process. The outcomes are summarised in the Statement of Publicity and Consultation.

METHODOLOGY

The traditional method of accommodating housing land requirements is through the incremental growth of existing settlements. The settlements within the area of search were therefore surveyed through a process of 'settlement appraisal'.

The methodology for the settlement appraisals is set out in Appendix C to this Plan. The methodology was developed, taking into account the advice set out in Planning Advice Note 44 - 'Fitting New Housing Development into the Landscape', and incorporating a process of overlay mapping which takes advantage of the capacity of the Council's Geographical Information System. Factors for consideration included settlement constraints (slope, propensity to flood etc), environmental constraints, infrastructure capacity, settlement character and accessibility.

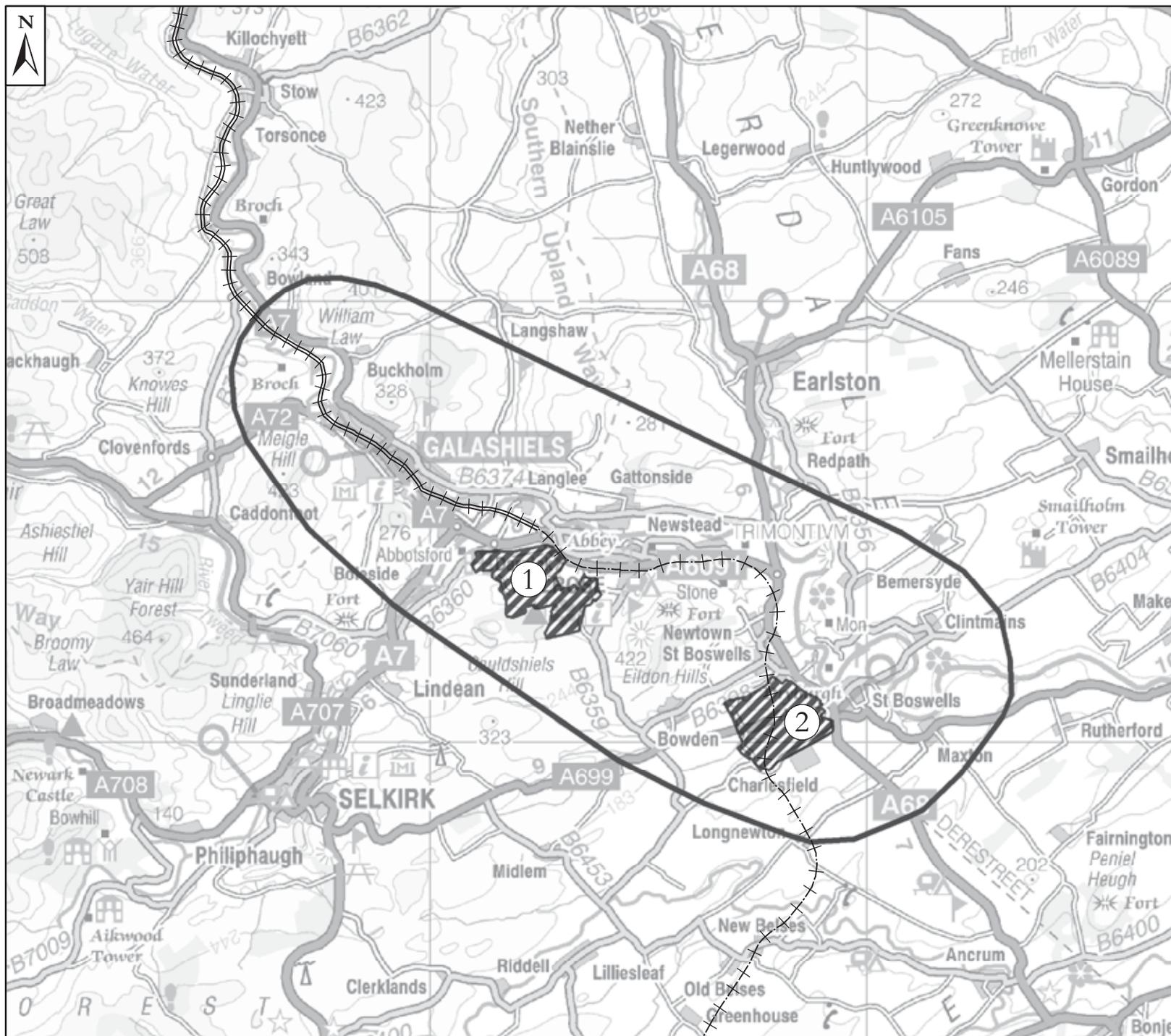
The survey work carried out showed that the area is characterised by dense development compressed into narrow river valleys with steep elevated valley sides and valley floors susceptible to flooding. To the south-east the topography is more generous. There are a number of environmental designations including National Scenic Area, Area of Great Landscape Value and Designed Landscapes.

It became clear that accommodating the requirements of the Development Strategy would be a very difficult task. The identified corridor between Galashiels and St Boswells is one of the region's most attractive environmental assets which is sensitive to inappropriate development and which has, in places, a difficult topography. To ensure the benefits and opportunities the Structure Plan Development Strategy outlines are grasped, a number of difficult decisions will need to be taken as to where development should be located.

CONCLUSIONS FROM SETTLEMENT APPRAISALS

The conclusion from the settlement appraisals within the area of search was that the incremental addition to existing settlements would be unlikely to provide either the quantity of development land required to meet the housing land requirement or the most suitable sites. The results of the settlement appraisals are available separately on request.

Given the difficulties outlined in finding enough suitable land to meet the requirement simply by expanding existing settlements, it was concluded that the option of a new settlement should be seriously considered. Such an option is provided for in the Structure Plan.



Scottish Borders Council
Consolidated Local Plan 2011
Appendix B, Figure 1
Areas of Search for
Substantial New
Development

Scale 1:125,000

Key

 Structure Plan : Area for Substantial New Development

Waverley Railway Line*

 Stage One

 Stage Two

*Indicative route of railway only.

 Preferred Indicative Footprints for new village/expansion

① Huntlyburn
(discounted April 2008)

② Newtown St Boswells/
St Boswells/Charlesfield

For further information, including help reading this document, please contact:

Plans and Research Team
Environment &
Infrastructure
Council Headquarters
Newtown St Boswells
Melrose TD6 0SA

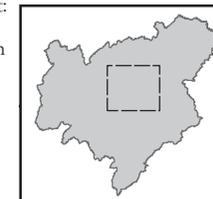
Tel: 01835 826511

Email: localplan@scotborders.gov.uk

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A new settlement would have a number of advantages, namely:

- Economies of scale – This would allow targeted investment in utilities such as the upgrading of sewerage capacities, servicing sites and investment in the road infrastructure in the area. It may also provide a more commercially attractive package for development, rather than the development of many relatively small difficult sites.
- Multi-user development – A large scale development would allow the potential for developing multi-user sites with provision for new greenfield high amenity employment sites. There is a limited number of such sites currently available in the Central Borders.
- Developer Contributions – There would be a greater possibility of achieving meaningful developer contributions for public services such as education, or new sites for such facilities with a large scale development. There would be greater difficulty in securing the necessary benefits from many of developers of smaller sites, even if the cumulative impacts were likely to be similar.
- Proximity to public transport nodes is an important factor. A concentration of population close to existing bus routes and to proposed railway stations would increase service viability and provide an alternative to the car.
- Facilities – A new settlement could help sustain existing local facilities including those within walking and cycling distance, and accessible by bus service as well as by car.
- Impact on existing communities – A new settlement, whilst directly impacting on its immediate neighbours, would avoid significant impact in many other settlements in the area. Meeting the requirement solely by settlement expansion would increase the number of settlements directly affected.

EVALUATION OF LOCATIONAL OPTIONS

Initially, four areas were identified as having potential to accommodate a new settlement.

- St Boswells/Charlesfield
- Lindean
- Hollybush Valley
- Huntlyburn

The evaluation of these 4 sites, described in the Consultative Draft Local Plan, was that two areas, one at St Boswells/Newtown St Boswells/Charlesfield, and the other at Huntlyburn near Melrose options should be taken forward for more detailed study. An independent study to compare the two areas of search was carried out between November 2003 and February 2004. Consultants compared the two areas using a list of criteria that included access; environment; landscape; cultural heritage; infrastructure and marketability. The consultants' findings, which were summarised in the Consultative Draft Local Plan, indicated that the St Boswells/Newtown St Boswells/Charlesfield area of search was the preferred option based on the information available at that time. The consultants recommended further work on market investigation and engineering impacts. They also recommended public consultation on the two locations.

At its meeting of 15 April 2004, the Council agreed that a new settlement should continue to be considered to be an important part of the approach to meeting the Structure Plan requirement and that two options for the location for the new settlement, at Huntlyburn and at St Boswells/Newtown St Boswells/Charlesfield, be put forward for consultation as part of the Local Plan process. The two locations were therefore included in the Consultative Draft Local Plan as options for debate. The sites were shown as 'indicative footprints' within which the new settlement would be contained (See Figure 1).

During the subsequent Local Plan consultation process from May 2004, which incorporated a number of community meetings in the Central Borders, the opportunity was provided to debate the options in open forum. Written responses were also received totalling some 1080 comments for Huntlyburn and some

700 comments for St Boswells. A further 970 comments were received in respect of the principle of a new settlement. The vast majority of responses were opposed to the new settlement. Much of the debate has however centred on the need for the scale of additional housing being proposed, the concentration of development in the Galashiels-Melrose- St Boswells corridor and the relationship with the Waverley Railway project. These underlying strategic principles as well as the overall requirement to be met through the Local Plan has already been set through the approved Structure Plan and is therefore not open for debate as part of the Local Plan.

DELETION OF HUNTLYBURN OPTION

At the Council meeting of 21 April 2005, the Council agreed to delete the Huntlyburn area of search from further consideration as an option for a new village. This was as a result of proposed extensions by Historic Scotland to the Abbotsford designed landscape to take in much of the Huntlyburn site. The report explained that the need to identify alternative sites had become more pressing with the exclusion of Huntlyburn as it had been anticipated that early phases could have been brought forward given the availability of road and drainage capacity.

EMERGENCE OF THE PREFERRED OPTION FOR A NEWTOWN ST BOSWELLS EXPANSION

The result of the Council decision on Huntlyburn meant that there remained only one area of search, that located at St Boswells/Newtown St Boswells/Charlesfield. Recognising that it would be premature to undertake a full masterplanning exercise until the Council had made a final decision on whether a new village was the option it wished to pursue, a limited study was commissioned from consultants in January 2005 to consider 'development concepts' for the new village options. The work was not intended to commit the Council to any particular course of action on the new village but was intended to help counter the claims by community representatives that adequate thought had not been given to the location and form of the development within the large area of search.

The study, which was carried out as a collaborative workshop involving Council and staff from external agencies concluded in May 2005. The Study Report is available for public view or purchase at the Council Headquarters in Newtown St Boswells. Taking into account the exclusion of the Huntlyburn site as a new village option, four settlement concepts were identified by the final study and summarised at a Special Council meeting of 16 June 2005. These were:

Option 1 – A settlement between but separate from St Boswells and Newtown St Boswells

Options 2 and 3 – Variations on the option of expanding St Boswells to the west and south and incorporating a St Boswells bypass and realignment of the A68

Option 4 – An expansion of Newtown St Boswells to the south, linked to the regeneration of the village.

Option 1 is problematic because of the high costs of advance infrastructure that would be required and the prospect that in the longer term Newtown St Boswells and St Boswells would be joined together and could lose their shops and facilities to the new village centre and lose their local distinctiveness.

Options 2 and 3 would also be expensive to develop because of the road infrastructure requirement. These options effectively join Newtown St Boswells and St Boswells and this together with the expansion of St Boswells to the south with a bypass would radically alter the character of the village. This option would be likely to be vigorously opposed by the local community.

Option 4 would initially be less marketable than St Boswells but in time and with appropriate marketing, this perception should change. With less advance expenditure anticipated to be needed on roads infrastructure, this option may also offer the potential to release land in a cost effective way. The potential to help regenerate Newtown St Boswells is the most attractive benefit of this option. It would also avoid the joining together of Newtown St Boswells and St Boswells.

It is noted that with the exception of Option 1, all three options are urban expansions rather than separate settlements. However such a development could equally be masterplanned, secure developer contributions and provide for a range of land uses. All four Options would face the same water and drainage constraint which is likely to necessitate a new waste water treatment works.

The Council agreed at its meeting of 16 June 2005 that an expansion of Newtown St Boswells (Option 4) may offer the preferred solution to longer term development pressures in the Central Borders subject to resolution of access and drainage issues. It could offer an excellent opportunity to regenerate the centre of the village, create a proper village centre, provide the impetus for the redevelopment of redundant units and provide for community facilities. The opportunity for affordable housing would be incorporated in the scheme. The scale of housing development is within the range of 1000 house units as suggested in the Consultative Draft Local Plan. Other land uses would also be incorporated, to integrate with the existing village.

This option was included in the Local Plan second stage consultation which ran from 4 July-12 August 2005. Few responses were received on the proposed expansion relative to the first stage consultation, possibly reflecting the Council's assurance that discussion on this was not time limited to the 12 August deadline and would continue over a longer timescale.

The Council also agreed that the proposed area of search for the new settlement (or more properly a planned village expansion) should continue to be identified in the Newtown St Boswells area through a safeguarding policy in the Finalised Local Plan.

The Council report concluded that the expansion would be the preferred approach to meeting the 900 unit Policy H1A land supply requirement dependent on the railway. However the Council agreed that even if the railway did not proceed as planned, the Newtown expansion could still proceed, subject to the necessary studies and community consultation.

At this stage (December 2005), the option of a planned expansion of Newtown St Boswells is still considered to be the preferred way forward. However, work is still to be carried out to clarify exactly which portion of land is to be developed, where the road accesses will be, how it will be linked to Newtown St Boswells and what land uses will be incorporated. The details of the regeneration of Newtown St Boswells itself and how the expansion could play a part in this is also to be detailed. In the light of such uncertainty it is considered prudent not to close off too many options at this stage. The land to be safeguarded on Policy Map P7 therefore takes up a reduced portion of the area of search as outlined in the Consultative Draft Local Plan but still incorporates a larger area than will be required for the expansion area. The safeguarded land includes a number of fields in and around Newtown St Boswells itself as well as the expansion area to the south of the village.

The Local Plan Amendment deleted Policies BE10 (Newtown St Boswells Expansion Safeguarding) and BE11 (H1A Land Safeguarding) as these are now superseded by the fact that previous long term sites are now identified within Newtown St. Boswells, Hawick and Kelso settlement statements and maps.

APPENDIX C

SETTLEMENT APPRAISAL METHODOLOGY – ADOPTED LOCAL PLAN 2008

The methodology was developed taking into account the advice set out in Planning Advice Note 44 - Fitting New Housing Development into the Landscape, and a process of overlay mapping which takes advantage of the capacity of the Council's Geographical Information System for the formulation of settlement profiles.

The settlement appraisal methodology follows a number of stages to ensure consistency of application. These stages are:

- i. settlement constraints
- ii. specific constraints
- iii. settlement development issues
- iv. settlement characteristics
- v. individual site assessment
- vi. settlement framework and design briefs

Most of stage i) – settlement constraints - covers parameters such as elevation, slope, geology, flooding and land already developed, and can be carried out by desk top study, using GIS and information available from a variety of sources. This stage is almost entirely based on objective data and excludes large areas of land from the later stages of the settlement appraisal process because of excessive height, slope etc. – the fundamental constraints of physical geography. It identifies those parts of the hinterland around a settlement that have the physical capability to support development and enables the potential development capacity of selected areas (e.g. Central Borders) to be tested.

Stage ii) – specific constraints – eliminates further potentially unsuitable sites through the consideration of further, less absolute, criteria such as contamination, service wayleaves, prime quality agricultural land, woodland, landscape or biodiversity value, designated sites (SSSIs etc). The completion of this stage identifies the developable land that has both the physical capability to support development and is free of important 'man-made' constraints and designations. Further areas that are least suited to development are eliminated at this stage.

Stage iii) – settlement specific issues - is based on other suitability factors including potential to address development need. These factors include land supply, current planning applications and proximity to proposed rail transport network. These 3 stages can all be undertaken as an overlay sieve mapping exercise through the use of GIS. The outputs from these 3 stages is an OS map of the town or village with the relative constraints identified and a number of 'areas of search' highlighted. Plans of these 'areas of search' are then produced together with the relevant constraint information to enable on-site investigation to be carried out.

The assessment of settlement characteristics – stage iv) – is a mixture of desk-top and on-site investigation. The first element consists of compiling settlement data on such topics as population, housing, housing need, accessibility, road infrastructure, public transport, infrastructure, services etc. The second, on-site, element is concerned with subjects such as landscape issues, water courses, ecological and biodiversity factors, opportunities for environmental improvement, townscape character, aspect, viewpoints etc. The purpose of this stage is to establish the interrelationship between the site and its context within the settlement and immediate hinterland as well as providing guidance as to the development potential / capacity for any given area of land. The resultant checklist provides an easy reference point for settlement information and a means of effectively managing information from a number of disparate sources.

Stage v) – individual site assessment - is the detailed site examination and the identification of site characteristics and development capacity. Site specific parameters on topography, built form characteristics, adjoining land uses, landscape features, constraints, important views, buildings and their setting, access, accessibility, an indicative site capacity and ownership are recorded in a similar way to the settlement characteristic checklist.

The final result of this stage will be a series of sites mapped with important features and identifying the issues to be considered in preparing a development proposal. If the results of this stage mean sites being eliminated or reduced because of site specific issues, then further sites which meet the 'next best fit' criteria can be brought forward for assessment.

It is considered that the inclusion of environmental criteria at every stage of the site selection process allows for the evaluation of options and assessment of sites in accordance with the provisions of the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004.

APPENDIX C1

SETTLEMENT APPRAISAL METHODOLOGY – LOCAL PLAN AMENDMENT

The methodology for assessing proposed sites for allocation within the Local Plan Amendment was agreed internally within the Plans & Research team with advice from other key experts from the Planning and Economic Development department and discussion with SEPA, SNH and Historic Scotland during the SEA Scoping Report consultation. This involved:

- Establishing site assessment criteria with input from the whole team
- Building an Access database to store site assessment findings
- Creating a GIS project to screen environmental constraints
- Establishing a procedure for consulting internal experts regarding roads, biodiversity, archaeology, footpaths, landscape and development management
- Producing detailed site requirements for each allocation to mitigate any environmental impacts and ensure good design principles were established

Each site was visited and photographs taken to assist with the desk top analysis. The site was also plotted on the GIS to assist the desk top analysis of constraints. A GIS project was set up to correlate with the site assessment criteria as described below so that officers could analyse any constraints and opportunities on the site. This information was then input into the site assessment database.

The site assessment was broken down into five main sections: Initial Assessment (including site details, Background Information & Other spatial constraints checklist), Accessibility and Sustainability, Local Impact and Integration, Landscape Capacity, Planning and Infrastructure Issues and Overall Assessment. Sites were assessed as Acceptable, Doubtful or Unacceptable in the database.

- The Initial Assessment identified constraints that prevented any development from taking place, including flooding and international/national conservation designations. It also took account of whether the site was consistent in terms of location with the Structure Plan Alteration. If a site was identified as having a significant constraint upon it or not of a size capable of being developed for 5 units or over, then the site was assessed as unacceptable for allocation.
- The Accessibility and Sustainability Assessment analysed issues regarding access to services, public transport and employment, as well as site orientation and impact on biodiversity. If a site was deemed poor in terms of access to services or potentially having a major impact on biodiversity, it was likely to be assessed as unacceptable in terms of accessibility and sustainability.
- The Local Impact and Integration assessment analysed issues such as historical context, archaeology, recreational facilities and the connectivity of the site to the actual settlement. If a site had a Scheduled Ancient Monument, listed building or poor connectivity to the settlement, then the site would probably be assessed as unacceptable or doubtful in terms of local impact and integration.
- The Landscape Capacity assessment analysed issues concerning landscape designations both national and local, height and slope as well as features within the actual site. If a site was in the NSA, or was over 200m or had more than a 12 degree slope, then the site would probably be assessed as unacceptable or doubtful in terms of landscape capacity.
- The Planning and Infrastructure Issues assessment analysed issues about planning requirements. For instance, constraints regarding road access, water and sewerage, footpaths, education and contamination were assessed. If a site was deemed to have poor access, then the site would probably be assessed as unacceptable or doubtful in terms of planning and infrastructure.
- The Overall Assessment then drew all this information together and made a final assessment based on the identified constraints. If there were possible mitigations or solutions to these constraints, the site would be assessed as acceptable or doubtful. These were then brought forward for internal consultation with Countryside & Heritage, Roads, Education, Housing, Environmental Health, Economic Development and Development Management. If a site was assessed as unacceptable by the Planning Officer responsible for the area, then it was not taken forward for further research.

Sites internally consulted on were provided with additional information regarding: biodiversity, archaeology, landscape, footpath access, heritage & design, road access, contaminated land, affordable housing and education capacity. Scottish Water also provided further information regarding water and sewerage capacity. The site assessment was then updated to reflect these comments and adjusted in terms of the assessment. Acceptable sites were then provided with detailed site requirements based on the opportunities and constraints identified and provided as options in the Consultative Draft of the Local Plan Amendment.

SITE COMPARISON EXERCISE

The site comparison exercise is the second step of the site assessment process described above.

The purpose of the exercise was to distinguish sites that were rated in a similar way in the first site classification and sites that were rated in a similar way but were not required to contribute to the housing requirement in the area.

In the process of the site comparison, detailed summaries were added to the site assessment database together with a detailed assessment classification system. This system assisted in distinguishing sites by focusing on the main considerations of the site and applying a more detailed site classification by using an additional A - E rating to the site assessment classification Acceptable, Doubtful, Unacceptable. The outcomes of the overall assessment and the detailed overall assessment has created a basis for consistent decision making of what sites are appropriate for development and are required to meet the housing requirement.

A separate part of the site comparison exercise included calculations of the number of units contributing to the housing requirement.

All sites have been given an indicative capacity for the potential inclusion in the Local Plan Amendment. For each site the capacity, over and above the HLA 2006, has been calculated and this is the part of the capacity that contributes to the housing allowances for 2006-2018.

APPENDIX D

SUPPLEMENTARY PLANNING GUIDANCE AND STANDARDS

SUPPLEMENTARY PLANNING GUIDANCE

The following supplementary planning guidance is, or will be, available to assist in determining planning applications as a complement to Local Plan policies and national policy and guidance.

Existing Guidance

Title	Approved
Placemaking and Design	2010
Green Space	2009
Use of Timber in Sustainable Construction	2009
Landscape and Development	2008
New Housing in the Borders Countryside	2008
Replacement Windows	2008
Trees and Development	2008
Designing out Crime in the Scottish Borders	2007
Renewable Energy	2007
Affordable Housing	2007 (updated 2009)
Developer Contributions	2006
Privacy and Sunlight Guide	2006
Smoking Shelters and Awnings	2006
Biodiversity	2005
Interim Housing Policy	2005
Scottish Borders Woodland Strategy	2005
Visibility mapping for Windfarm Development	2003
Contaminated Land Inspection Strategy	2001
Local Biodiversity Action Plan	2001
Conservatories	1997
Porches	1997
Tourism Signposting	1996
Tourist Advertising Signs	1996
Framework for Wind Energy Developments	1995
Archaeology –Advice to Developers/Farmers	1991
Shop Fronts and Shop Signs	1991
Planning Applications and Community Councils	1988

Proposed Guidance

Title	Indicative Priority
Flooding	A
Wind Energy	A
Shop Fronts and Shop Signs	A
Gardens and Designed Landscapes	A
Landscape Designations (AGLV)	A
Affordable Housing Update	B
Countryside Around Towns	B
Developer Contributions Update	B
Play Areas	B
Retailing	B
Caravan Sites	C
Sustainable Urban Drainage	C

CRITERIA FOR PRIORITISING

The updating of existing and formulation of new Supplementary Planning guidance will be prioritised using the following criteria:

- Requirement to assist development control decision-making
- Adequacy of existing policy framework
- Date of existing guidance
- Resources required – specialist staff and other Departmental priorities
- Speed of preparation
- Political pressure
- Government guidance

The guidance listed above will be reviewed and updated if necessary over the Local Plan period. Any such reviews will be the subject of consultation, with reference to Councillors, Community Councils, the public and relevant interest groups.

DEVELOPMENT BRIEFS

Preparation of Development Briefs for substantial land allocations is proposed to continue to cover key sites brought forward in the Local Plan Amendment. Briefs indicate how sites are to be laid out, including arrangements for access, and provide guidance on any special considerations with regard to design and environmental constraints. They also provide an indication as to whether developer contributions will be required for the development. Contributions may be requested towards the provision, improvement and maintenance of infrastructure, services and facilities in the Scottish Borders in accordance with Policy G5. Further detail on developer contributions can be found in the Council's Supplementary Planning Guidance on Developer Contributions, the Development Briefs and in the individual settlement profiles in the Local Plan.

It is intended that these Development Briefs will operate in unison with the Local Plan. The Briefs will therefore be a material consideration in determining planning applications and will guide consideration of any conditions or agreements. The following briefs have been prepared:

- Borders College, Galashiels
- Earlston High School, Earlston
- Gunsgreenhill, Eyemouth
- Development Framework for Commercial Road, Hawick
- Reston Auction Mart, Reston

- Robinsland, West Linton
- The Steadings Acredale Farm, Eyemouth
- Auction Mart Site, Newtown St Boswells
- Meigle Farm, Clovenfords
- Burnside, Eddleston
- Broomlands East, Kelso
- Berrywell East, Duns
- West Paddock, Coldstream
- Bogangreen, Coldingham
- Lochend & Annefield, Jedburgh
- Summerfield 1 & 2, Hawick
- Gala Law, Hawick
- Howden Drive, Jedburgh
- Stirches, Hawick
- Crumhaughill, Hawick
- Buckholm Corner, Galashiels
- Forest Hill, Galashiels
- Glen Crescent, Peebles
- The Croft, Melrose
- Wallacenick, Kelso
- Kirklands, Innerleithen
- Clough Mills, Innerleithen
- Sergeants Park II
- Crotchetknowe, Galashiels
- Easter Langlee, Galashiels
- West Gavinton, Gavinton
- Marchmont Road, Greenlaw
- Clovenfords West, Clovenfords
- Netherdale Industrial Estate, Galashiels
- Queen Mary Site, Jedburgh
- Former Berwickshire High School, Duns
- Former Eyemouth High School, Eyemouth

The following briefs are under preparation:

- Langton Edge, Hardens Road, Duns
- Newtown Expansion Strategic Framework
- Gala Law, Hawick
- Main Street, Eccles
- West of St Dunstan, Lilliesleaf
- Wildcat Gate South, Jedburgh
- Duns Primary School, Duns
- Todlaw, Duns
- West Eildon
- West Renwick Gardens, Morebattle
- South Fountainhall
- North Lauder Industrial Estate
- Craigend Road, Stow
- West Allanbank, Lauder
- Kirklands, Innerleithen
- Caberston Farm/Caberston Farm II, Walkerburn
- Tweed Horizons, Newtown St Boswells
- Ettrick (Hopehouse)
- Guthrie Drive, Hawick

Further Planning Briefs related to the amendment to the Local Plan to be undertaken are:

Housing Sites	Employment Sites	Mixed Use Sites/ Redevelopment Opportunities
Marchmont Road II, Greenlaw	Tweed Horizons Expansion, Newtown St Boswells	Comrades Park, Chirnside
East Turfford, Earlston	Galalaw, Hawick	
Stirches Road/Guthrie Drive, Hawick	Burnfoot North, Hawick	
Denholm Hall Farm East, Denholm	Townhead, Earlston	
Coopersknowe, Galashiels	Lennel Mount North, Coldstream	
South Crotchetknowe, Galashiels		
Todlaw Playing Field, Duns		
Georgefield Site, Earlston		
St Aiden's Gattonside House Site, Gattonside		
Kirklands/Willowbank II, Innerleithen		
Caravan Site, Newcastleton		
Newcastleton West, Newcastleton		
South of West Paddock, Coldstream		

In addition, the Local Plan Amendment identifies a number of areas for potential longer term development subject to review. These will be subject to planning framework preparation in advance of the next Local Development Plan Review. These are:

- Coldstream
- Duns
- Earlston
- Galashiels West
- Kelso North West
- Peebles South East

Note: The Easter Langlee housing site shall be subject to a master plan, which is an evolution of the Approved Planning Brief for the site. The master plan shall be prepared by the Council or by an appropriate private developer detailing the issues below. The master plan shall contain a detailed consideration of the following matters: adjacency and compatibility issues with adjoining sites, in particular between residential use and countryside activities such as woodland management, shooting and public access; landscape mitigation and design; ecology; Sustainable Urban Drainage Systems; recreation and open space provision and affordable housing. Resolution of these potential conflicts of interest between residential use and these countryside uses should consider the need for a suitable buffer zone between the housing site and Ellwynd Wood within the Easter Langlee Housing Site and public access arrangements to this wood. During the master plan preparation process all stakeholders should actively be engaged. Stakeholders include the Council, landowners and the community. All representations made on the master plan will be considered prior to its finalisation.

STANDARDS

Play Space

The Council's standards relating to the provision of children's play space were adopted in 1991, and still apply to new development as a starting point for negotiation. The standards require developers, of sites of more than 9 family dwellings, to provide play space on site.

Developers are advised to inspect the Council's Supplementary Planning Guidance on Developer Contributions for further detail on requirements, and to contact the Technical Services Department at Council Headquarters, who can advise on playspace contributions further.

Developers are also advised to inspect the Council's Supplementary Planning Guidance on Green Space, which was approved in October 2009.

Transportation Standards

The transportation standards listed below reflect the requirements at the time of publication.

The Scottish Planning Policy (SPP) and the accompanying PAN 75 promote the integration of land use and planning to assist in reducing the need to travel and to create favourable conditions for greater use of sustainable transport modes.

The Council is party to a tri-authority arrangement with Midlothian Council and East Lothian Council and has jointly published a guide to the design and construction of roads for adoption known as Standards for Development Roads. The Standards for Development Roads may be modified, by agreement between the three authorities, during the Local Plan period. They are also subject to modifications by the Scottish Government and it is therefore important to discuss the precise details of any proposal with the Director of Technical Services prior to lodging a planning application.

Road Layout

Road layouts should not be conceived in isolation, but as an element in the overall design of the development. The Council's 'Standards for Development Roads' should serve as a guide to the form of development on the site, but should be flexible enough so as not to inhibit the design of innovative less car dominant layouts. The Council embraces the concepts of the Scottish Government's 'Designing Streets: A Policy Statement for Scotland' published in March 2010. This publication promotes an informal system of well connected permeable streets with natural traffic calming built in. Street layout must contribute to creating a sense of place and be pedestrian and cycle friendly. For Distributor Road design the 'Design Manual for Roads and Bridges' by Her Majesty's Stationary Office (HMSO) will apply.

Parking

Scottish Planning policy (SPP) defines maximum car parking standards for retail and business developments. It also stipulates minimum parking standards for disabled people. Indicative cycle parking standards are given in Table 8.2 of Cycling by Design (Transport Scotland 2010). For flatted developments, secure covered cycle storage provision will be expected. The Standards for Development Roads provide an indication of the car parking levels considered generally acceptable for various types of development but which may be exceeded or reduced dependant on the degree of communal facilities, location, availability of public car parking in the vicinity and physical constraints. The following list gives guidance on the provision of parking which the Council currently recommends for all new housing development or redevelopment schemes. It should be noted that over the lifetime of the Plan the standards could be subject to review and change:

General Housing	2 resident's parking spaces per dwelling unit + 0.25 visitor parking spaces per dwelling unit (garages not included).
Communal Parking Schemes	1.5 to 1.75 parking spaces per dwelling unit
Town Centre Redevelopment	1.0 to 1.25 parking spaces per dwelling unit.

Transport Assessments and Travel Plans for Development Sites

Significant travel generating developments will require the submission of a Transport Assessment (TA). A TA aims to provide information on how a proposed development is likely to function in transport terms with emphasis on sustainable travel patterns. The Scottish Government has published a Guide to Transport Assessment for Development Proposals in Scotland in August 2005. As a guide for housing proposals the Council is likely to request a TA for developments in excess of 25 dwelling units. As a matter of course, a TA will be requested for developments in excess of 50 units. The developer will be expected to pay for or contribute towards the cost of identified off-site roadwork required as a result of their development and/or the cumulative effect of overall development. Certain types of significant traffic generating retail and business developments will bring about the need for a Travel Plan as part of the planning/TA process.

Local Transport Strategy

Following the publication of The Scottish Integrated White Paper (Travel Choices for Scotland) in 1998, the Council has produced a Local Transport Strategy (LTS) to help the co-ordination and implementation of integrated and sustainable transport policies. The current LTS was published in January 2008.

Private Accesses

Within a settlement a private access may serve a maximum of two dwellinghouses while in a rural situation it may serve a maximum of 4*. This does not apply to dwelling units consented to prior to 31 October 1984 (enactment of the Roads (Scotland) Act 1984), conversions or units consented to with economic justification.

*Policy set by Council in 2004 under reassessment of Housing in the Countryside Policy and Guidance.

APPENDIX E

PUBLICITY AND CONSULTATION REPORT

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- 2.0 Introduction
- 3.0 Statutory Requirements
- 4.0 Local Plan Preparation Diary
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- A Local Plan Preparation Diary
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1.0 SUMMARY

- 1.1 This Publicity and Consultation Report sets out the actions that the Council has taken to publicise the contents of the Scottish Borders Local Plan and the process by which it has consulted interested parties and the general public during the preparation of the Plan. This has been done to fulfil the statutory requirements.
- 1.2 In January 2001 Scottish Borders Council decided to prepare a single Borders-wide Local Plan. The 'Notice of Intention to Start Preparation of Local Plan' appeared in five local newspapers during the weeks beginning 23 and 30 April 2001.

- 1.3 During the Issues Stage that followed survey work was undertaken, policies formulated and comments from the general public were considered. Several consultation events were organised during the Issues Stage and an Issues Report was published, to encourage discussion about planning issues.
- 1.4 Scottish Borders Local Plan Consultative Draft was published on 14 May 2004 and the consultation period ran from 14 May – 29 October 2004. Consultation events and meetings were organised by the Council and also by Planning Aid.
- 1.5 The result of consultation on the Consultative Draft led to a decision to undertake a limited second stage consultation on a number of issues. This consultation period ran from 4 July – 12 August 2005.
- 1.6 All comments that have been received during the course of the Plan preparation have been taken into consideration by the Scottish Borders Council prior to the Finalisation of the Local Plan.
- 1.7 The Scottish Borders Finalised Local Plan was published on the 13 December 2005. A copy was sent to Scottish Ministers.
- 1.8 Paper copies of the Scottish Borders Finalised Local Plan can be viewed at all Council Area Offices, Contact Centres and Public Libraries in the Scottish Borders or may be obtained in hard copy or CD form from the Planning and Economic Development Department, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA. The Plan is also available to view and download on the Council's internet site at www.scotborders.gov.uk.
- 1.9 The public objection period ran from publication date on the 13 December 2005 to 31 January 2006 (a period of 7 weeks) following which a Public Local Inquiry took place from September 2006 to January 2007 to consider any unresolved objections.
- 1.10 Following a Report to Council on 25 October 2007 on the Reporters' Report, the council agreed to advertise the Proposed Modifications to the Finalised Local Plan. The Proposed Modifications were advertised for a period of 12 weeks between 2 November 2007 and 25 January 2008. Following the outcome of that consultation period, a further report went to Council on 20 March 2008. At that meeting the Council agreed to proceed with the Adoption of the Local Plan.
- 1.11 The Local Plan Amendment Consultative Draft was published in October 2008 and was subject to public consultation to the end of January 2009. The Finalised Local Plan Amendment was agreed by the Council in August 2009 and the plan was out for public consultation to the end of November 2009. The Consolidated Local Plan was adopted by the Council in February 2011. Figure 1 shows the key stages of the Finalised Local Plan Amendment.

FIGURE 1: THE MAIN PHASES IN LOCAL PLAN AMENDMENT PREPARATION

Local Plan Amendment
Report to Council 22 May 2008
Notice of intention to prepare Local Plan Amendment advertised May 2008
Consultative Draft Local Plan Amendment agreed by Council 25 September 2008
Consultative Draft Local Plan Amendment published 5 November 2008
Consultative Draft Local Plan Amendment subject to consultation period of 12 weeks through to 28 January 2009
Finalised Local Plan Amendment agreed by Council on 20 August 2009
Finalised Local Plan Amendment published for formal objection on 14 October 2009
The objection period ran for 6 weeks to 27 November 2009
The Council agreed on 22 April 2010 to place all unresolved representations/issues to the Finalised Local Plan Amendment before Scottish Independent Reporters for their consideration at Examination
The Council formally requested the Directorate of Planning and Environmental Appeals to undertake the formal Examination to the Local Plan Amendment on 26 May 2010
On 28 September 2010 the Council received the Examination Report from the appointed Reporter
The Council agreed the Examination Report, which made some modifications to the Finalised Local Plan Amendment, on 28 October 2010
The Council advertised its intention to adopt the Finalised Local Plan Amendment as modified in the week beginning 8 November 2010
The Local Plan Amendment was adopted by the Council in February 2011 and consolidated with the 2008 Plan

2.0 INTRODUCTION

- 2.1 This report sets out the actions that the Scottish Borders Council has taken to publicise the contents of the Scottish Borders Local Plan and the process by which it has consulted interested parties and the general public during the preparation of the Plan.
- 2.2 The report is produced to fulfil the statutory requirements outlined in The Town and Country Planning (Structure and Local Plans)(Scotland) Regulations 1983, Regulation 30 and the Town and Country Planning (Scotland) Act 1997 Section 12. The Council has also taken guidance and advice in Planning Advice Note 49: 'Local Planning' into account.
- 2.3 All comments that have been received during the course of the Plan preparation have been taken into consideration by the Scottish Borders Council prior to the Adoption of the Local Plan. The Council wishes to express its gratitude to all those organisations and individuals who have responded to the Plan and thereby contributed to its development.
- 2.4 The Local Plan consists of 2 parts, Volume 1: Policies, and Volume 2: Settlements. Paper copies of the Scottish Borders Finalised Local Plan can be viewed at all Council Area Offices, Contact Centres and Public Libraries in the Scottish Borders or may be obtained in hard copy or CD form from the Planning and Economic Development Department, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA. The Plan is also available to view and download on the Council's internet site at www.scotborders.gov.uk.

3.0 STATUTORY REQUIREMENTS

- 3.1 The Publicity and Consultation Report has been produced to demonstrate how the Council has met the requirements of Section 12 of Town and Country Planning (Scotland) Act 1997, and Regulation 30 of the Town and Country Planning (Structure and Local Plans) (Scotland) Regulations 1983.

4.0 LOCAL PLAN PREPARATION DIARY

- 4.1 The Local Plan preparation process is shown diagrammatically in Annex A and a Summary of Council Reports on Local Plan preparation and seminars held are presented in Annex F.

a) Issues Stage

Preparation

- 4.2 In January 2001 the Council decided to prepare a single Borders-wide Local Plan to replace the four existing Local Plans that were adopted between 1994 – 1996. The decision was also made to incorporate the former Village Plans into the new Local Plan.
- 4.3 The 'Notice of Intention to Start Preparation of Local Plan' appeared in the Southern Reporter, Border Telegraph, Hawick News, Peeblesshire News and Berwickshire News during the weeks beginning 23 and 30 April 2001. The notice was followed by the Issues Stage of the Local Plan review process.
- 4.4 During the Issues Stage survey work was undertaken, policies formulated and comments from the general public were considered. A number of consultation events associated with this stage was organised.
- 4.5 The Council initiated a training event run by Planning Aid for Community Councils on the 28 April 2001. The event, run by volunteer planners from outwith the area, explained how communities could get involved in the Local Plan Review. The Issues Stage also included opportunities for the Council to discuss key land use/development issues with the communities of the Scottish Borders prior to the preparation of the Consultative Draft. Briefing notes in form of leaflets were produced in July 2001 and September 2002 and sent out to a wide range of community groups, agencies, libraries, and Council Contact Centres.

Issues Report

- 4.6 In October 2001 the 'Scottish Borders Local Plan Review – Issues Report' was published and circulated to Community Councils, other local interest groups, landowners, potential developers and a wide range of local and national organisations and agencies. The Issues Stage included an assessment of the existing Local Plan policies to examine their relevance and determine if there was a need to amend or replace policies. External partners and officers from across the Council were consulted on this matter. The purpose of the report was to stimulate discussion and receive comments and 250 contributions were received in response to the report.
- 4.7 The contributions equated to approximately 500 separate comments which were received during the Issues Stage. All comments were acknowledged and respondents advised that their views were taken into account in the drafting of the Consultative Draft Local Plan. A database was set up to allow future contact with respondents. The comments are held on file and available for inspection by the public.
- 4.8 Officers attended the annual Community Council Seminar on the 27 October 2001 to give a presentation on the Local Plan Review Process. Community training and awareness including a practical site finding exercise was built into the event.

- 4.9 In January 2002 a news release was produced by the Council to inform the communities of the importance of their comments for drafting the new Local Plan.
- 4.10 Further public consultation exercises were arranged to complement the circulation of the Issues Report. Around 70 community meetings were attended between October 2001 and March 2002 to explain the Local Plan review process and to listen to initial opinion about local issues.
- 4.11 Meetings were arranged with organisations that have a key role in the environment, the economy and infrastructure and other related service provisions in connection with new development. A list of these organisations and the main points raised is presented in Annex B.
- 4.12 Work on Settlement Appraisals was also included in the Issues Stage. Input was sought from other Council Services and relevant external partners on issues such as road access, education provision, environmental impact and flood risk to assess the suitability of settlements to accommodate additional development.
- 4.13 Comments from the Issues Stage were taken into consideration during the preparation of the Consultative Draft Local Plan. A report summarising the comments received during the Issues Stage was submitted to Council on the 27 June 2002, and is summarised in Annex C.
- 4.14 As a final part of the Issues Stage, discussions at the Council's Area Committees took place. This allowed for councillor input and questions from the public in open forum. Special seminars were also held with Councillors to discuss the new village/settlement expansion options.

b) Consultative Draft Stage

- 4.15 The Scottish Borders Local Plan Consultative Draft was published on 14 May 2004. The consultation period ran from 14 May until 29 October 2004, having been extended from 3 September.
- 4.16 Advertisement of the publication of the Consultative Draft appeared in Southern Reporter, Borders Telegraph, Berwickshire News, Peeblesshire News and Hawick News during the weeks beginning 17 May and 24 May 2004.
- 4.17 Hard copies of the Scottish Borders Local Plan Consultative Draft were circulated for public perusal to Council Libraries, Area Offices and Contact Centres. A CD of the Consultative Draft was sent to 115 consultee organisations. Hard copies were available to members of the public who requested them, including selected Plan extracts. The CD version of the Consultative Draft was also available on request to the public and in the region of 2000 CDs was dispatched. Technical difficulties related to the development of the Council's web site meant the Consultative Draft was available on the Internet in October 2004. Posters with information and contact details were distributed to libraries, Council Contact Centres as well as Councillors and Community Councils who were asked to display the posters.
- 4.18 A short pre-consultation exercise was carried out on behalf of the Service by the Rural Resource Centre to canvass views on publicity and consultation methods. This exercise sought also to identify the best methods to involve 'hard to reach' population groups such as the young and the elderly. Community Councils and Councillors were also asked for their views. This helped guide the consultation methods used. A copy of the report is available on request.
- 4.19 Preparation for the consultation was also complemented by training events on the local plan process, one for Councillors (run by external consultants) and one for community groups (run by Planning Aid). Publicity for the latter event was targeted in the key area of change – Melrose-St Boswells. An exhibition publicising the training was held some 6 weeks in advance.
- 4.20 The core of the consultation consisted of individual community council meetings also attended by local Councillors. The role of Councillors was therefore seen to be very important, as was the role of Community Councils who were encouraged to fulfil their role as local representatives and to advertise meetings locally. Particular attention was given to significant and controversial local issues including the 'new village' options and supermarket location in Kelso.

4.21 The following consultation methods were adopted;

- Public Meetings – These were open to the general public, and included a presentation on the Consultative Draft Local Plan and open forum for members of the public to express their views.
- Special Community Council Meetings - These meetings were organised in collaboration with Community Councils and open to the general public. They included a presentation on the Consultative Draft Local Plan, and provided an open forum for members of the public to express their views.
- Area Committees – The Scottish Borders Local Plan Consultative Draft were discussed at the Area Committee meetings and members of the public were provided an opportunity to express their views in Open Forum.
- Discussion Forums – The Forums provided a selection of local interest groups the opportunity to express their views in more informal format.
- Planning Helpdesks – Officers ran planning helpdesks where members of the public could discuss the Local Plan Consultative Draft on a one-to-one basis. A full time helpdesk including answering telephone queries was provided at Council Headquarters throughout the consultation period. Other Helpdesks were held across the Borders before or after Public Meetings. Helpdesks provided the public an opportunity to ask questions relating to the Consultative Draft and to register comments on the draft.
- Partnership Meetings, Key Agencies and New Ways Partners Meetings – provided a selection of 'stakeholder' agencies an opportunity to express their views.
- Publicity through the production of posters, articles in the Council newspaper SB Connect (June and September 2004) and the Council website.

4.22 A press notice advertising the debate on the Consultative Draft in Open Forum at the Area Committees and the associated 'helpdesk' service appeared during the week beginning 30 August 2004. A number of public meetings were arranged during 2004. Details of the meetings are presented in Annex D.

4.23 In addition to the consultation events, a series of internal site allocation discussion sessions with Councillors was organised during May 2005. This provided Councillors and officers from other departments the opportunity to contribute.

4.24 During the consultation period, members of the public were encouraged to submit their views and comments on the content of the Consultative Draft. This could be done via the Comment Forms provided with the Local Plan Hard Copy/ CD, by submitting letters to the Plans and Policy team, or by e-mails to a dedicated mailbox.

Conservation areas

4.25 The Consultative Draft proposed changes to many Conservation Area boundaries as a result of reappraisal. In addition a separate consultation exercise was undertaken regarding two existing Conservation Areas - Dryburgh and Smailholm and the proposed designation at Clintmains.

4.26 Consultees included the local Community Councils, the Local Members, amenity bodies, Historic Scotland and other statutory consultees.

Analysis of Comments Received

4.27 The CAPS Solutions Uniform database system was utilised to record and analyse submissions received on the Consultative Draft. The comments received informed the preparation of the Scottish Borders Finalised Local Plan.

4.28 Submissions were analysed and comments coded against a set of 'topic' codes. This enables 'queries' to be run to provide information on a topic-by-topic basis. For instance figures displaying levels of support or opposition to proposed policies and land use allocations contained within the Consultative Draft can be generated.

4.29 The following statistics derive from the contributions received from comments forms, letters and e-mail messages on the Local Plan Consultative Draft. All contributions to the Consultative Draft have been analysed. There has been a high level of response to the Consultative Draft with 2,712 individual submissions providing a total of 8,956 comments. Table 1 show the responses received by category. (For further information see Scottish Borders Council Report 16 June 2005, Item 2b.)

TABLE 1 – GENERAL STATISTICS

Responses by Category

Name	Submissions	% of total
Members of Public	2094	77.2%
Landowners	244	9.0%
Community Councils	76	2.8%
Commercial Developers (National)	61	2.2%
Interest Groups (Local)	55	2.0%
Commercial Developers (Local)	51	1.9%
Ward Councillors	49	1.8%
Commercial Organisations	34	1.3%
Interest Groups (National)	15	0.6%
Government Agencies	12	0.4%
Registered Social Landlords	5	0.2%
Elected Members of Parliament	4	0.1%
Local Authorities	4	0.1%
SBC Departments	4	0.1%
Utility Companies	3	0.1%
Area Committees	1	0.0%

Source: Scottish Borders Council

4.30 There has also been a number of 'petition' responses organised by local interest groups focusing on a specific number of key issues. The key issues identified were:

- The Huntlyburn New Settlement Option – 1,053 comments
- The Charlesfield New Settlement Option – 745 comments
- General comments regarding the New Settlement – 1,056 comments
- The Kelso supermarket location options – 1,113 comments
- H1 land allocated at Melrose – 'The Croft' site – 876 comments

4.31 The majority of other contributors were on other allocated and rejected sites, and local plan policies. Table 2 highlights the 'Top 10' policies on which comments were received. (For further information see Scottish Borders Council Report 16 June 2005, Item 2b.)

TABLE 2 – POLICIES BY NUMBER OF COMMENTS

Policy	% of comments
Renewable Energy	11%
Housing in the Countryside	7%
Affordable Housing	6%
Railway Reinstatement	5%
Developer Contributions	5%
New Housing Land Allocations	4%
General Design	4%
Pedestrian & Cycle Routes	3%
Sustainability	3%
Trees and Woodlands	3%

Source: Scottish Borders Council

c) Second Stage Consultation

4.32 At the special Council Meeting 16 June 2005, held to discuss the Local Plan in detail, it was decided that the Consultative Draft Local Plan should undergo a limited second stage of consultation. This was to determine local views on the land allocations identified for inclusion/deletion from the Finalised Local Plan. The decision for further consultation was also to meet legislative requirements, minimising the potential for challenge to the Local Plan. The Council agreed that the second stage consultation exercise should take place during a six week period, from 4 July to 12 August 2005. The second stage consultation was not a re-consultation on the Consultative Draft but a further consultation on listed changes. Key changes included;

- New Land in Central Borders,
- New Village/Planned Urban Expansion in the Newtown St Boswells/St Boswells/Charlesfield area.
- Business Land and Housing adjacent to Borders General Hospital,
- Kelso Supermarket Options.

Further information about consultation on new village/settlement expansion is given in Appendix B to the Local Plan.

4.33 A list of further changes included in the second stage consultation was provided in Schedule 2 in the Scottish Borders Local Plan Second Stage Consultation. (Document available on request.) The schedule of proposed changes and maps could be viewed at the Council Headquarters, Council Area Offices and Contact Centres in Coldstream, Eyemouth, Innerleithen, Selkirk, Jedburgh and Kelso. It was also published on the Council's website.

4.34 A letter was sent out to all previous consultees explaining the background to the second stage consultation and how to respond to it. There were no public meetings for the second stage consultation, but special meetings were held with local Community Councils in areas where significant changes were proposed. These meetings took place in Newtown St Boswells on the 6 July 2005 and in Newtown St Boswells, Council Headquarters on the 21 July 2005 for Community Councils from the Central Borders. Minutes from these meetings are available on request. Comments received during the second stage consultation were taken into account for making recommendation for the Finalised Local Plan as well as the comments from the first stage.

4.35 Posters with contact details for the second stage consultation were displayed in local libraries and contact centres. A press notice was made, with information of how to view the documents and how to make comments. The notice appeared in four local newspapers on the 30 June and 1 July.

Posters were distributed to Community Councils and Councillors and asked them to display. The changes were also made available on the Council's website. An article appeared in the Council newspaper SB Connect in July 2005 and advertisements on Radio Borders ran over a three week period in July 2005.

d) Outcome from Consultation

4.36 A table describing key changes to policies and proposals as a result of both consultation stages is attached as Annex E(1).

5.0 SCOTTISH BORDERS FINALISED LOCAL PLAN

5.1 The Council meeting on 13 October 2005 agreed the content of the Finalised Plan and that it should be placed on Deposit for seven weeks, as from 13 December 2005. Copies of the Plan will be made available at all Council Area Offices, Contact Centres, and Public Libraries. A copy of the Plan in CD form will be sent to all consultees and it will also be available for inspection on the Council's website.

5.2 The objection period for the Finalised Plan closed on 31 January 2006. Thereafter the Council considered all objections. 1499 objectors made representation on the Finalised Plan. They made 2968 separate representations. Of the total representations, 143 were of a supportive or general nature, with 2825 being objections to the Finalised Plan. There were a large number of repeat objections, with 2355 being related to only 10 settlements. In addition, petitions were received related to the proposals for the Kelso retail site and the Newtown St Boswells expansion safeguarded area. A Public Local Inquiry into the objections to the Finalised Local Plan took place between September 2006 and January 2007. The reporters appointed to conduct the Inquiry submitted their report to the council in August 2007. The reporters' report provided general and substantive support for the Local Plan. A report was placed before the council on 25 October 2007. The council agreed the proposed modifications to the Finalised Local Plan for advertisement and formal objection. The proposed modifications were advertised in the local press in the week ending 2 November, and were subject to a 12 week consultation period ending on 25 January 2008. The council made their final decisions on the outcome of the Plan on the 20th of March 2008.

6.0 SCOTTISH BORDERS FINALISED LOCAL PLAN AMENDMENT

6.0 Summary

6.1 The Local Plan Amendment identifies sites to meet the housing allowances within the Structure Plan Alteration which was approved by Scottish Ministers on 9 June 2009.

6.2 The Consultative Draft Local Plan Amendment was approved for public consultation by full Council on 25 September 2008. The public consultation began on 5 November for a period of 12 weeks.

6.3 Advertisement of the publication of the Consultative Draft appeared in Southern Reporter, Borders Telegraph, Berwickshire News, Peeblesshire News and Hawick News during the weeks commencing 3 November and 12 November 2008.

6.4 The Consultative Draft Local Plan Amendment was published on 5th November and was available to view and download on the Scottish Borders Council website at www.scotborders.gov.uk. Hard copies of the document were available to view at council area offices, local libraries and contact centres throughout the Borders.

6.5 As part of the consultation process presentations were given at Area Committee meetings and two Stakeholder briefing meetings were also held at Scottish Borders Council.

AREA COMMITTEE MEETINGS

Date	Location
17 November	Eildon Area – Galashiels
18 November	Teviot Area – Hawick
19 November	Cheviot Area – Kelso
24 November	Tweeddale Area – Peebles
25 November	Berwickshire Area – Duns

STAKEHOLDER BRIEFINGS

Date	Venue	Approx Attendance
26 November	Council HQ, Newtown St Boswells	17
28 November	Council HQ, Newtown St Boswells	23

- 6.6 A two page article outlining the proposals within the Local Plan Amendment was included in winter edition of SBConnect; a community newspaper which is produced by the Council and distributed to each household in the Scottish Borders.
- 6.7 During the 12 week consultation period a total of 427 responses were received from 381 contributors.
- 6.8 As with the Adopted Local Plan the CAPS Solutions Uniform database was used to record and analyse correspondence received as part of the consultation process. These inputs will then be used to form the basis of a report which will be available online to allow individuals to view the responses received relating to each site or policy. Table 1 shows the responses received by the category of the contributor.

TABLE 1 – GENERAL STATISTICS

Contributors by Category

Name	Submissions	% of total
Members of Public	240	63.0%
Landowners	51	13.4%
Community Councils	24	6.3%
Interest Groups (Local)	12	3.1%
Commercial Developers (National)	11	2.9%
Commercial Developers (Local)	11	2.9%
Commercial Organisations	11	2.9%
Government Agencies	9	2.4%
Interest Groups (National)	5	1.3%
Local Authorities	3	0.8%
Registered Social Landlords	2	0.5%
Ward Councillors	1	0.3%
Utility Companies	1	0.3%

Source: Scottish Borders Council

- 6.9 All responses received within the consultation period have been taken into consideration by Scottish Borders Council prior to the finalisation of the Amendment.

APPENDIX F

SCHEDULE OF AMENDMENTS TO THE SCOTTISH BORDERS LOCAL PLAN ADOPTED IN SEPTEMBER 2008

The Local Plan adopted by the Council in 2008 was amended by the Local Plan Amendment 2011. This document brings together the adopted Local Plan and the Local Plan Amendment as a single comprehensive document, known as the Consolidated Local Plan 2011. In order to ensure clarity on the changes to the adopted Local Plan, brought about by the Local Plan Amendment, the following schedule of amendments is provided. The Schedule highlights where there were changes to Plan text, Plan policies and Plan land allocations.

The Schedule of Amendments to the adopted Local Plan is set out as follows-

CHAPTER 1: INTRODUCTION

- Text Updates

CHAPTER 2: SUMMARY OF DEVELOPMENT AND LAND USE CHANGE

- Text Updates

CHAPTER 3: POLICIES

- Text Updates
- Policy Amendments/Additions/Deletions

CHAPTER 4: ACTION PLAN, MONITORING AND REVIEW

- Text Updates
- New Appendix A1
- New Appendix C1
- Updated Appendix D
- Addition to Appendix E (Section 6, Annex G)

CHAPTER 5: SETTLEMENT PROFILES AND LAND USE PROPOSALS

- Policy Map Updates/Additions/Deletions
- Text Updates
- Settlement Profiles

CONTENTS

Updated to reflect the Local Plan Amendment

CHAPTER 1: INTRODUCTION

Para 1.1	(previously paragraph 1.2 in adopted Local Plan); setting out development plan position.
Para 1.2	(new paragraph); setting out development plan process.
Para 1.3	(previously paragraph 1.1); simplified in tabular format.
Para 1.4	(new paragraph); detailing consultation on Local Plan Amendment.
Para 1.5	(previously paragraph 1.3); with a simplified 4th bullet point.
Para 1.6	(previously paragraph 1.4); minor wording change in second sentence.
Para 1.7	(previously paragraph 1.5); seeks to clarify the use of the proposals map.
Para 1.8	(previously paragraph 1.6); updated to take adopted local plan into account.
Para 1.9	new paragraph; setting out national planning framework related to Borders.
Para 1.10	(previously paragraph 1.7); simplifying reference to Scottish planning policy.
Para 1.11	(previously paragraph 1.8); simplifying reference to SEA process.
Para 1.12	(previously paragraph 1.9); updating reference to Structure Plan Alteration.
Para 1.13	(previously paragraph 1.10); minor wording change.
Para 1.14	(previously paragraph 1.11); no change.
Para 1.15	new paragraph referring to Single Outcome Agreement.
Para 1.16	(previously paragraph 1.12); minor change removing reference to city region covered elsewhere.
Para 1.17	(previously paragraph 1.13); update of statistical information.
Para 1.18	(previously paragraph 1.14); update of statistical information.
Para 1.19	(previously paragraph 1.15); update of statistical information.
Para 1.20	(previously paragraph 1.16); no change.
Para 1.21	(previously paragraph 1.17); no change.
Para 1.22	(previously paragraph 1.18); no change.
Para 1.23	(previously paragraph 1.19); updated to take Local Plan Amendment into account.
	(previous paragraph 1.20); deleted.
Figure 2	(previously paragraph 1.21); simplified in tabular form.
Paras 1.24 – 1.41	(New paragraphs); setting out the background to the Local Plan Amendment.

CHAPTER 2: SUMMARY OF DEVELOPMENT AND LAND USE CHANGE

Para 2.1	(previously paragraph 2.1); updated to acknowledge Structure Plan Alteration.
Para 2.2	(previously paragraph 2.2); updated to conform to Structure Plan Alteration.
Para 2.3	(previously paragraph 2.3); updated to conform to Structure Plan Alteration.
Para 2.4	(previously paragraph 2.4); updated to conform to Structure Plan Alteration.
Para 2.5	(previously paragraph 2.5); updated to take into account review of housing land in Structure Plan Alteration.
Para 2.6	(previously paragraph 2.6); updated to include the various land development proposals set out in the Finalised Local Plan Amendment.
Para 2.7	(previously paragraph 2.7); updated to acknowledge Scottish Water intentions related to future servicing priorities.
Para 2.8	(previously paragraph 2.8); no change.
Para 2.9	(previously paragraph 2.9); updated to reflect range of land allocations.
Tables 2.1 – 2.7	Previous table 2.2 deleted, with resultant renumbering. Tables updated to include Local Plan Amendment proposals.
Para 2.10	(previously paragraph 2.10); updated to reflect the Finalised Local Plan in relation to the status of the Newtown St Boswells proposed allocation.
Para 2.11	(previously paragraph 2.11); updated to recognise recent developments in Galashiels.
Para 2.12	(previously paragraph 2.12); updated to reflect the new housing market areas set out in the Structure Plan Alteration, and to take into account the proposed options for a future school provision in Galashiels.
Para 2.13	(previously paragraph 2.13); updated to acknowledge the proposal to allocate a major settlement expansion at Newtown St Boswells, including provision for high amenity employment land at Tweed Horizons.
Para 2.14	(previously paragraph 2.14); updated to acknowledge the main proposals within the Finalised Local Plan Amendment in Hawick.
Para 2.15	(previously paragraph 2.15); no substantive change.
Para 2.16	(previously paragraph 2.16); updated reference to the housing market area set out in the Structure Plan Alteration, and to reflect recent development, and the intention to identify a longer term search area for future development.
Para 2.17	(previously paragraph 2.17); updated to refer to the development proposals set out in the Finalised Local Plan.
Para 2.18	(previously paragraph 2.18); updated to refer to the development proposals set out in the Finalised Local Plan.
Para 2.19	(previously paragraph 2.19); updated to reflect development proposals set out in the Finalised Local Plan.
Para 2.20	(previously paragraph 2.20); updated to reflect development proposals set out in the Finalised Local Plan and the housing land requirement identified in the Structure Plan Alteration.
Para 2.21	(previously paragraph 2.21); updated to reflect the revised housing market area.

CHAPTER 3: POLICIES

Para 3.1	(previously paragraph 3.1); no change.
Para 3.2	(previously paragraph 3.2); no change.
Para 3.3	(previously paragraph 3.3); no change.
Para 3.4	(previously paragraph 3.4); no change.
Para 3.5	(previously paragraph 3.5); no change.
Para 3.6	(previously paragraph 3.6); no change.
Para 3.7	(previously paragraph 3.7); no change.
Para 3.8	(previously paragraph 3.8); no change.
Para 3.9	(previously paragraph 3.9); no change.
Para 3.10	(previously paragraph 3.10); no change.
Table 3.1	(previously table 3.1); updated to show amended policies and new policy.
Table 3.2	(previously table 3.2); updated to show amended policies and new policy.

POLICIES

All policies remain as per the Adopted Local Plan except as follows:-

Policy G7 (Infill Development):	Policy amended to incorporate updates to take account of the need to protect employment land from development to alternative uses where it has a prospect for continued employment use. It also includes reference to the need to protect 'backland' and garden ground from inappropriate development.
Policy EP3 (Countryside Around Towns):	Policy revised. The policy on the prevention of settlement coalescence has been extended to cover the core central area of the Borders, and to place emphasis on the improvement of the area for recreational and amenity use alongside its protection from inappropriate development.
Policy ED1 (Protection of Employment Land):	The policy has been amended to place greater emphasis on the protection of employment land for its continued future use.
Policy ED2 (Employment Uses Outwith Employment Land):	Policy amended to include minor cross reference updates.
Policy H2 (Protection of Residential Amenity):	Policy amended to include reference to the need to protect 'backland' and garden ground from inappropriate development.
Policy Inf12 (Public Infrastructure and Local Service Provision):	New policy to protect potential locations for future development of public infrastructure from other uses and to protect existing local services and facilities.
Policy Inf12a (Crematorium Provision):	New policy to set out requirements in relation to policy provision.
Policy D2 (Housing in the Countryside):	Policy amended to place greater emphasis on the development of identified towns and villages as the main areas for future residential development. The '100% rule' is replaced by a maximum of 2 additional dwelling units or up to 30% related to building groups.

Policy BE10 (Newtown St Boswells Expansion Safeguarding):	Policy deleted. Safeguarded sites brought forward as allocations in Plan.
Policy BE11 (H1A Land Safeguarding):	Policy deleted. Safeguarded sites brought forward as allocations in Plan.

CHAPTER 4: ACTION PLAN, MONITORING AND REVIEW

Para 4.1	(previously paragraph 4.1); amended to refer to this amendment.
Para 4.2	(previously paragraph 4.2); no change.
Para 4.3	(previously paragraph 4.3); no change.
Para 4.4	(previously paragraph 4.4); no change.
Para 4.5	(previously paragraph 4.5); update to Local Plan Amendment process.
Para 4.6	(previously paragraph 4.6); no change.
Para 4.7	(previously paragraph 4.7); update on new planning system.

APPENDICES

Appendix A	No change.
New Appendix A1	Included to explain the housing requirement and allocation in relation to the Structure Plan Alteration and Local Plan Amendment.
Appendix B	No change.
Appendix C	No change.
New Appendix C1	Included to summarise the site assessment process undertaken as part of the amendment process.
Appendix D	Updated to reflect progress on Supplementary Planning Guidance, Planning Brief Preparation and planning standards.
Appendix E	New section 6 added on the Scottish Borders Finalised Local Plan Amendment. New Annex G added on processes related to Local Plan Amendment.
Appendix F	New Appendix F added on Schedule of Amendments to the Scottish Borders Local Plan Adopted in September 2008.

CHAPTER 5: SETTLEMENT PROFILES AND LAND USE PROPOSALS

POLICY MAPS

Policy Maps 0-5	The main proposals maps (Policy Maps 0-5) have been amended to incorporate the new housing market areas as set out in the SPA. There is a subsequent amendment to the dispersed housing policy area (Policy D2) to align it with the new Southern Housing Market area.
Policy Map 6	has been replaced with the Countryside around Towns proposals.
Policy Map 7	on the Newtown Expansion area is deleted as this has now been taken into the Newtown St Boswells settlement map.
	Additional policy maps have been prepared to present options on schools provision in Galashiels (Policy Map 9), and crematorium search areas and cemetery provision (Policy Map 10).
Para 5.1	(previously paragraph 5.1); updated to remove unnecessary table.
Para 5.2	(previously paragraph 5.2); updated to show Local Plan Amendment output in terms of site requirements and landscaping, and longer term provision.
Para 5.3	(previously paragraph 5.3); updated to refer to new EP3 policy and to remove policy BE12.

SETTLEMENTS

The settlement statements and maps have been updated to incorporate new land allocation proposals for housing, employment land, mixed use developments, redevelopment opportunities, a station and cemeteries.

The new housing allocations seek to meet the housing allowances set out in the Structure Plan Alteration, taking into account recent local plan allocations and planning permissions. It also updates the employment land supply in line with the approved Structure Plan and identifies new cemetery provision.

For clarity and completeness the following lists all settlements in the Plan and identifies the changes to the adopted Local Plan.

N.B. The Finalised Local Plan Amendment only includes profiles and maps for those settlements where change is put forward.

Settlement	Changes to Allocations in Adopted Local Plan	Other Policy Changes to Settlement Profile Text in Adopted Local Plan
Allanton	No change	No change
Ancrum	No change	No change
Ashkirk	No change	No change
Ayton	New housing site (AAYT0003)	Settlement profile includes revised section on longer term expansion and protection
Birgham	No change	No change
Blyth Bridge	No change	No change
Bonchester Bridge	No change	No change
Bowden	No change	No change
Broughton	No change	No change

Burnmouth	New housing site (ABURN003)	Settlement profile includes revised section on longer term expansion and protection
Cardrona	No change	No change
Carlops	No change	No change
Chesters	No change	No change
Chirnside	New housing site (ACHIR003); New mixed use site (MCHIR001)	Settlement profile includes revised section on longer term expansion and protection
Clintmains	No change	No change
Clovenfords	No change	No change
Cockburnspath	No change	No change
Coldingham	No change (note new cemetery provision (FCOLH002) outwith settlement boundary)	No change
Coldstream	New housing site (ACOLD004); New employment site (BCOLD001); New potential longer term housing sites subject to review (SCOLD001, SCOLD002)	Settlement profile includes revised section on longer term expansion and protection
Crailing	New housing site (ACRAI001)	No change
Darnick	No change	No change
Denholm	New housing site (ADENH001)	No change
Dolphinton	New settlement boundary (settlement not previously identified in plan)	New settlement profile
Dryburgh	No change	No change
Duns	New potential longer term mixed use site subject to review (SDUNS001); New redevelopment site (RDUNS002), New housing site (ADUNS010).	Settlement profile includes revised section on longer term expansion and protection
Earlston	New housing sites (AEARL002, AEARL10, AEARL11); New employment site (BEARL002); New potential longer term mixed use site subject to review (SEARL006); New cemetery expansion (FEARL001)	Settlement profile includes revised section on longer term expansion and protection
Eccles	New housing site (AECCL001)	No change
Eckford	No change	No change
Eddleston	No change	No change
Ednam	Change in housing site capacity (AEDNA002); New cemetery expansion (FEDNA001)	Settlement profile includes revised section on longer term expansion and protection
Eildon	New housing site (AEILD002)	No change
Ettrickbridge	No change. New cemetery expansion (FETTR001) outwith settlement boundary	No change
Ettrick (Hopehouse)	New settlement boundary (settlement not previously identified in plan); New housing sites (AETTR002, AETTR003, AETTR004)	New settlement profile

Eyemouth	New housing sites (AEYEM006, AEYEM007); New employment land site (BEYEM001); Revised mixed use site (Note all previously identified as mixed use sites in the adopted Local Plan). New redevelopment site (REYEM001); New cemetery site (FEYEM002).	Settlement profile includes revised section on longer term expansion and protection
Foulden	No change	No change
Fountainhall	New housing site (AFOUN005)	Settlement profile includes revised section on longer term expansion and protection
Galashiels	New housing sites (AGALA013, AGALA017); Enlarged housing site including a change in capacity (AGALA024); New mixed use sites (MGALA002, MGALA003); New employment land (BGALA002); New employment land safeguarding (BGALA003); Reduction in size of commercial redevelopment site (zCR1); Reduction in Town Centre boundary (associated with zCR1); New redevelopment site (RGALA001); New potential longer term sites subject to review (SGALA005, SGALA016)	Settlement profile includes revised section on longer term expansion and protection
Gattonside	New housing site (AGATT007); reduction in extent of defined settlement boundary to south of St Aidan's	No change
Gavinton	No change	No change
Gordon	No change	No change
Grantshouse	No change	No change
Greenlaw	New housing sites (AGREE004, AGREE006). New potential longer term housing site subject to review (SGREE003)	Settlement profile includes revised section on longer term expansion and protection
Hawick	New housing sites (AHAWI006, AHAWI013); New redevelopment sites (RHAWI001, RHAWI009); New employment site (BHAWI001 & BHAWI002); New potential longer term housing site subject to review (SHAWI003); Reduction of site size for zMU1 (MHAWI001)	Settlement profile includes revised section on longer term expansion and protection
Heiton	No change	No change
Heriot Station	New settlement boundary (settlement not previously identified in plan)	New settlement profile
Hutton	No change	No change
Innerleithen	New housing site (AINNE004); New potential longer term housing site subject to review (SINNE001)	Settlement description includes reference to future need for a health centre. Longer term expansion and protection section includes new area.
Jedburgh	New housing sites (AJEDB005, AJEDB010, AJEDB012); Extended employment site (BJEDB001); New cemetery expansion (FJEDB001); Change of code for redevelopment opportunity zR01 to RJEDB001	No change

Kelso	New housing sites (AKELS008, AKELS009) (Note both were identified as safeguarded sites in the adopted Local Plan); New employment site (BKELS003); New redevelopment site (RKELS001); New potential longer term housing site subject to review (SKELS001 & SKELS002); New cemetery expansion (FKELS002)	Settlement profile includes revised section on longer term expansion and protection
Lanton	No change	No change
Lauder	New housing site (ALAUD001); New employment site (BLAUD002); New redevelopment sites (RLAUD001, RLAUD002)	Settlement profile includes revised section on longer term expansion and protection
Leitholm	No change	No change
Lilliesleaf	New housing site (ALILL003)	No change
Longformacus	No change	No change
Maxton	New housing sites (AMAXT001, AMAXT002)	Settlement profile includes revised section on longer term expansion and protection
Melrose	No change	No change
Midlem	No change	Settlement profile includes revised section on longer term expansion and protection
Minto	No change	No change
Morebattle	New housing site (AMORE001); New employment site (BMORE001); New employment safeguarded site (BMORE002)	No change
Nether Blainslie	No change	No change
Newcastleton	New housing site (ANEWC010); new mixed use site MNEWC001)	No change
Newstead	No change	No change
Newtown St Boswells	New housing expansion area (ANEWT005) (Note: identified as a safeguarded area in the adopted Local Plan); New employment site (BNEWT001)(Note: identified as a safeguarded area in the adopted Local Plan); New mixed use site (MNEWT001) (Note: identified as a safeguarded area in the adopted Local Plan)	Settlement profile includes revised section on longer term expansion and protection
Nisbet	No change	No change
Oxton	New housing site (AOXT0001)	No change
Paxton	No change	No change
Peebles	New housing sites (APEEB025, APEEB026, APEEB027, APEEB030, APEEB031); New redevelopment sites (RPEEB001, RPEEB002, RPEEB003);New cemetery site (FPEEB001); New potential longer term housing sites subject to review (SPEEB003, SPEEB004); New potential longer term mixed use site subject to review (SPEEB005); Site Zr07 removed (replaced by other allocations above)	Settlement profile includes revised section on longer term expansion and protection

Preston	Change to settlement boundary at east	No change
Redpath	No change	No change
Reston	New potential longer term housing sites subject to review (SREST001, SREST002)	Settlement profile includes revised section on longer term expansion and protection
Roberton	New settlement boundary (settlement not previously identified in plan); New housing sites AROBE001, AROBE003)	New settlement profile
Romannobridge	No change	No change
Roxburgh	New cemetery expansion (FROXB001)	No change
Selkirk	New housing sites (ASELK006, ASELK021); New redevelopment sites (RSELK001, RSELK002);	Settlement profile includes revised section on longer term expansion and protection
Skirling	No change	No change
Smailholm	No change	No change
Sprouston	New cemetery expansion (FSPRO001)	No change
St Abbs	No change	No change
St Boswells	No change	No change
Stichill	No change	No change
Stow	New housing site (ASTOW022); New mixed use site (MSTOW001); New railway station site (TSTOW001)	Settlement profile includes revised section on longer term expansion and protection
Swinton	No change	No change
Traquair	No change	No change
Tweedbank	Deleted housing site (ETWEE001/ETW7B)	Settlement profile includes revised section on longer term expansion and protection
Walkerburn	New housing site (AWALK005)	Longer expansion and protection section excludes reference to area (site identified in Finalised Plan)
West Linton	New housing site (AWEST009)	Site description refers to requirement for nursery provision
Westruther	New housing site (AWESR005)	Settlement profile includes revised section on longer term expansion and protection
Whitsome	No change	No change
Yarrowford	No change	No change
Yetholm	No change	Change to text referring to longer term opportunities

ANNEX A

LOCAL PLAN PREPARATION DIARY

23/4/2001	Notice of intention to start Preparation of Local Plan
October 2001	Issues Report
2001 – 2002	Issue state of Consultation
27/6/2002	Council Report Issue Stage
16/12/2003 & 30/3/2004	Council Executive Committee Reports
14/5/2004	Local Plan Consultative Draft
14/5/2004 – 29/10/2004	Consultation on Consultative Draft
7/4/2005 – 31/5/2005	Separate consultation on Conservation Areas. Dryburgh, Smailholm and new designation at Clintmains.
6/6/2005	Council decision to undertake 2nd Stage Consultation
4/7/2005	2nd Stage Consultation, Scheduled Changes
12/8/2005	2nd Stage Consultation
13/10/2005	Council Report Finalised Local Plan
13/12/2005 – 31/1/2006	Finalised Deposit Local Plan
25/5/2006	Council Report on objections to the Finalised Local Plan
September 2006 – January 2007	Local Plan Inquiry
25/10/2007	Council Report into the Objections to the Finalised Local Plan by Scottish Government Reporters
2/11/2007 – 25/1/2007	Period of Final Objection to Proposed Modifications
Summer 2008	Adoption of Local Plan

ANNEX B

MEETINGS WITH EXTERNAL ORGANISATIONS DURING ISSUES STAGE

Organisation	Key Points Raised
Communities Scotland (formerly Scottish Homes)	<p>See potential for securing social housing need through redevelopment and not provision of new build on greenfield sites.</p> <p>Their own Development Strategy will tend to focus on investment in existing stock and existing housing areas.</p> <p>A large scale development in the Central Borders may provide economies of scale to allow some development of new build social rented housing.</p>
Historic Scotland	<p>Keen to be involved in the Local Plan process in terms of policy development associated with the Borders historic, archaeological and architectural heritage and at a later more detailed stage on the options for implementing the Structure Plan Strategy.</p> <p>Concerned that the integrity of designed landscapes and gardens in the central Borders area should not be prejudiced.</p>
Lothian & Borders Fire Brigade	<p>Not concerned about the allocation of specific sites but more with the general location of development and the availability of water supplies in these locations.</p> <p>The concentration of housing/development within the central Borders will actually assist in retaining and perhaps expansion of existing services.</p> <p>The focussing of development also enables maintenance of response times to incidents.</p>
Lothian & Borders Police	<p>The development in Central Borders will put pressure on the operational capacity of Police to respond to situations and will have financial/budgetary implications for service provision. This will be particularly apparent during the later stages of the plan. There may need to be a reorganisation of the management of existing operational structures.</p> <p>Any significant scale of development proposed in the Central Borders will likely mean a large number of development sites to be policed during and after construction. This will add additional pressure on service delivery.</p> <p>Architectural liaison will be advantageous in designing out crime at the earliest possible stage.</p>

<p>NHS Borders</p>	<p>Appreciate the scale of change that is proposed over the next ten years and realise that this will have significant impact on health services. In particular there are issues relating to community hospitals in the locality and extension of the BGH.</p> <p>There are issues of service capacity in other areas such as Tweeddale West Linton & Peebles (Western hub), in Kelso and in Berwickshire</p> <p>Confirm intention to provide information on where there are current pressures on their services, what land they want set aside to facilitative expansion of these services, where new sites may be needed, etc.</p>
<p>Scottish Enterprise Borders</p>	<p>Have made detailed comments on the need for additional industrial land in Kelso. They have expressed desire to be involved in discussions on strategic employment sites and the assessment of existing and required employment sites in other areas.</p>
<p>Scottish Environment Protection Agency</p>	<p>All large scale development proposals should be connected to the public sewer and that the position with respect to availability should be discussed with Scottish Water. They contend that the proliferation of private sewage treatment plants is unsustainable.</p> <p>Surface water from development sites should be treated by way of Sustainable Urban Drainage Systems which would also have the capacity to encourage biodiversity.</p> <p>Site assessments should take account of the need to avoid sites susceptible to a 1:200 year flood and measures incorporated in site development to avoid exacerbating flood risk elsewhere.</p> <p>Investigation should also be undertaken to ensure that sites are free from contamination.</p>
<p>Scottish Natural Heritage</p>	<p>Highlight the sensitivity of the environment and likely impact on landscape and nature conservation interests of significant development in the Central Borders corridor.</p> <p>No objection as such to the Development Strategy but would like to contribute to the development of Local Plan policies, influence the location of new development and assist in formulating the detailed design framework for meeting the strategy objectives.</p>
<p>sportscotland</p>	<p>Would like to make a positive contribution to the debate on future of sporting provisions within the Borders.</p> <p>They would seek policies in the Local Plan, which sought the protection, retention and development of existing playing fields etc for sporting purposes.</p> <p>They have carried out a facilities Planning Model of the Scottish Borders and trust that this will inform the debate on such issues.</p>

<p>Scottish Water (formerly East of Scotland Water)</p>	<p>State that there are severe difficulties throughout the Borders with existing sewage treatment plants either at or reaching capacity.</p> <p>Detailed information has been provided by the Agency on the state of waste water treatment and current capacities for all of the towns and villages in the Borders.</p> <p>There does not appear to be a significant issue in the Borders in terms of water supply for development.</p> <p>They are aware of the implications of the Development Strategy and would look to focus future infrastructure development in line with the Structure Plan. This is to ensure targeted investment of scarce resources.</p> <p>They confirm their willingness to engage in discussions to address both long term and short term difficulties.</p>
<p>Transco</p>	<p>Have expressed wish to be consulted on every stage of the Local Plan process to ensure that they are able to cope with demands on their services but also to ensure that existing pipelines are not prejudiced by new development.</p> <p>They concur that the focussing of development into the hubs provides the best economies of scale for delivery of gas services.</p>

Organisations Consulted

Whilst these organisations have not met with officers to discuss the Local Plan specifically, most have expressed a desire to be kept informed and several have had meetings with the Council whose subject matter is relevant to the Local Plan.

Borders College
 British Gas
 British Telecom
 Heriot – Watt University
 Scottish Borders Tourist Board
 Scottish Executive, Environment & Rural Affairs Department
 Scottish Power

Note: the organisations listed are those who have a key role in infrastructure and other related service provision in connection with new development. There are also a number of other external organisations who were consulted on the Issues Report and who will be involved in the Local Plan process.

ANNEX C

REPORT FROM SCOTTISH BORDERS COUNCIL 27 JUNE 2002

OUTCOME OF ISSUES REPORT CONSULTATION

- 4.3 Around 250 representations on the Issues Report have been received from Community Councils, other organisations and interested individuals. Most concern more than one planning issue, and some deal with the full spectrum of topics and questions raised in the Issues Report. All comments have been acknowledged and respondents advised that their views will be taken into account in the drafting of the Consultative Draft Local Plan. A database has been set up to allow future contact with respondents as required. The comments are held on a file which is available for inspection by the public by prior arrangement. The following represents a brief summary of the responses received and where appropriate, comments from officers involved in the Local Plan's preparation.
- 4.4 Many commentators have used the Issues Stage of the Local Plan review as a further opportunity to express their concerns about the Structure Plan's Development Strategy. There has been some support for the principle of the three Development Hubs, but there is some concern that the overall 'housing shortfall' of 3,740 is too high. There is further concern at the degree to which housing provision is to be concentrated within the Development Hubs. Within the primary hub and the western hub in particular there are concerns regarding over-development whilst, in more peripheral areas in the Northern Borders and Southern Roxburgh, there is local concern that the Structure Plan does not promote enough development.

Comment

The strategic principles underlying the Development Hubs, strategic infrastructure provisions and sustainable development form part of the Structure Plan. The scale of, and provision for, future housing growth (particularly in Housing Market areas in the Central and Northern Borders) will become clearer when the Scottish Executive approve the plan

- 4.5 Of the comments received that refer to planning issues from a Scottish Borders-wide perspective, there are a few common themes. For example, there are several such comments relating to the need for road improvements and questions relating to the feasibility of the railway project and its relationship with the Development Strategy. Similar general issues cover a number of environmental issues including the need to protect ancient woodlands, trees in general, wildlife habitats, and the wider countryside.

Comment

The Local Plan will include detailed policies to protect the natural heritage. Some transport-related issues will more appropriately be addressed through the Local Transport Strategy.

- 4.6 Some commentators have been particularly concerned at the general need for economic development throughout the Scottish Borders, particularly in relation to the decline of agriculture and traditional manufacturing industries. Some see a major role for tourism-related industry in the future, while others have requested the provision of workshops to support the growth of small local firms. A common theme is the need to improve the accessibility of the Scottish Borders to enhance its viability as a location for new economic development. There have been some suggestions that the strategy for housing growth should be less ambitious unless an equivalent number of jobs within the Borders can be provided, while others see the acceptance of a high level of commuting to Edinburgh as a reasonable option since this will support the local building industry and local services.

Comment

The Scottish Borders has an increasingly important role to play in the development of South East Scotland. Edinburgh is not only the capital and heads the league of UK tourist destinations, but is also one of the top European Centres for scientific and medical research, financial investment, retailing and academic excellence. Its multi-dimensional economic structure bodes well for the future, and the city has already stimulated housing development and commercial investment opportunities well beyond the city's boundaries. In contrast, Scottish Borders' manufacturing jobs have fallen consistently throughout the last 20 years, in spite of the best efforts of the Council and its partner development agencies. The future attractiveness to industrial, commercial and private investors into the Scottish Borders will probably depend on 'quality of life' issues. The Local Plan must place quality of life foremost in its policies and proposals, and be uncompromising in its adoption of the highest standards.

- 4.7 Of the settlement and site-specific issues referred to, housing development is the most frequently recurring topic and there are some major variations in the general attitude towards housing across the Borders. In the more developed central areas (the Galashiels-Melrose-St Boswells corridor), there appears to be much more concern at the potential scale of new development and many representations are concerned with the preservation of the individual identity of towns and villages through restricting further development. In the more peripheral areas, particularly the smaller villages in Berwickshire, northern Ettrick and Lauderdale and in relatively isolated communities like Newcastleton, there is a feeling that more development is needed to sustain the vitality of local communities and the viability of local services. In these more peripheral areas there appears to be less concern than elsewhere about related issues such as the specific choice of sites and the design and layout of housing sites, although the need to provide affordable housing for young families has been a key concern.
- 4.8 Over two hundred specific sites have been suggested for housing development, the majority of these by land-owners, developers or their agents. A number of these sites were submitted for consideration prior to July 2001, but many have been suggested during the Issues Stage of the Local Plan review. In some communities, such as Coldingham and Sprouston, meetings with the Community Council, the local people and land owners have culminated in a degree of consensus about the sites that should be brought forward for development and the types of development that are required.

Comment

The scale that any settlement can grow and contribute to the overall housing requirement will need careful consideration; the Structure Plan sets out the overall framework and indicates that alternatives to settlement expansion will have to be considered. It is recognised that there is scope for some town and village development, subject to the retention of individual community identities and respect for the traditional development pattern.

- 4.9 There are many comments to suggest there are local needs for improved community services and infrastructure and, in this respect, it would appear that many people are concerned that the full impact of any new development is thoroughly considered in the plan review. The implication of limited sewerage capacities is a major issue of concern in many parts of the Borders. There is also concern that the Council's commitment to reinstating the Waverley railway line should not imply less commitment to improvements to the strategic road network. Comments from Berwickshire have suggested that the potential for new rail-halts or stations on the east-coast main line should also be considered. A number of commentators have suggested that, to be viable, the Waverley railway project will require significant improvements in other public transport linkages to connect the terminus with adjoining communities. Other services and infrastructure issues that have been referred to include the need for improvements to existing schools or the provision of new schools, improved healthcare provision, community halls and footpath networks.

Comment

The implications of development in terms of infrastructure requirements are, and will continue to be, the subject of consultation with other Council services, particularly those concerned with education, leisure and transport. A continuing dialogue is also in place with external partners, particularly Scottish Water. The Structure Plan provides for improvements to the strategic road network as a complement to the reinstatement of the Waverley railway.

- 4.10 The issues of energy generation and telecommunications systems have attracted relatively few comments. Of those comments received on energy generation there is general support for the development of windfarms in the Scottish Borders, subject to the consideration of local amenity issues, and the development of the bio-fuel industry has also been suggested. The general need for improved telecommunications links has been a matter of concern for some commentators.
- 4.11 There have also been relatively few comments on design specific issues. Of those that have been received there is a tendency to make reference to terms such as 'quality design' and 'rural feel'. However, the topic of housing density is a more frequent matter of concern and, from verbal feedback received at local meetings, it would appear that from the public perspective 'high density' is often synonymous with 'poor design'. The conservation of built heritage does not appear to be a general issue of concern in many parts of the Borders, but in specific localities, e.g. Peebles and Melrose, it appears to be one of the most important issues.
- 4.12 The implications of new development for the global environment have attracted very little specific comment although clearly many of the foregoing issues have implications for sustainability. It is apparent that there is much more stated concern about local environmental impacts e.g. visual impact, loss of open space and traffic congestion. Many of the comments received deal with social, economic or environmental issues that lie beyond the scope of the local plan, e.g. the need to take more action against crime to improve town centres, the need for shops selling specific goods, the control of stubble burning and the maintenance of footpaths.

SETTLEMENT APPRAISAL – METHOD AND INITIAL FINDINGS

- 4.13 A major component of the Local Plan Review is the settlement appraisal programme, which will seek to turn the Development Strategy in the Approved Structure Plan into sites on the ground. The appraisal methodology is described in Appendix C but in summary, comprises a detailed desk and field analysis of settlements and sites in terms of their constraints and individual characteristics.
- 4.14 The sites surveyed comprise those put forward to the Council by developers, landowners and others and the areas of search indicated by the Structure Plan which identifies an 'area for substantial development within the Galashiels-Melrose-St Boswells corridor'. The order of appraisals is therefore guided by the Structure Plan strategy and other relevant factors. All settlement and site appraisal work is programmed to be completed by the end of 2002.
- 4.15 Of a total of 87 settlements to be appraised, 16 have so far been completed, covering the settlements within the primary hub that are likely to be subject to most development and change as a result of the Structure Plan strategy. (See Appendix D for a summary of the settlements completed and those still to be undertaken.) While the work is not yet complete, the initial indication is that, taking account of infrastructure and marketing constraints and making a number of assumptions on density of development, **sufficient land is likely to be able to be identified in the Galashiels-Melrose-St Boswells corridor**. This means that at this stage, there is no indication that there will be a need to consider substantial development outwith this corridor which would, in any case, be potentially contrary to the Structure Plan Strategy.
- 4.16 Notwithstanding the above, it should be noted that the Structure Plan provides for longer term substantial development in the Newtown St Boswells/St Boswells area, the Galashiels-Selkirk axis and the Peebles-Innerleithen-Central Borders axis, all dependent on progress on the reinstatement of the Borders railway. The Structure Plan supports the long-term restoration of a railway through route, providing initially for a link between Edinburgh and the Central Borders.

ANNEX D

PUBLIC MEETINGS

Public Meetings

Date	Venue	Approx Attendance
24 June	St Boswells (organised by St Boswells CC)	150
10 August	Jedburgh (CC and Jed Alliance)	35
1 September	Duns	17
9 September	Lauder	30
22 September	Melrose	150
5 October	Galashiels	15
25 October	Galashiels	17

Special Community Council Meetings

Date	Venue	Approx Attendance
14 June	Lauder	30
18 August	Galashiels	15
13 October	Tweedbank	12
26 October	Clovenfords	60

Area Committee Meetings

Date	Venue
15 September	Cheviot Area - Jedburgh
20 September	Eildon Area - Galashiels
21 September	Teviot and Liddesdale Area - Hawick
27 September	Tweeddale Area - Peebles
28 September	Berwickshire Area - Duns

Discussions Forums

Date	Organisation	Approx Attendance
28 July	Walkerburn/Tweeddale	25
8 September	Kelso	15

Helpdesk

Date	Location
10 August	Jedburgh
1 September	Duns
14 September	Melrose
16 September	Kelso
20 September	Galashiels
21 September	Hawick

22 September	Melrose
27 September	Peebles
28 September	Duns
5 October	Galashiels

Partnership Meetings

Date	Organisation	Approx Attendance
23 September	Eyemouth East Berwickshire Area Regeneration Partnership	8
6 October	Local Biodiversity Action Plan Partnership	N/A
11 October	Selkirk (embryo Area Regeneration Partnership)	35
13 October	Hawick Area Regeneration Partnership	10
19 October	Elder Voice Focus Group	7
26 October	DC Stakeholders	15
27 October	Walkerburn/Innerleithen Area Regeneration Partnership	20
27 October	Coldstream (embryo Area Regeneration Partnership)	7

- Youth Council were given opportunity of a meeting but declined

Key Agencies and New Ways

Date	Organisation
11 August	Scottish Borders Tourist Board
02 September	SNH
10 September	Borders Housing Forum
24 September	New Ways Thriving Organisations
24 September (latest of a number of regular meetings)	Scottish Enterprise Borders (Development Plan Board Priority Group)
15 October	New Ways - Vibrant Communities
	Scottish Water/SEPA
	Wellbeing Partnership (agreed to present to NHS Board instead)
21 March 2005	Homes for Scotland
18 May	NHS Board

ANNEX E (1)

REPORT FROM SCOTTISH BORDERS

COUNCIL 13 OCTOBER 2005

KEY CHANGES TO POLICIES AND PROPOSALS

Following feedback from the consultation where difficulties had been caused by the ordering of policies, the distinctions between whole plan, built up and countryside policies will be removed for the purposes of the listing. Therefore for example all housing policies will be listed together. The policies will be grouped by topic and also in a separate list by their purpose which falls into 4 main categories:

1. General policies providing guidance for new development (all land uses)
2. Policies providing guidance on specific types of land uses and how they will be controlled.
3. Policies that protect environmental assets
4. Policies that safeguard existing land uses either to retain the current use or to avoid prejudicing future development.

The second stage consultation experimented with the idea of showing arrows on plans indicating the potential future direction of development, that is, beyond this Local Plan period. The consultation has shown that the arrows have caused confusion about their purpose. The Finalised Plan will instead indicate any guidance on restrictions at boundaries or possible future long term development in the settlement profile text.

The tables below describe the key changes to policies and proposals. Not all policies or settlements are included as the emphasis is on substantive changes.

POLICY	SUMMARY OF CHANGES MADE IN RESPONSE TO COMMENT AND/OR OFFICER REVIEW
Sustainability Principle 1	Expand principle and give more weight in accordance with Council's approved Environmental Action Plan, Environmental Policy and Best Value.
G1 General Design	Retitle as 'Quality Standards for New Development'; incorporate more comprehensive guidance on design particularly sustainable design and open space.
G4 Flooding	Considerably expand policy to take account of latest government guidance particularly the risk framework set out in SPP7 and comments of Scrutiny Committee and Flood Liaison and Advice Group.
G5 Developer Contributions	Revise to take account of emerging Supplementary Planning Guidance on Developer Contributions.
G6 Developer Contributions related to Railway Reinstatement	Policy updated and strengthened to take account of more recent Council decision on contributions.
G7 Infill Development	Expand policy to take account of additional criteria.
G8 Edge of Settlement Development	Policy to be retained but retitle 'Development outwith Development Boundary' for greater clarity and reword to make exceptions criteria more explicit. 'Built up area boundary' and Settlement Boundary' will be replaced by the term 'Development Boundary' to reflect more accurately the purpose of the boundary.

NE 1-6 Natural Environment, EP1-2, EP 4-5 Environmental Protection	Revise to strengthen environmental protection and take account of SNH comments; Policy NE3 Biodiversity will reflect the emerging Supplementary Planning Guidance on Biodiversity.
BE6 Recreational Open Space	Retitle as 'Protection of Open Space' and reword to reflect the typology of open space as set out in government guidance and to give improved protection to amenity and informal spaces as well as more formal parks and playing fields.
BE8 and BE9	New policies on dealing with applications for Care Homes and Caravan & Camping Sites.
BE10 and BE11	New policies on Newtown St Boswells land safeguarding for major development (as agreed at Council meeting 16 June 2005) and H1A housing land.
EP3 Settlement Coalescence	Policy to be titled 'Prevention of Settlement Coalescence' and the justification expanded to explain that at this stage the policy only applies to land between Darnick and Melrose.
EP5 Air Quality	New policy in response to views by SEPA.
ED1 Protection of Employment Land	Policy expanded to give stricter protection to strategic employment sites as identified in the Structure Plan and to provide further clarify when exceptions are justified.
H1 Affordable Housing	Reference to approved Supplementary Planning Guidance on Affordable Housing.
H2 Housing Areas	Reword title to reflect more accurately purpose of policy: 'Protection of Established Residential Areas'.
H3 Housing Allocations	Reword title to 'Land Use Allocations' as this policy is relevant not just to housing allocations; also include reference to planning briefs and the need for development to accord with these, where available.
Inf1 Railway Reinstatement	Reword title to 'Transport Safeguarding' to reflect more accurately its purpose and allow its use for road proposals e.g. Selkirk bypass.
Inf2 Protection of Access Routes	Rewording to bring policy more closely into line with Land Reform Act.
Inf5 Waste Water Treatment Standards	Changes to take account of views by SEPA in particular incorporating a more cautious approach to private water treatment arrangements.
Inf6 Sustainable Urban Drainage	Revise to reflect comments by SEPA and others and give stronger encouragement to SUDS.
Inf8 Radio Telecommunications	Revise to reflect latest government guidance more accurately and comments of BT and THUS in providing more specific guidance on siting and design.
Inf7 Waste Management	Revise to take account of up to date government policy, Area and SBC waste plans and SEPA comments.
Inf10 and Inf11	New policies to provide assessment criteria on dealing with new transport development and with developments that generate travel demand.
D2 Housing in the Countryside	Prefix added to set out Council's overall position. Changes to reflect August 2004 Working Group update of policy and Member discussion of anchor points (November 2004).
D4 Renewable Energy	Revise to take account of need to encourage technologies other than wind power and of small scale technologies.

LAND USE PROPOSALS BY SETTLEMENT (Alphabetical Order) Not all settlements are included in this table as the emphasis is on the more substantive changes	ISSUE	RECOMMENDATION
Cardrona Longer term expansion	Concern expressed about possible longer term expansion to south west.	Recommend remove arrows showing possible longer term expansion. Area will be considered for next Local Plan review.
Clovenfords Primary school and housing location	Second stage consultation recommended alternative site at Meigle Row. Objections made. Site more exposed but closer to heart of the village. Site at Caddonfoot is at risk of flooding.	Recommend allocate land for housing and school at Meigle Row.
Coldstream Development opportunities - Area Regeneration Priority	Identification of additional employment land and redevelopment opportunities.	Recommend 3 redevelopment areas to be identified including site on Duns Road. Future employment land to be considered for longer term to north of town. Housing site at the Hirsell part allocated; will require brief.
Darnick Housing land Open space	A small site at St Helens provoked a large number of objections. Much support for the protection of the triangular site known as 'Bessie's Field'.	Considered that the St Helens site can be developed without unacceptable impact however may not be possible to develop. Recommend redraw boundary to include area of St Helens allocation but do not identify as housing site. Consider that triangular field can best be protected by leaving outwith development boundary and protecting under policy EP3 Settlement Coalescence.
Duns Secondary school location and housing land	Concerns about boggy land for new school and access issues with land around Todlaw/Station Road. Discussion about the wisdom of more housing land to east of Duns outwith natural boundary and at opposite end from school. Representations about Hardens area and the potential to extend boundary of Duns to the west. Need to provide for employment land.	Recommend retain school allocation and reduce housing allocation at Todlaw/Station Road area. Recommend do not allocate the site at Springfield Drive or extend boundary to the west but consider both areas for longer term development. Planning brief required for Hardens Area to control future development. Include developed land as part of Duns boundary. New industrial land allocation.
Earlston Secondary School and longer term housing	School location; options under discussion.	Discussion not sufficiently advanced to allow site allocation. School site to east of Earlston may emerge. Longer term housing to be considered to south.

<p>Eyemouth Development opportunities in Area Regeneration Priority area -Eyemouth and East Berwickshire villages.</p>	<p>Major development area at Gunsgreenhill; new secondary school required.</p>	<p>Recommend additional housing and employment land at Gunsgreenhill; allocate for mixed use development that could include a new school; subject to masterplan.</p>
<p>Galashiels Housing Land Primary schools location</p>	<p>Galashiels is key location for housing land owing to the proposed railway stations. Some sites are constrained due to access and environmental designations. Two new sites for primary schools in east and west of the town.</p>	<p>Recommend maintain general location of allocations, with some local site changes, at Mossilee, Torwood/ Buckholm Corner, Crotchetknowe, Easter Langlee, Netherbarns. Discussion not sufficiently advanced to allow site allocations for schools to be made.</p>
<p>Gattonside Housing land</p>	<p>A site at Gateside was allocated to help meet the need for land in the Central Borders. Substantial objections have been made.</p>	<p>Considered that the site could be developed sensitively to minimise impact, however not required for this Local Plan. Consider for longer term development. Recommend remove the Gattonside allocation at Gateside.</p>
<p>Hawick Redevelopment and job creation Area Regeneration priority</p>	<p>Issues around the need to provide the right conditions for regeneration, redevelopment and job creation.</p>	<p>Recommend develop Galalaw for mixed uses including employment, housing and open space, all subject to masterplan. Development Brief to be prepared for Commercial Road identified as redevelopment opportunity. Town centre prime retail frontage retained.</p>
<p>Innerleithen Development opportunities – Area Regeneration Priority.</p>	<p>Issues around the need to provide the right conditions for regeneration, redevelopment and job creation.</p>	<p>Recommend housing allocations at Kirklands and Traquair Road; improved industrial area site boundary.</p>
<p>Jedburgh Town centre and future development of the town.</p>	<p>Key issues for Jedburgh are town centre revitalisation and the constraints on longer term development due to road access and topography.</p>	<p>Recommend major housing and employment land allocations to east of town; in longer term consider potential to north.</p>
<p>Kelso Supermarket Future planning and development of the town.</p>	<p>Issue of location of supermarket following removal of Shedden Park from consideration.</p>	<p>Recommend the allocation of Spylaw Farm site for supermarket and employment land (See Appendix B for full justification) Development brief required for Kelso as pilot for Small Towns Initiative.</p>
<p>Lauder Housing and primary school location</p>	<p>Issue of location of school and housing site at Allanbank given ongoing Inquiry process. The site at Allanbank was shown in the second stage consultation reflecting the Council approval. There have been expressions of support. The approval is subject to Scottish Executive who have called in the application.</p>	<p>Recommend allocate school and housing at Allanbank in accordance with Council decision.</p>

<p>Melrose Housing land</p>	<p>The Croft was removed at second stage consultation and replaced by a site at Quarry Hill. This provoked a large number of objections. Both sites offer the potential for improvement of the road network.</p>	<p>Considered that the impacts at the Croft can be minimised by road improvements and a car park to help meet residents' concerns, and careful design through a planning brief. Recommend reinstate the Croft at a slightly higher number of units. No allocation at Quarry Hill.</p>
<p>Land at Borders General Hospital</p>	<p>Site is outwith boundary of designed landscape. Allocated at second stage for Class 4 Business land and housing. Historic Scotland has not objected.</p>	<p>To be retitled 'Broomieles' to reflect the location more accurately. Recommend retain site allocation for Class 4 Business use. Text to indicate that housing, parking and open space may also be acceptable as part of overall development brief. Site will need careful design.</p>
<p>Newtown St Boswells Housing land Village Expansion</p>	<p>Objections to proposed allocations at Sergeants Park. Auction Mart has signalled possible re-location. Concerns about impact of village expansion but support for redevelopment and regeneration.</p>	<p>Consider that impacts can be overcome. Recommend retain allocation at Sergeants Park and identify the Mart area for redevelopment. Recommend safeguard land for Newtown St Boswells expansion.</p>
<p>Peebles Cavalry Park and other employment land Housing land</p>	<p>Concerns about impact of housing on the historic town; need for employment land; considerable development pressure; limited options for longer term development, flooding and need for new bridge to east of town.</p>	<p>Recommend maintain housing allocations except Edderston Ridge site; planning briefs required for other sites; new employment land at Southpark.</p>
<p>Reston Village expansion and school</p>	<p>Support by local community for village expansion involving mixed uses; school is near capacity.</p>	<p>Recommend allocate the Cattle Market area for redevelopment which could include a new primary school. Station site allocation. Longer term development to be considered to south.</p>
<p>Selkirk Bypass and housing land</p>	<p>Concerns expressed about the implications of not showing the bypass line on the inset map. Scottish Executive is concerned about misrepresenting their level of commitment. Confirmation of bypass line is essential to clarifying options for future development land.</p>	<p>Recommend reinstate bypass line on inset map but drawn in a more indicative graphic style and with accompanying text that makes Scottish Executive position clear. Link to policy that safeguards the line from development that could prejudice it. Recommend remove housing allocation at Goslawdales which crosses the indicative line.</p>
<p>Stow Railway Station</p>	<p>Implications of outcome of Parliamentary Committee process on the Waverley Railway (Scotland) Bill.</p>	<p>Factual information to be added to Settlement Profile. No proposals or changes to map.</p>

<p>Smailholm Housing land (small settlement but included due to strength of local feeling)</p>	<p>Representations regarding support for an extension of the boundary behind the church. Several officers have visited the site including the Conservation Officer and have recommended a minor extension only because of the adverse impact this is judged to have on the integrity of the village.</p>	<p>Recommend minor extension only to Smailholm boundary, not larger field behind the church.</p>
<p>Sprouston Housing land (small settlement but included due to strength of local feeling)</p>	<p>Objections to scale of housing land proposed.</p>	<p>Recommend maintain allocation to north of village adjacent to church as it is in adopted Local Plan. One other site also proposed.</p>
<p>Walkerburn Area Regeneration Priority Area</p>	<p>Issues around the need to provide the right conditions for regeneration, redevelopment and job creation. Need for town centre improvement.</p>	<p>Recommend maintain allocations as contained in consultative draft; consider larger area at Caberston Farm for longer term development in context of wider regeneration proposals.</p>
<p>West Linton Housing and school land</p>	<p>Clarification on school site and extent of housing land required. Indicative bypass line no longer a realistic possibility.</p>	<p>Recommend maintain Robinsland allocation and identify land required for school. Remove line of indicative bypass.</p>

ANNEX E (2)

EXTRACT OF REPORT FROM SCOTTISH BORDERS COUNCIL 20 MARCH 2008

RECOMMENDED COUNCIL RESPONSE TO THE OBJECTIONS TO THE PROPOSED MODIFICATIONS

Whilst the Reporters' report in large part supported the Finalised Plan approved by Council, it did contain a number of conclusions and recommendations that differed from the Council position presented at the Local Plan Inquiry. However, it was accepted that the Reporters' recommendations have emerged from a thorough, comprehensive and independent process.

In this context, the Council agreed that it would accept the recommendations from the Reporters, except in a very limited number of particular circumstances. This formed the basis for further consultation on the Council's proposed modifications. The exceptions related predominantly to circumstances where decisions had been taken on individual planning applications in the intervening period. In such cases it was agreed that the Plan should accurately reflect the existing situation, acknowledging any recent extant planning permissions. Another exception was in relation to an extension of the safeguarding area proposed by the Reporters at Newtown St Boswells. The Reporters indicated that land to the east of the A68 and in the vicinity of Tweed Horizons may offer a suitable substitute for the Broomilees Business Park. To enable this to be investigated further, and to provide further flexibility in the development of a Master Plan in consultation with the local community, it was agreed that a wider area of safeguarded land should be retained than recommended by the Reporters. (For the avoidance of doubt it was not recommended that the number of houses allocated in Newtown St Boswells should exceed that considered acceptable by the Reporters).

The Council has received in excess of 400 further recommendations in respect of the proposed modifications to the Finalised Plan.

The report before the Council has considered the objections in respect of the proposed modifications advertised in October 2007 on their merit against the background of the Local Plan Inquiry report, and on the basis that there should be a substantive and compelling reason, not already fully considered by the Reporter, to demand reconsideration of the Council position. Against this context there are very few further proposed amendments recommended for the Plan.

The main substantive recommendations that represent a change from the modifications proposed for public consultation by the Council in October 2007 may be briefly summarised as follows:

Recommended for Inclusion as a Housing Site within the Plan

- West Paddock, Coldstream (further new evidence on limitations to brownfield site potential submitted)

Recommended for Exclusion as a Housing Site from the Plan

- Gateside, Gattonside (objection in principle by Government Advisor on Natural Heritage)
- Venlaw, Peebles (objection in principle by Government Advisor on Natural Heritage)

Site Remitted to Council for Decision on Future Appropriate Use (housing or employment land)

- Deanfoot Road, West Linton (site subject to a section 75 agreement between the Council and other parties including site owner for employment use, and there would require to be agreement by Council to allow a meaningful allocation for housing from employment use)

In addition, there are a small number of relatively minor changes also recommended following the assessment of the responses to the proposed modifications. These are as follows:

- Easter Langlee, Galashiels; inclusion of a wording change to the footnote regarding the Masterplan
- Policy D4 on Renewable Energy; refer to SPP6 rather than NPPG6
- Policy Map 8 on minerals search area; clarification of the area of search for minerals
- Broomilees Rd, Darnick; minor boundary change to allow improved access
- Linglie Rd, Selkirk; revert to full field boundary to allow proper planning of landscape, flood alleviation measures and sustainable drainage. The site capacity proposed by the Reporter is unchanged.

ANNEX F

SUMMARY OF COUNCIL REPORTS ON LOCAL PLAN

Date	Council Reports/Seminars
25 January 2001 (Planning and Development Committee)	Report on Review of Local Plans
October – November 2001 (Area Committees)	Local Plan Review – Issues Report as Item on Agenda
27 June 2002 (Scottish Borders Council)	Scottish Borders Local Plan
December 2002 (Area Committees)	Scottish Borders Local Plan Framework as Item on Agenda
21 January 2003 (Scottish Borders Council Executive Committee)	Scottish Borders Local Plan Framework
24 June 2003 (Scottish Borders Council Executive Committee)	Masterplanning Project: Central Borders New Settlement
16 December 2003 (Scottish Borders Council Executive Committee)	Scottish Borders Local Plan: Consultative Draft Phase 1
30 March 2004 (Scottish Borders Council Executive Committee)	Scottish Borders Local Plan: Consultative Draft Phase 2
15 April 2004 (Full Council Meeting)	Minutes of Meeting 30 March 2004
13 May 2004 (Full Council Meeting)	Discussed as a result of a Motion on Local Plan
24 June 2004 (Scottish Borders Council)	Scottish Borders Local Plan: Publicity and Consultation
9 December 2004 (Scottish Borders Council)	Scottish Borders Local Plan
21 April 2005	Scottish Borders Local Plan: Huntlyburn Area of Search for New Village
16 June 2005 (Scottish Borders Council)	Supplementary Planning Guidance on Affordable Housing
	Scottish Borders Local Plan: Outcome of Consultative Draft
	Scottish Borders Local Plan: Central Borders Land Supplies and New Village
	Scottish Borders Local Plan: Finalised Local Plan
October 2005 (Scottish Borders Council)	Scottish Borders Local Plan: Publication of Finalised Plan
25 May 2006 (Scottish Borders Council)	Scottish Borders Local Plan: Objections to Finalised Local Plan
25 October 2007 (Scottish Borders Council)	Scottish Borders Local Plan: Report on Local Plan Inquiry into Finalised Local Plan
20 March 2008 (Scottish Borders Council)	Scottish Borders Local Plan: Report on Proposed Modifications to Finalised Local Plan following the Local Plan Inquiry Report.

Note: There were also two seminars presented for Councillors in September 2002 and September 2003.

ANNEX G

NOTICE OF INTENTION TO PREPARE DRAFT LOCAL PLAN AMENDMENT

The Council agreed to prepare a Local Plan Amendment to take forward the provisions in the Structure Plan Alteration at its meeting on 22 May 2008. Formal notice of intention to prepare the Draft Local Plan Amendment was advertised in the local press in May 2008.

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