

Archived: 01 February 2021 16:07:05

From: [REDACTED]

Sent: Mon, 25 Jan 2021 17:30:56 +0000ARC

To:

Subject: Objection to the Proposed Scottish Borders Local Development Plan 2 - Proposed Plan 2020 - Proposed Local Biodiversity Site Ref. 11 - Land at Ellwynd Wood and Meadow

Sensitivity: Normal

[REDACTED]

CAUTION: External Email

Good afternoon,

I write in relation to the current consultation concerning the Proposed Scottish Borders Local Development Plan 2 – Proposed Plan 2020.

Please find attached a formal objection on behalf of our client the J S Crawford Partnership. The representation concerns the proposed designation of land under their ownership at [REDACTED] as a Local Biodiversity Site.

A supporting site plan has been provided in support of this representation. If any further information is required please let me know.

Please acknowledge safe receipt of this submission.

Kind regards,

[REDACTED]

[REDACTED]

For Galbraith | [59 George Street, Edinburgh EH2 2JG](#)

[REDACTED]

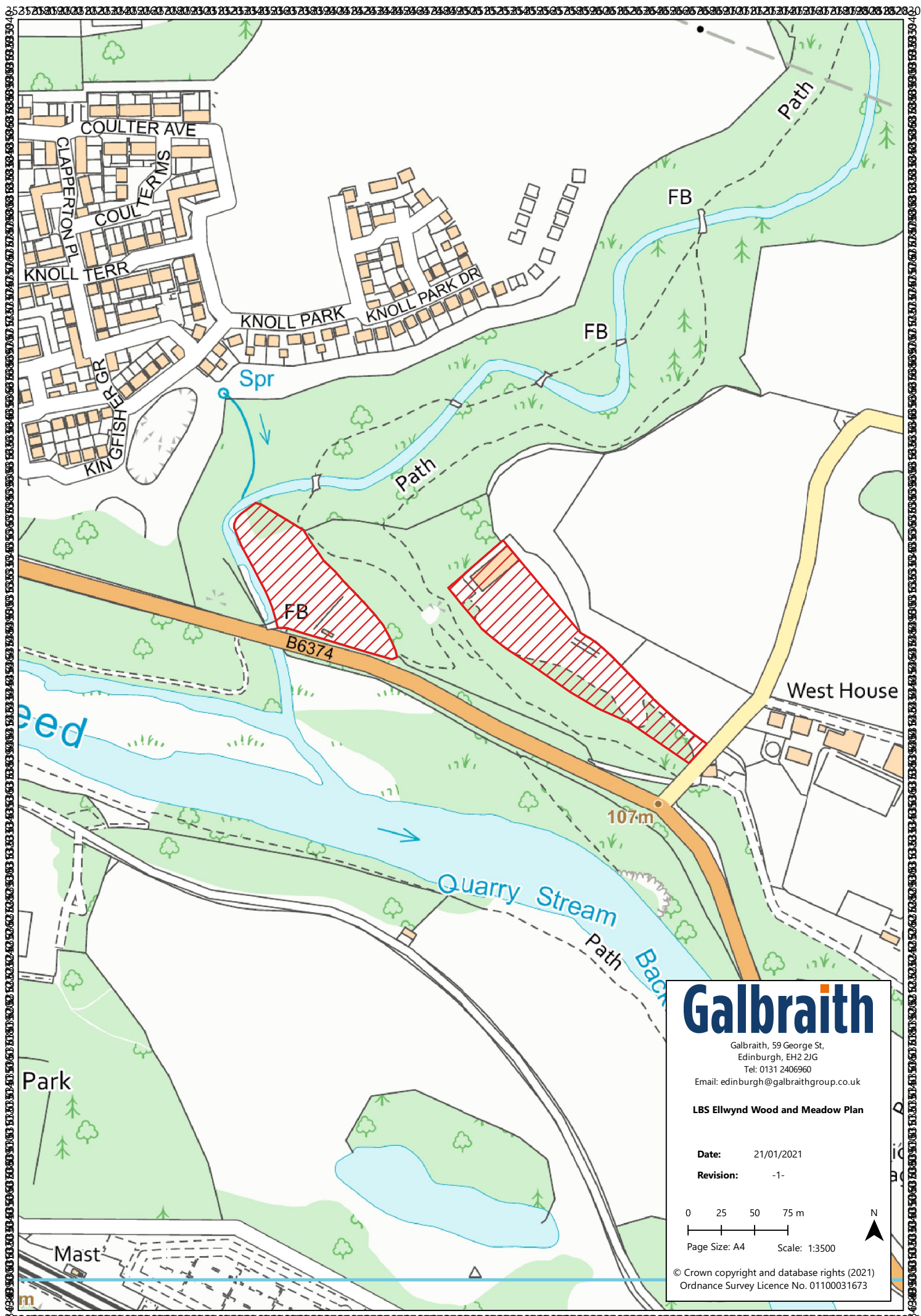
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**LBS Ellwynd Wood and Meadow Plan**

**Date:** 21/01/2021  
**Revision:** -1-

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Forward Planning  
Council Headquarters  
Newtown St Boswells  
Scottish Borders  
TD6 0SA

Our Ref: 5615-7

25<sup>th</sup> January 2021

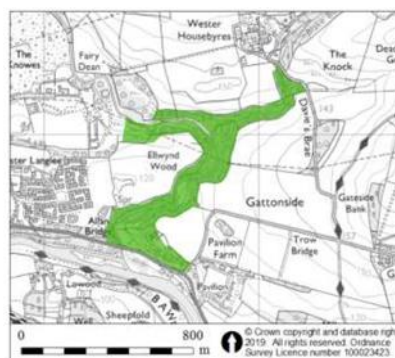
By email ([localplan@scotborders.gov.uk](mailto:localplan@scotborders.gov.uk)) only

Dear Sirs

**OBJECTION TO THE SCOTTISH BORDERS LOCAL DEVELOPMENT PLAN 2 – PROPOSED PLAN 2020  
PROPOSED LOCAL BIODIVERSITY SITE REF. 11 – LAND AT ELLWYND WOOD AND MEADOW**

We write on behalf of the J S Crawford Partnership, in relation to land under its ownership at Ellwynd Wood and Meadow.

As detailed in Local Development Plan (LDP) Technical Note 4, it is proposed that 20.2 hectares of land at this location be designated as a Local Biodiversity Site in the Local Development Plan 2. Figure 1 below illustrates the extent of the proposed designation.



**Site Ref:** 11  
**Site Name:** Ellwynd Wood and Meadow  
**Area (ha):** 20.2  
**Site Description**  
Ancient semi-natural woodland on river banks  
with species-rich mesotrophic grassland  
**Shown on Map 1**

Figure 1: Extract from LDP Technical Note 4

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It is noted that the proposed designation is linked to LDP Policy EP3 – Local Biodiversity and Geodiversity. This policy advises that *“any development that could impact on local biodiversity through impacts on habitats and species should:*

- a) aim to avoid fragmentation or isolation of habitats; and*
- b) be sited and designed to minimise adverse impacts on the biodiversity of the site, including its environmental quality, ecological status and viability; and*
- c) compensate to ensure no net loss of biodiversity through use of biodiversity offsets and ensure net gain as appropriate; and*
- d) aim to enhance the biodiversity value of the site, through use of an ecosystems approach, with the aim of creation or restoration of habitats and wildlife corridors and provision for their long-term management and maintenance.”*

In response to notification of the proposed designation at Ellwynd Wood and Meadow, our client has sought to discuss matters further with the Council. Dialogue was sought to review the extent of the designation proposed at Ellwynd Wood and Meadow, in terms of its potential adverse impacts on current land use operations. In terms of land use issues, our client is concerned that confirmation of the site’s designation as a Local Biodiversity Site coupled with the extent of land affected (over 20 hectares) will negatively impact on leisure/tourism and renewable energy operations.

**J S Crawford Partnership wish to formally object to the proposed designation at Ellwynd Wood and Meadow as outlined in the LDP Proposed Plan and accompanying Technical Note 4.**

#### **Procedural Points**

As part of producing this representation comments concerning the methodology employed in the site selection of the proposed Local Biodiversity Site (LBS) has also been undertaken.

It is considered that the site selection criteria used in the LBS review are robust and align with good practice generally adopted across Scotland. However, there are a number of issues and concerns in relation to the associated methodology used. Specifically, the extent of field work undertaken as part of the designation process. In this respect, other than a small number of ‘TWIC excursions’, the proposed allocations have not been informed by any recent field work or site surveys.

In the absence of any field work and surveys, the Council’s methodology states that an assessment of a particular site’s suitability to be designated as a LBS was made by The Wildlife Information Centre (TWIC), provided that sufficient current data was available. For reference, TWIC deem plant lists collected within the past 15 years to constitute ‘current’ data.

The identification of the proposed LBS site has therefore been informed by a ‘desk top’ review utilising historic data and without the benefit of a recent site visit (our client advises that there was no record of any site visit having been undertaken). Both factors raise serious concerns over the suitability,

appropriateness and extent of all of the LBS designations proposed in the LDP Proposed Plan given the potential implications of LDP Policy EP3 on land use activities.

### Site Specific Considerations – Ellwynd Wood and Meadows

The key issues which our client wishes to address in this representation concern the extent of the proposed designation, given this would cover land currently in use as both an outdoor activity facility and a biomass transfer and processing plant, both of these land uses are as shown by the shaded sections in Figure 2 below. The outdoor activity facility lies closest to the residential area to the west and the biomass operations to the east.



*Figure 2 - Location of activity centre and biomass operations*

It is considered that the inclusion of the above land uses is not appropriate in light of the current operations taking place on site. For context several photos of both the outdoor activity area and biomass transfer and processing plant are included as per Figures 3, 4 and 5.

In light of the evidence provided in this representation, it is considered that the extent to which the boundary of the proposed designation covers land under our clients ownership, specifically inclusion of land used for the purpose of both outdoor leisure and renewable energy production, would conflict with a

designation of the nature proposed for a LBS, and potentially restrict operations on site in the future.



*Figure 3 - Outdoor activity area*



*Figure 4 - Biomass processing and transfer plant*



*Figure 5 Biomass processing and transfer plant*

Given the above comments, there are concerns over the designation boundary as currently proposed. We would also request that dialogue continue between the Council's Local Development Plan team, and our client concerning the proposed inclusion of the land uses outlined and points raised in this representation.

**Conclusions**

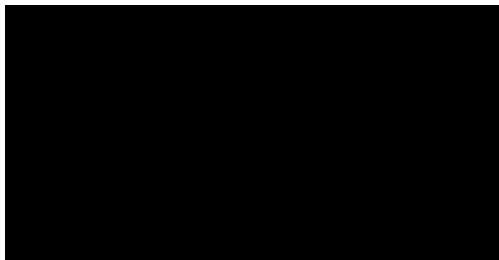
In summary, it is considered that the proposed designation of all of the land (20.2 hectares) at Ellwynd Wood and Meadow as a Local Biodiversity Site in the Local Development Plan 2 is not appropriate. In this respect, the landowner proposes that the extent of the designation be significantly revised to exclude the areas as shown in Figure 2 above.

The numerous procedural issues raised regarding the approach adopted by the Council and TWIC in the designation of the proposed Local Biodiversity Site (including poor communication with affected landowners), the use of historic data, and the lack of any recent on-site survey work is also noted in relation to the LBS designation proposed.

Please acknowledge safe receipt of this letter and enclosure.

If any further information is required, please do not hesitate to get in touch.

Yours faithfully,



Encls: Land Use Site Plan

cc: Client (+ Encls)