

Response ID ANON-VDDE-RA3T-W

Submitted to **Proposed Scottish Borders Local Development Plan**
Submitted on **2021-01-25 11:42:25**

About you

Are you responding as an: individual, group / organisation, agent?

Group / organisation

Group / organisation

Group / organisation

Group / organisation:
NatureScot

Name:

[REDACTED]

Email address:

[REDACTED]

Contact telephone number :

Proposed Local Development Plan Menu

Where would you like to go?

Submit your response to the consultation (Exit)

Quick Comment / Supporting Information

Leave a quick comment about the **Proposed Scottish Borders Local Development Plan, or planning and development in general.....**

Quick Comment:

As noted in our response to EP3: Local Biodiversity and Geodiversity, we have identified some minor errors in Technical Note 5, which supports this policy. We support the high quality work carried out in the Technical Notes and have set out clarifications in supporting information.

Do you wish to submit supporting information?

Submissions:

Scottish Borders LDP2 - Local Geodiversity Sites 2020 - Technical Note 5 Appendix 2 Site Forms - clarifications from NatureScot - 25 January 2021.pdf was uploaded

Where would you like to go now?

Proposed Local Development Plan Menu (includes Exit option)

Comment on Introductory Chapters or Appendices

Which Introductory Chapter or Appendix are you commenting on?

Context or Appendix:

What are your comments regarding this Introductory Chapter or Appendix?:

What would you like to do now?

Proposed Local Development Plan Menu (includes Exit option)

Comment on Policies

Which Policy are you commenting on?

Policy:

Policy ED7 Business, Tourism and Leisure Development in the Countryside

What are your comments regarding this Policy?:

Our MIR response highlighted the need for careful consideration of the potential impacts on natural heritage resources in relation to this proposed policy amendment. We welcome the clear references to the environment and environmental policies in the supporting text on pages 68 and 69 of the Proposed Plan. However, this is not reflected in the policy itself and we recommend that as a key underpinning resource, it should be included in a relevant caveat. This may be best achieved by amending the second list of caveats as follows:

a) The development must respect the environment, amenity and character of the surrounding area,

or

b) The development must have no significant adverse impact on the environment or on nearby uses, particularly housing,

What would you like to do now?

Comment on other Policies

Comment on Policies - page 2

Which Policy are you commenting on?

Policy:

Policy ED8 Caravan and Camping Sites

What are your comments regarding this Policy?:

We support the policy amendment that caravan and camping sites should also be subject to high standards of placemaking and design.

Which Policy are you commenting on?

Policy:

Policy ED12 Mineral and Coal Extraction

What are your comments regarding this Policy?:

We welcome and support the policy amendment for a presumption against peat extraction and other developments likely to have an adverse effect on peatland and carbon rich soils.

Which Policy are you commenting on?

Policy:

Policy EP1 International Nature Conservation Sites and Protected Species

What are your comments regarding this Policy?:

As the UK has now left the EU, references to Natura 2000 sites or the Habitats or Birds Directives should be amended.

This change is required as our network of designated sites will no longer form part of the official 'Natura 2000' site network. They will, however, continue to contribute to the Europe- and UK-wide network of designated sites and will continue to fulfil the objectives of the EU Habitats and Wild Birds Directives through the domestic legislation of the Habitats Regulations. On that basis, we recommend that Policy EP1, and any other related part of the plan, should be updated to refer to 'European sites' and the 'Habitats Regulations'.

Further information on these changes is available on our website: <https://www.nature.scot/eu-exit-brexite-information>.

Which Policy are you commenting on?

Policy:

Policy EP3 Local Biodiversity and Geodiversity

What are your comments regarding this Policy?:

We support Policy EP3 and suggest that any further work on net gain or positive effects for biodiversity may benefit from reference to our recently published ambition paper: <https://www.transformingplanning.scot/media/2131/securing-positive-effects-for-biodiversity.pdf>.

We also take this opportunity to flag some minor errors in the supporting Technical Note 5 regarding site designations. We will submit updated information to assist with this.

Which Policy are you commenting on?

Policy:

Policy EP10 Gardens and Designed Landscapes

What are your comments regarding this Policy?:

We support Policy EP10 subject to a minor change to include reference to Annex 3 of the Peter McGowan Consultants study. As Annex 3 provides guidance on management and restoration of Gardens and Designed Landscapes, we consider that this would be particularly useful in a policy context.

We also suggest that, subject to advice from Historic Environment Scotland as lead on Gardens and Designed Landscapes, a clearer definition of setting could be useful to developers. This would help to establish what type of development and where development could be affected by these policy requirements.

What would you like to do now?

Comment on other Policies

Comment on Policies - page 3

Which Policy are you commenting on?

Policy:

Policy EP14 Coastline

What are your comments regarding this Policy?:

We have reviewed Policy EP14 in relation to potential to affect coastal or marine assets as set out in the National Marine Plan. We note that supporting information at paragraph 1.5 refers to coherence with the National Marine Plan. To strengthen this and align LDP2 with other LDPs we recommend that this is included as an additional caveat within the policy, as follows:

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

e) The proposal aligns with requirements of the policies of the National Marine Plan and the Regional Marine Plan, when prepared.

In the case of policy caveat a) which refers to Burnmouth, Eyemouth and St Abbs, we are content in most cases that due to the nature and location of relevant proposals there would be no issue arising from development. For MEYEM001, there are several issues due to location such as coastal flooding however; there is an approved Planning Brief for this site, which requires further checks to be made.

Policy caveats b), c) and d) appear standard and we have no comments on those parts.

Which Policy are you commenting on?

Policy:

Policy IS18 Cemetery Provision

What are your comments regarding this Policy?:

We welcome the recognition of the role of cemeteries as greenspaces and as part of wider green networks in paragraph 1.2 of Policy IS18.

Which Policy are you commenting on?

Policy:

Policy ED9 Renewable Energy Development

What are your comments regarding this Policy?:

We note the reference to heat networks and the effective use of renewables at paragraph 1.3 of Policy ED9. Our MIR response highlighted the opportunities of multi-functional infrastructure networks and we reiterate our offer and interest in being part of a collaborative approach to develop principles for heat networks in Scottish Borders.

Which Policy are you commenting on?

Policy:

Policy HD2 Housing in the Countryside

What are your comments regarding this Policy?:

We support the policy amendment in the supporting information for Policy HD2 and welcome the requirement that high quality design that is responsive to landscape context is a requirement for all rural development.

Which Policy are you commenting on?

Policy:

What are your comments regarding this Policy?:

Comment on Sites in Settlements A to E

Which Site are you commenting on?

Site A to E:

Eshiels: BESH1001: Land at Eshiels: Business and Industrial

What are your comments regarding this Site?:

We understand that potential allocations for Eshiels have changed in location and nature since the MIR. However, our advice at that stage on landscape sensitivities of this area remains relevant to the BESH1001 allocation. While site requirements relevant to our interests include protecting and enhancing boundary features and carrying out further planting and landscaping to integrate the site with its surroundings are welcome, we consider that a masterplan or a planning brief should be included as a requirement. This is required for the following reasons:

- Poor site connectivity.
- High visibility which should be addressed through massing, material choice, screening from the A72 and location of vehicular access.
- Integration with its surroundings including Peebles, Glentress and the Innerleithen-Peebles path through pedestrian and cycle access.

We consider that it would be difficult to adequately address these issues in site requirements but that further information in a masterplan or planning brief would provide sufficient detail.

What would you like to do now?

Comment on other Sites in A to E settlements

Comment on Sites in Settlements A to E - page 2

Which Site are you commenting on?

Site A to E:

Cardrona: SCARD002: Land at Nether Horsburgh: Longer Term Mixed Use

What are your comments regarding this Site?:

We understand that this site is allocated as a potential longer-term safeguard and that it will be subject to review. Nevertheless, we reiterate our previous advice on this site, which emphasised the likely difficulty of mitigating both landscape and visual impacts of development in this location. As a potential longer-term safeguard, there is time available in which to undertake further work to explore potential impacts, opportunities and requirements to either avoid or deliver these. We support the recommendation of the Council's Landscape Officer that a masterplanning exercise should be carried out with a view to demonstrating how this site could be delivered sustainably and with mitigated impact on the Special Landscape Area.

Which Site are you commenting on?

Site A to E:

Coldstream: ACOLD014: Hillview North I (Phase 2): Housing

What are your comments regarding this Site?:

We welcome the addition of site requirements as suggested in our MIR response.

We also welcome the proposal to adopt a joint site planning brief for this site alongside ACOLD011. This presents a better opportunity to improve setting, deliver green networks, path connectivity and more cohesive development overall.

Which Site are you commenting on?

Site A to E:

Darnick: ADARN005: Land south of Darnlee: Housing

What are your comments regarding this Site?:

We welcome the addition of requirements we had recommended in our MIR response.

Which Site are you commenting on?

Site A to E:

What are your comments regarding this Site?:

Which Site are you commenting on?

Site A to E:

What are your comments regarding this Site?:

What would you like to do now?

Proposed Local Development Plan Menu (includes Exit option)

Comment on Sites in Settlements F to H

Which Site are you commenting on?

Settlements F to H:

Galashiels: BGALA006: Land at Winston Road I: Business and Industrial

What are your comments regarding this site?:

We welcome the change to the allocation with the removal of the requirement to give due consideration to biodiversity risk on the site. This has been replaced with a much clearer requirement for assessment of ecology impacts and provision of mitigation.

A further useful clarification would be to add a reference to the HRA Record to the requirement that: "Mitigation measures are required to prevent any impact on the River Tweed Special Area of Conservation"

Appendix 4 of the HRA Record provides further detail of the Council's own assessment of the site and makes a clear link between interlinked site requirements which act together to prevent adverse effects on the site integrity of the River Tweed SAC.

What would you like to do now?

Comment on other Sites in F to H settlements

Comment on Sites in Settlements F to H - page 2**Which Site are you commenting on?****Settlements F to H:**

Hawick: BHAWI004: Land to south of Burnhead: Business and Industrial

What are your comments regarding this site?:

We suggest a change to the Proposed Plan to require that a planning brief for BHAWI004 also includes the adjacent sites at BHAWI001 and AHAWI027. At present the site requirements for each of these indicate that a planning brief will be produced but it is not clear whether this would be for each site or all three together. Given the relationship of the sites we suggest that a planning brief that covers all three would present a better opportunity to deliver green networks, path connectivity and more cohesive development overall.

The resulting strategic approach to development layout and landscape mitigation could secure:

- Green infrastructure connections through the site, including links to housing at Burnfoot and the existing path network to the east of Burnhead Road.
- Suitable densities of development on less sensitive areas, avoiding the most elevated part to the east of Boorvaw Road.
- Maintaining key views from the A707 and the B6359.

Which Site are you commenting on?**Settlements F to H:**

Greenlaw: AGREE009: Poultry Farm: Housing

What are your comments regarding this site?:

The prominent location of this site is not addressed in the site requirements. We suggest that the redevelopment of the site offers an opportunity to establish a more positive settlement edge / gateway to Greenlaw and that this should be a requirement of development. This should include:

- A co-ordinated approach to development frontages.
- Path connections to promote walking and cycling as a first choice.

Which Site are you commenting on?**Settlements F to H:**

Galashiels: AGALA029: Netherbarns: Housing

What are your comments regarding this site?:

There is extensive casework history for this site and we are unaware that the reasons for its removal from previous LDPs have been adequately resolved for the site to be included in this plan. While there are proposals for reinforcing existing planting to protect the setting of Abbotsford House, it is unclear that this measure would resolve impacts on setting of and views from it and its grounds, where a network of public paths has recently been created that are open all year. On that basis, we reiterate our previous position and consider that this site should not be allocated until a robust solution to identified landscape impacts can be agreed.

It is clear that there is considerable and long-standing interest in allocating this site to meet housing requirements in Galashiels. We therefore consider it possible that the site will be allocated in the LDP and that, in that situation, an alternative approach to resolving landscape impacts should be considered. The current position of requiring measures to screen the site from Abbotsford House appears likely to fall short due to factors noted in the Council's own assessment such as the effect of changing seasons. In addition, we understand that existing trees along Boleside Road which perform this important screening function are outwith the proposal site and therefore out of the applicant's control. Given the importance of securing this screening function we consider that this is a key issue to resolve so that it can be secured in any potential planning application for the site.

For those reasons, we consider that it may be beneficial to explore how an approach that is not based on 'hiding' the site may work. In this respect, we suggest that a site where built form and density are based on an approach of high quality design that responds to the qualities of Abbotsford House and its setting could be an acceptable basis for development at Netherbarns. To inform this we support your Landscape Officer's advice that further visual assessment should be carried out to assess both extent of tree cover and to establish a realistic developable area. We consider that a woodland management plan would also be

required to ensure that existing and new woodland is managed appropriately over time to ensure that the planned for benefits are secured into the future. This is particularly important as some trees on the site, notably along Boleside Road are mature and over-mature and will require replacement planting that will take some time to mature and provide planned functions.

It appears to us that the majority of the Netherbarns site is to be removed from the Countryside Around Towns (CAT) policy. We understand that this is necessary to allow redrawing of the settlement boundary to allocate the site for development. Our interpretation of the change shown is that the area along Boleside Road is to be retained with the CAT policy area. We consider this to be an essential element of achieving the type of high quality development discussed above and would object to the removal of this remaining area from the CAT policy.

We also recommend that the site requirements are amended for this site as there is a mixing of the stages of Habitats Regulations Appraisal which should be avoided. At present the site requirements include:

"Mitigation required to ensure no significant adverse effects upon integrity of River Tweed Special Area of Conservation"

The supporting policy text for Policy EP1 International Nature Conservation Sites and Protected Species sets these stages out clearly and should be used as the basis for amendment:

"Where a proposal could have a 'likely significant effect' on a Natura site, an 'appropriate assessment' will be required, to demonstrate that the proposal will not adversely affect the integrity of the site. This is known as a Habitats Regulation Appraisal (HRA)."

Which Site are you commenting on?

Settlements F to H:

Hawick: AHAWI027: Burnfoot (Phase 1): Housing

What are your comments regarding this site?:

We welcome the intention to prepare a site development brief for AHAWI027. However, in common with other contiguous allocations, we recommend that the brief should be a joint brief for AHAWI027 with BHAWI004. This would maximise benefits for placemaking and landscape mitigation/ green infrastructure connections.

Which Site are you commenting on?

Settlements F to H:

Hawick: RHAWI017: Former Peter Scott Building: Redevelopment

What are your comments regarding this site?:

We are broadly supportive of the requirements for RHAWI017 but reiterate our previous advice that redevelopment of this site offers a positive opportunity to improve connectivity, establishing more direct links for walking and cycling between Howiegate and Buccleuch Street.

What would you like to do now?

Proposed Local Development Plan Menu (includes Exit option)

Comment on Sites in Settlements I to O

Which Site are you commenting on?

Settlements I to O :

Innerleithen: MINNE003: Land west of Innerleithen: Mixed Use

What are your comments regarding this Site?:

We have no objection to allocation of development in this location. However, our advice in our MIR response was that we consider this site to be in a prominent location on the edge of Innerleithen, which could adversely affect the setting of the town and arrival here from the west on the A72. While we welcome the site requirement that landscaping and structure planting should mitigate visual impacts we consider that a more effective solution to visual impacts would be to reduce the extent of the allocated site.

If the Council is not minded to make this change we reiterate our previous advice that a design brief should be a requirement for this site. This should include measure to reduce landscape impacts based on a high quality designed edge to development, perhaps including tight co-ordination of building frontage, the consideration of views, avenue planting and a multi-user path set back from the road edge.

What would you like to do now?

Comment on other Sites in I to O settlements

Comment on Sites in Settlements I to O - page 2

Which Site are you commenting on?

Settlements I to O :

Melrose: AMELR013: Harmony Hall Gardens: Housing

What are your comments regarding this Site?:

This site lies within the Eildon & Leaderfoot Hills NSA and, while well contained, makes an important contribution to the character of St Mary's Road and to the wider setting of this part of Melrose with the River Tweed to the north.

We reiterate our earlier advice regarding retention and enhancement of the orchard as a valuable area of open space within the proposed development and for the wider area. As previously stated, we consider that the boundary wall and mature trees should be retained and welcome that this is included in site requirements.

Which Site are you commenting on?

Settlements I to O :

Jedburgh: RJEDB003: Howdenburn Primary School: Redevelopment

What are your comments regarding this Site?:

We welcome the requirements for redevelopment of this site.

Which Site are you commenting on?

Settlements I to O :

Jedburgh: RJEDB006: Jedburgh Grammar School: Redevelopment

What are your comments regarding this Site?:

We welcome the requirements for redevelopment of this site.

Which Site are you commenting on?

Settlements I to O :

What are your comments regarding this Site?:

Which Site are you commenting on?

Settlements I to O :

What are your comments regarding this Site?:

What would you like to do now?

Proposed Local Development Plan Menu (includes Exit option)

Comment on Sites in Settlements P to Z

Which Site are you commenting on?

Sites P-Z:

Peebles: APEEB056: Land south of Chapelhill Farm: Housing

What are your comments regarding this Site? :

Our previous advice on this site noted that it is physically and perceptually detached from the rest of Peebles, leading to development which would appear incongruous and out of character with the existing setting of the settlement.

We welcome the intention to prepare a planning brief for the site and we support the proposal to protect and enhance existing boundary features. However, if the site is allocated in its entirety, we are unclear that the proposed boundary planting along the eastern boundary would function as intended to protect rural views from the A703. Our understanding of this site is that the most likely way to achieve this would be through removing the western part of the site from the allocation.

We therefore reiterate our previous advice that to maintain character of views from the A703 and the setting of the Cross Borders Drove Road long distance route, the western part of the proposed site should not be allocated.

What would you like to do now?

Proposed Local Development Plan Menu (includes Exit option)

**Scottish Borders Council Proposed Local Development Plan
Local Geodiversity Sites 2020 - Technical Note 5
Appendix 2: Site Forms**

Factual information relevant to 'other designations' section.

No	LGS Name	Site Form Section
14	Edrington Cliff	<p><u>Other designations:</u> This site is not part of the Whiteadder Water SSSI. It is part of the River Tweed SSSI (ecological) and River Tweed Special Area of Conservation (SAC) (ecological).</p> <p><u>References / Links:</u> It may be useful to include a link to documents on the NatureScot website River Tweed SSSI - https://sitelink.nature.scot/site/1366 River Tweed SAC - https://sitelink.nature.scot/site/8369</p>
16	Ettrickbridge Gorge	<p><u>Other designations:</u> This site is within the Kirkhope Linns SSSI (ecological), River Tweed SSSI (ecological) and the River Tweed SAC (ecological).</p> <p><u>References / Links:</u> It may be useful to include a link to documents on the NatureScot website Kirkhope Linns SSSI - https://sitelink.nature.scot/site/873 River Tweed SSSI - https://sitelink.nature.scot/site/1366 River Tweed SAC - https://sitelink.nature.scot/site/8369</p>
18	Habbie's Howe	<p><u>GeoScientific Merit: Rarity:</u> This ought to be national rather than regional because of its SSSI status. Habbie's Howe is designated for its nationally important geomorphology as the Newhall Glen section of the Carlops Meltwater Channels SSSI, an outstanding assemblage of sub-glacial meltwater channels and landforms.</p> <p><u>References / Links:</u> It would be useful to include a link to documents on the NatureScot website Carlops Meltwater Channels SSSI - https://sitelink.nature.scot/site/10400</p>
21	Jed Water River Cliff	<p><u>Other designations:</u> Jed Water is part of the River Tweed SAC.</p> <p><u>References / Links:</u> It may be useful to include a link to documents on the NatureScot website River Tweed SAC - https://sitelink.nature.scot/site/8369</p>
22	Kippit Hill	<p><u>References / Links:</u> It would be useful to include a link to documents on the NatureScot website Dolphinton - West Linton Fens and Grassland SSSI - https://sitelink.nature.scot/site/523</p>
27	Preston Bridge, Duns	<p><u>Other designations:</u> The area immediately downstream of Preston Bridge is designated as part of the Whiteadder Water SSSI, of national importance for its palaeobotany. The river and its banks are also part of the River Tweed SSSI/SAC.</p> <p><u>References / Links:</u> It may be useful to include a link to documents on the NatureScot website <u>Whiteadder</u> Water SSSI - https://sitelink.nature.scot/site/1629 River Tweed SSSI - https://sitelink.nature.scot/site/1366 River Tweed SAC - https://sitelink.nature.scot/site/8369</p>
28	Raeshaw Wood Quarry	<p><u>Other designations:</u> As well as Moorfoot Hills SSSI, Moorfoot Hills SAC is relevant.</p> <p><u>References / Links:</u> It would be useful to include a link to documents on the NatureScot website Moorfoot Hills SSSI - https://sitelink.nature.scot/site/1186 Moorfoot Hills SAC - https://sitelink.nature.scot/site/8326</p>