

Appendix A : Consultation Authority Responses to Scoping Report

<b><u>Consultation Authority</u></b>	<b><u>Comments</u></b>	<b><u>Action Taken</u></b>
<p><b><u>Historic Environment Scotland</u></b></p> <p><i>Scope and Level of Detail</i> It is my understanding that Scottish Borders Council's Supplementary Guidance on Renewable Energy will set out a spatial framework and detailed criteria for decision making in relation to applications for renewable energy developments. I note that the historic environment (under cultural heritage) has been scoped into the assessment. On the basis of the information provided, and subject to the comments provided in the attached annex, I am content with this approach and satisfied with the scope and level of detail proposed for the assessment.</p> <p><i>Consultation period for the Environmental Report</i> I am content with the minimum consultation period of six weeks for the draft Environmental Report which you have proposed. Please note that, for administrative purposes, Historic Environment Scotland consider that the consultation period commences on receipt of the relevant documents by the SEA Gateway.</p> <p><i>Alternatives</i> You have taken a high level approach to identifying alternatives, focusing on whether there are alternative mechanisms for delivering the objectives of the Supplementary Guidance (the SG). You have taken the view that there are no reasonable alternatives to assess, on the basis that the Local Development Plan requires the SG, and Scottish Planning Policy does not give flexibility to omit a spatial framework from the local development plans, or to alter the</p>	<p>Support Noted</p> <p>Comments noted</p> <p>Comments noted. Any further alternatives for delivering the SG will be referred to</p>	<p>No change</p> <p>No change</p> <p>Any further alternatives for delivering the SG will be referred to</p>

<p>methodology set out by SPP. Whilst this is the case, the methodology itself does allow some flexibility in the way in which it is applied, for instance in relation to the minimum scale of wind development to which it applies, and the extent of community separation areas, and in the way in which the guidance is worded, particularly in relation to detailed assessment criteria. It is likely that alternatives arising from these areas of flexibility will be considered in the course of developing the SG, and if so, these alternatives should be included in the assessment process.</p> <p><i>SEA objectives</i> As effects on historic environment assets from wind energy development can be direct (physical) as well as indirect (e.g. setting) impacts, it is important that the assessment is able to identify potential direct effects. In view of this, I recommend that you consider amending the objectives under cultural heritage to include specific reference to direct effects on historic environment assets.</p> <p><i>Table 5 - Proposed assessment matrix</i> Although this is referred to as a policy assessment matrix, I assume it will be used to assess each element of the SG which may have environmental effects, and also to assess any reasonable alternatives to the same level of detail. I note the approach proposed is to assess effects on each SEA topic in turn. In considering the cumulative effects and mitigation options of each element of the SG, you may find it useful to employ a summary matrix which sets out findings for all topics in relation to each element. I recommend that you consider including a specific area within the matrix to record mitigation, to aid understanding and implementation of mitigation measures that may be identified. The environmental report should also indicate what influence the assessment has had on the development and content of the supplementary guidance itself.</p>	<p>Comments noted. The objectives under cultural heritage will include specific reference to direct effects on historic environment assets</p> <p>The main parts to be considered are policy ED9 – Renewable Energy Developments and the Supplementary Guidance to it. The component parts within the SG are referred to within the assessment matrix where required. The assessment matrix also refers to the spatial framework and tests it against the SEA topics. Mitigation is referred to where relevant. It is considered the conclusions including any mitigation measures are quite clear. Summaries are referred to in part 4.3 of the Env Report</p>	<p>The objectives under cultural heritage will include specific reference to direct effects on historic environment assets</p> <p>No change</p>
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<p><b><u>Scottish Natural Heritage</u></b></p> <p><b>Scope of assessment and level of detail</b> Subject to the specific comments set out below and in the annex to this letter, we are content with the scope and level of detail proposed for the Environmental Report.</p> <p><b>Consultation period for the Environmental Report</b> We note that a minimum period of 6 weeks is proposed for consultation on the Environmental Report and we are content with this proposed period.</p> <p><b>Environmental Baseline and Issues</b> Table 2 (Environmental Baseline Information) identifies SNH as the Data Source for Pentland Hills Regional Park under the Landscape SEA topic. While the Pentland Hills provide landscape benefits, which is widely recognised by the local landscape designations across the hill range, their primary purpose as a Regional Park is for leisure and recreation. We are content for this to remain under the Landscape topic, however the designation may also be relevant to baseline information for the Population &amp; Human Health SEA topic. As a designation that is made by local authorities under s.48A of the Countryside (Scotland) Act 1967, we recommend that the Data Source is changed to the relevant local authorities.</p> <p><b>Scope &amp; Level of Detail of Environmental Assessment</b> Paragraph 1 (page 10) of this section refers to the Supplementary Guidance defining “<i>areas of significant protection, broad areas of search where proposals are likely to be supported and other areas where constraints will have to be addressed</i>”. In reference to Table 11 of Scottish Planning Policy 2014 (SPP), the three Groups that spatial frameworks should include are:</p> <ul style="list-style-type: none"> <li>• Areas where wind farms will not be acceptable;</li> </ul>	<p>Support noted</p> <p>Support noted</p> <p>Comments noted. The Pentland Hills Regional Park to also be included within the Popu &amp; Human Health SEA topic and the data source changed to relevant local authority</p> <p>Comments noted. Agreed text to be amended to reflect exactly the 3no categories identified within the spatial framework</p>	<p>No change</p> <p>No change</p> <p>The Pentland Hills Regional Park to also be included within the Popu &amp; Human Health SEA topic and the data source changed to relevant local authority</p> <p>Text in para 3.1.5 amended to reflect exactly the 3no categories identified within the SPP spatial framework</p>
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<ul style="list-style-type: none"> <li>• Areas of significant protection; and,</li> <li>• Area with potential for wind farm development.</li> </ul> <p>The Supplementary Guidance should use these groupings.</p> <p>We support a proportionate approach to environmental assessment. However, we suggest that while Policy ED9 was subject to SEA within the Local Development Plan (LDP), those issues would still need to be considered for their cumulative effects, inter-relationship with other effects and synergistic effects with issues that have been scoped into this current assessment.</p> <p>We are unclear on how the analysis of information for SPP relates to requirements for this current SEA, as discussed in paragraph 3 of this section of the Scoping Report. The environmental assessment of SPP itself was high-level and the detail of planning for renewable energy is left to local planning authorities, albeit with clear requirements set out in Table 1, as discussed above.</p> <p>We agree with the scoping of environmental issues set out in Table 3.</p> <p>In terms of identifies SEA Objectives:</p> <p><u>Biodiversity, Flora &amp; Fauna</u> The current objectives for</p> <ul style="list-style-type: none"> <li>• Protecting and enhancing species and habitats</li> <li>• Conserving and enhancing the natural heritage</li> </ul> <p>appear broadly similar.</p>	<p>Cumulative Impacts and inter-relationships are addressed within the SG in terms of , for example, biodiversity / archaeological issues and the Ironside Farrar Landscape Capacity and Cumulative Impact study 2016 study lays down areas where cumulative impact requires to be addressed</p> <p>It is considered that the Env Report addresses SEA topics affected by the SG at the local level</p> <p>Support noted</p> <p>Comments noted. Second bullet point referred to be removed</p>	<p>No change</p> <p>No change</p> <p>Support noted</p> <p>Second bullet point referring to “Conserving and enhancing the natural heritage” within the Biodiversity, Flora and Fauna section in table 3 of SEA ( SEA Objectives for the SG to be removed)</p>
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<p><u>Landscape</u> We recommend that the following objectives are included:</p> <ul style="list-style-type: none"> <li>• Conserve and enhance landscape character and scenic value of the area.</li> <li>• Value and protect diversity and local distinctiveness.</li> <li>• Ensuring development is appropriately designed to fit with landscape character.</li> </ul>	<p>Comments noted. Agree to include the 3no listed objectives</p>	<p>Agree to include the 3no listed objectives within table 3 of SEA</p> <ul style="list-style-type: none"> <li>• Conserve and enhance landscape character and scenic value of the area.</li> <li>• Value and protect diversity and local distinctiveness.</li> <li>• Ensuring development is appropriately designed to fit with landscape character.</li> </ul>
<p><u>Appendix A – Relevant plans, programmes and strategies</u></p> <p><i>Scotland’s Biodiversity – It’s in your hands (2004)</i> This has been supplemented by the 2020 Challenge for Scotland’s Biodiversity (2013), with both documents now comprising the Scottish Biodiversity Strategy. We recommend this information is added to Appendix A when this is transposed into the Environmental Report.</p> <p><i>Population and human health</i> This topic should include the following as relevant national PPS:</p> <ul style="list-style-type: none"> <li>• Let’s Get Scotland Walking – The National Walking Strategy</li> <li>• A long-term vision for active travel in Scotland 2030</li> </ul>	<p>Comments noted. Reference to the Scottish Biodiversity Strategy to be added to Table 2 - Relationship to Other Plans, Programmes and Strategies</p> <p>Comments noted. The 3no identified papers to be included with the Population and human health section</p>	<p>Reference to the Scottish Biodiversity Strategy to be added to Table 2 - Relationship to Other Plans, Programmes and Strategies</p> <p>The 3no identified papers to be included with the</p>

<ul style="list-style-type: none"> <li>• Cycling Action Plan for Scotland 2013</li> </ul> <p><u>Landscape</u> This topic should include the following as relevant national PPS:</p> <ul style="list-style-type: none"> <li>• The Special Qualities of the National Scenic Areas</li> </ul>	<p>Comments noted.</p>	<p>Population and human health section in table 2</p> <p>Reference to The Special Qualities of the National Scenic Areas to be added to table 2</p>
<p><b><u>Scottish Environment Protection Agency</u></b></p> <p>Generally, we are satisfied that the scoping report for the Scottish Borders Council (SBC) - Renewable Energy Supplementary Guidance (SG) provides sufficient information on the proposed scope and level of detail for the assessment.</p> <p><b><u>Relationship with other Plans, Policies and Strategies (PPS)</u></b></p> <p>Some of the PPS included have themselves been subject to SEA. Where this is the case you may find it useful to prepare a summary of the key SEA findings that may be relevant to the SG. This may assist you with data sources and environmental baseline information and also ensure the current SEA picks up environmental issues or mitigation actions which may have been identified elsewhere.</p> <p>In relation to Appendix A – Relevant plans, programmes and strategies, please note that the following PPS are missing:</p> <ul style="list-style-type: none"> <li>• Scotland’s Land Use Strategy 2016</li> <li>• Zero Waste Plan 2010</li> <li>• Clean Air for Scotland 2015</li> </ul>	<p>Support noted</p> <p>Comments noted</p> <p>Comments noted. The listed documents to be included within table 2 in SEA – Relationship to Other Plans, programmes and Strategies . Reference to CAR 2005 to be removed</p>	<p>No change</p> <p>No change</p> <p>The listed documents to be included within table 2 in SEA – Relationship to Other Plans, programmes and</p>

<ul style="list-style-type: none"> <li>Local Flood Risk Management Plan</li> <li>River Basin Management Plans</li> </ul> <p>Please also note that the reference to CAR 2005 can be removed as it is superseded by CAR 2011 which is already listed.</p>		<p>Strategies . Reference to CAR 2005 to be removed</p>
<p><u>Baseline Information</u></p> <p>We take this opportunity at scoping stage to provide advice that may be relevant not only to the SEA, but also to the preparation of the SG itself. You therefore may want to consider the following information during the preparation of the SG:</p> <ul style="list-style-type: none"> <li><a href="#">Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste</a></li> <li><a href="#">Regulatory Position Statement – Developments on Peat.</a></li> <li><a href="#">Good Practice During Windfarm Construction</a> can provide useful information. This is a joint publication by Scottish Renewables, Scottish Natural Heritage, SEPA, the Forestry Commission Scotland and Historic Scotland.</li> <li>SEPA’s webpage on <a href="#">surplus peat management</a>. This includes reference to guidance <a href="#">Developments on Peatland: Site Surveys and Best Practice</a></li> </ul>	<p>Comments noted. Reference will be made to the listed documents where considered necessary in Table 4 of SEA – Environmental Baseline Information</p>	<p>Reference to be made to the listed documents where considered necessary</p>
<p>The Scotland’s Environment Web Waste Discover Data tools present waste data interactively as a series of tables and charts which can be filtered as required. The data can also be</p>	<p>Comments noted</p>	<p>No change</p>

<p>downloaded to Excel. There are three tools:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <a href="#">Household Waste Discover Data tool</a> which provides data for household waste generated and managed;</li> <li><input type="checkbox"/> <a href="#">Waste Discover Data tool</a> which provides data for waste generated and managed from all sources (not just household waste);</li> <li><input type="checkbox"/> <a href="#">Scottish Waste Sites and Capacity Tool</a> which provides information on the numbers and types of licensed/permited waste management facilities in Scotland (including landfills), the tonnages of waste they handle in a given year and, where available, their licensed/permited capacities, as well as an interactive map showing the location of these sites. The landfill map also allows users to optionally display information about historical closed landfills.</li> </ul> <p><u>Environmental Issues</u></p> <p>We consider that the environmental problems described generally highlight the main issues of relevance for the SEA topics within our remit.</p> <p>However please also find below some further considerations.</p> <p>On forested sites where large volumes of trees are required to be felled, consideration of how any tree material cleared to facilitate development will be utilised should be made. Our preference is for forest materials to be used for economic and environmental benefits and not to be disposed of as waste.</p>	<p>Support noted</p> <p>Comments noted. Text added to reflect preference for forest materials to be used for economic and for forest materials to be used for environmental benefits and not to be disposed of as waste</p>	<p>No change</p> <p>Text added to reflect preference for forest materials to be used for economic and for forest materials to be used for</p>
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<p>In Page 7 'Rise in pollution near the River Tweed'. While most watercourses in the Borders flow into the River Tweed (with the exception of the Eye and small costal watercourses), most wind farms are located in upland areas some distance for the actual River Tweed. Pollution of these tributaries of the Tweed and tributaries of the Eye Water and North Sea should also be considered in this section.</p> <p>We note that there are several references to watercourses throughout the document. Please note that wind farm developments may also have the potential to impact groundwater.</p> <p>If the SG will also deal with Energy from Waste, Anaerobic Digestion, landfill gas, biomass etc., there could be detrimental effects on air quality and human health (particulate matter and other pollutants). In addition, there could be effects on Air if wind farms are close to a regulated site (in relation to the potential dispersion of plumes from stacks serving these sites).</p> <p><u>Alternatives</u></p> <p>We understand that you consider that no other reasonable</p>	<p>Comments noted. Text to be amended to include reference to the River Tweed, Eye Water, North Sea and their tributaries</p> <p>Comments noted.</p> <p>Effects / emissions for all types of renewable energy are addressed within the Env Report</p> <p>Comments noted. It was considered SPP and</p>	<p>economic and environmental benefits and not to be disposed of as waste environmental benefits and not to be disposed of as waste</p> <p>Comments noted. Text to be amended to include reference to the River Tweed, Eye Water, North Sea and their tributaries</p> <p>No change</p> <p>No change</p> <p>No change</p>
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<p>alternatives can be identified, given the SPP requirements. Before finalising this view you may want to look at other planning authorities SGs as we understand that some, having to comply with SPP as well, are intending to look at different spatial options (i.e. Stirling Council). It may be that other alternatives may be identified during the preparation of the SG. Any reasonable alternatives identified during the preparation of the plan should be assessed as part of the SEA process and the findings of the assessment should inform the choice of the preferred option. This should be documented in the Environmental Report.</p>	<p>the Reporter's recommendations were quite clear and few options were available</p>	
<p><b>Scoping in / out of environmental topics</b></p> <p>We agree that in this instance all environmental topics should be scoped into the assessment.</p>	<p>Support noted</p>	<p>No change</p>
<p><b>Methodology for assessing environmental effects</b></p> <p>We welcome the intention to include a commentary section within the matrices. Showing the reasons for the effects cited and the score given helps to fully explain the rationale behind the assessment results. This allows the Responsible Authority to be transparent and also allows the reader to understand the rationale behind the scores given.</p>	<p>Support noted</p>	<p>No change</p>
<p>Where it is expected that other PPS are better placed to undertake more detailed assessment of environmental effects this should be clearly set out in the Environmental Report.</p>	<p>Comments noted. Where it is expected that other PPS are better placed to undertake more detailed assessment of environmental effects this will be clearly set out in the Environmental Report</p>	<p>Where it is expected that other PPS are better placed to undertake more detailed assessment of environmental</p>

<p>We would expect all aspects of the PPS which could have significant effects to be assessed.</p> <p>We support the use of SEA objectives as assessment tools as they allow a systematic, rigorous and consistent framework with which to assess environmental effects.</p> <p>When it comes to setting out the results of the assessment in the Environmental Report please provide enough information to clearly justify the reasons for each of the assessments presented. It would also be helpful to set out assumptions that are made during the assessment and difficulties and limitations encountered.</p> <p><b>Design of the Assessment Matrices</b></p> <p>We are content with the proposed detailed assessment matrix and particularly welcome the commentary box to fully explain the rationale behind the assessment results. We also welcome the link between effects and mitigation / enhancement measures in the proposed assessment framework and the consideration of mitigation of impacts. We would however ask to include enhancement as well as mitigation and we are unclear on what the key success factors represent.</p>	<p>All aspects of the PPS which could have significant effects will be assessed</p> <p>Support noted</p> <p>Comments noted. It is considered the Env Report clearly identifies and justifies reasons for the assessments.</p> <p>Comments noted. Reference to Enhancement to be added to assessment matrix</p>	<p>effects this will be clearly set out in the Environmental Report</p> <p>All aspects of the PPS which could have significant effects will be assessed</p> <p>No change</p> <p>No change</p> <p>Reference to Enhancement to be added to assessment matrix</p>
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<p><b>Comments on wording of proposed SEA objectives</b></p> <p>We would recommend that the wording of the following SEA objective(s) be revised as follows:</p> <ul style="list-style-type: none"> <li>• SOIL – <b>avoid</b> and minimising soil and peat contamination and disturbance, and maintaining a high level of soil quality</li> <li>• WATER – Protect and <b>enhance</b> the status of the water environment. Protecting inland and coastal waters <b>Avoiding and reduce the risk of flooding</b> <b>Ensuring sustainable use of water resources</b> Protecting and <b>enhancing</b> the water environment, <b>including Groundwater Depended Terrestrial Ecosystems (GWDTEs)</b></li> </ul> <p>Some form of renewable energy (e.g. windfarms and hydroschemes) can lead to potential impacts on GWDTEs. These habitats are protected under the Water Framework Directive (WFD) and may be impacted upon by renewable energy development through the excavation of soil and bedrock during construction of roads, access tracks, foundations, trenches and borrow pits. Indeed dewatering of below ground activities may cause localised disruption to groundwater flow. This can impact on GWDTEs and nearby abstractions. GWDTEs are mentioned in Appendix A as part of the Land Use Planning System SEPA Guidance Note 4 Planning guidance on onshore windfarm developments (May 2014) (page 69). We therefore recommend that GWDTEs are considered as part of the assessment</p>	<p>Comments noted. Amendments to be made to the SEA Objectives table as stated</p> <p>Comments noted. GWDTEs will be considered as part of the assessment if and where applicable</p>	<p>Amendments to be made to the SEA Objectives table as stated</p> <p>GWDTEs to be considered as part of the assessment if and where applicable</p>
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<p>if and where applicable.</p> <ul style="list-style-type: none"> <li>• MATERIAL ASSETS – please note the new guidance published in SEPA’s website. We suggest that the following objectives are added: <ul style="list-style-type: none"> <li>• To promote sustainable use and management of existing infrastructure e.g. water, heat, energy or flood protection infrastructure.</li> <li>• avoid an increase in the production of waste peat and other waste and meet the objectives of the Zero Waste Plan.</li> </ul> </li> </ul> <p>Also, if appropriate-</p> <ul style="list-style-type: none"> <li>• To meet heat demand through maximising the efficiency of heat networks.</li> </ul>	<p>The listed objectives to be added to Material Assets section.</p>	<p>The listed objectives to be added to Material Assets section.</p>
<p><b>Mitigation and enhancement</b></p> <p>We would encourage you to use the assessment as a way to improve the environmental performance of individual aspects of the final option; hence we support proposals for enhancement of positive effects as well as mitigation of negative effects.</p> <p>It is useful to show the link between potential effects and proposed mitigation / enhancement measures in the assessment framework.</p> <p>We would encourage you to be very clear in the Environmental Report about mitigation measures which are proposed as a</p>	<p>Comments noted</p> <p>The SG identifies potential effects of renewable energy types and confirms the requirement to consider mitigation and enhancement works within the assessment framework</p> <p>Comments noted. Any mitigation measures will be clear</p>	<p>No change</p> <p>No change</p> <p>Any mitigation measures will be</p>

result of the assessment. These should follow the mitigation hierarchy (avoid, reduce, remedy or compensate).

One of the most important ways to mitigate significant environmental effects identified through the assessment is to make changes to the plan itself so that significant effects are avoided. The Environmental Report should therefore identify any changes made to the plan as a result of the SEA.

Where the mitigation proposed does not relate to modification to the plan itself then it would be extremely helpful to set out the proposed mitigation measures in a way that clearly identifies: (1) the measures required, (2) when they would be required and (3) who will be required to implement them. The inclusion of a summary table in the Environmental Report such as that presented below will help to track progress on mitigation through the monitoring process.

<b>Issue / Impact Identified in ER</b>	<b>Mitigation Measure</b>	<b>Lead Authority</b>	<b>Proposed Timescale</b>
Insert effect recorded in ER	Insert mitigation measure to address effect	Insert as appropriate	Insert as appropriate
etc	etc	etc	etc

The Env Report will identify any changes to the Plan as a result of the SEA

The assessment matrix confirms policy mitigation measures and monitoring procedures. It is not considered the summary table will be necessary

clear and follow the mitigation strategy where relevant

The Env Report will identify any changes to the Plan as a result of the SEA

No change

<p><b>Monitoring</b></p> <p>Although not specifically required at this stage, monitoring is a requirement of the Act and early consideration should be given to a monitoring approach particularly in the choice of indicators. It would be helpful if the Environmental Report included a description of the measures envisaged to monitor the significant environmental effects of the plan.</p>	<p>Monitoring is carried out for all developments but for something as wide ranging as renewable energy for many topics which are extremely difficult to categorically quantify any perceived significant environmental impacts</p>	<p>No change at this stage</p>
<p><b>Consultation period</b></p> <p>We are satisfied with the proposal for a 6 weeks consultation period for the Environmental Report.</p>	<p>Support noted</p>	<p>No change</p>
<p><b>Outcomes of the Scoping exercise</b></p> <p>We would find it helpful if the Environmental Report included a summary of the scoping outcomes and how comments from the Consultation Authorities were taken into account.</p>	<p>Representations from the Consultation Authorities and the Council's responses are include in this table</p>	<p>No change</p>