

## Response ID ANON-7TG7-FA41-N

Submitted to **LDP2 - Main Issues Report**

Submitted on **2019-01-30 16:59:08**

### Data protection

#### About you

Are you responding as an: individual, organisation, or an agent acting on behalf of a client?

██████████

#### Organisation

If you are responding as a representative of a group or organisation, please provide details below:

Organisation:

████████████████████

Name:

██████████████

Job title:

██████████████████

Address line 1:

████████████████████

Address line 2:

██████████████████████████████

Address line 3:

Town/city:

██████████

Postcode:

██████████

Contact number:

██████████████

Email address:

██████████████████████████████████████

### Vision aims and spatial strategy

#### Question 1

##### Q1 Agree aims LDP2:

No, we do not agree with all the aims as currently worded. Below we provide comments regarding some of the aims which we think could be improved.

Rural environment – as stated in the MIR, Brexit can bring major challenges, but at the same time it provides an opportunity for integrated land management, and diversification should be encouraged as an opportunity. We would like to see the Council here taking the opportunity to encourage rural economy diversification beyond economic and social development, and also integrate environmental enhancement and protection into a diversification system. For example, integrating trees and woods into farming systems, as a way of diversification, can provide a range of benefits such as helping to absorb water and air pollution, prevent soil erosion and flooding, boost soil sustainability through support of microorganisms and addition of nutrients. They help with shelter for livestock, crop pollination, integrated pest management and product diversification. Therefore, WTS believes that trees should be part of a sustainable land management system and would like to see the LDP seeking to encourage tree planting in the rural environment.

Built and natural heritage – we do not agree that 'landscape and biodiversity designations and opportunities must continue to be explored to capitalise on these assets in the interest of tourism and economic development.' Capitalising on natural assets goes beyond economic and social development; there is also an environmental aspect to this. Part of investing in natural capital should also be seen as enhancing and protecting the environment. The wording as written at the moment for this aim suggests that the environmental aspect is not part of natural capital investment. Capitalising on these assets by protecting and enhancing them will benefit the natural environment, which in turn will benefit society through the "environmental services" that these ecosystems provide, such as flood prevention, healthy soils, carbon sinks and future sequestration, water and air quality, and renewable and sustainable resources.

Sustainability and climate change – We agree with the provisions listed here. In Annex 3, in relation to policy PMD1 Sustainability it is suggested that the Council

considers the integration of the Land Use Strategy with the planning system; this should also be listed in this section to ensure that there are connections between this aim and the suggested change to policy PMD1.

## Growing our economy

### Question 2

Q2:

Q2 upload:

No file was uploaded

### Question 3

Settlement business allocated:

Upload Q3:

No file was uploaded

### Question 4

Business Use Towns:

Upload Q4:

No file was uploaded

### Question 5

Land delivery effectively:

### Question 6

Agree?:

Below we provide comments on the individual site allocations. Our main concern is the impact on ancient woodland and ancient and veteran trees. We cannot agree with many of the instances where it is required that boundary features should be retained 'where possible' because in some instances we have identified ancient woodland, and also there could be ancient or veteran trees present around the site boundary; such features are irreplaceable and should be protected from adverse impacts of development. Scottish Planning Policy (SPP) states that ancient woodland and trees should be protected. We would suggest that the wording 'where possible' is replaced with '[...]where appropriate. In instances where ancient woodland, and/or veteran or ancient trees have been identified these features must be retained and protected from adverse impacts of development.'

In all instances where additional planting is required, WTS would like to see planting with native tree species, appropriate to the site conditions, and sourced and grown in the UK.

BWESR001, Land SW of Mansfield House, business and industrial (preferred): We note from Scotland's Environment Web map available at <https://www.environment.gov.scot/> that this site is surrounded by woodland and tree planting. Therefore a tree survey should be required for this site to determine the type of woodland area, and if there are any ancient and veteran trees which should be protected, as per clause 216 in Scottish Planning Policy which states '216. Ancient semi-natural woodland is an irreplaceable resource and, along with other woodlands, hedgerows and individual trees, especially veteran trees of high nature conservation and landscape value, should be protected from adverse impacts resulting from development. Tree Preservation Orders can be used to protect individual trees and groups of trees considered important for amenity or their cultural or historic interest.'

BGALA006, Land at Winston Road, business and industrial (preferred): We welcome the provision that potential impact on River Tweed Special Area of Conservation must be mitigated but we recommend that the Council works in partnership/ consults directly with the Tweed Forum to devise the best mitigation solutions.

BHAWI003, Gala Law II, business and industrial use (preferred): We welcome the requirement to protect and retain existing trees on site. Also the requirement to protect boundary features and mitigate for protected species such as bats, badgers and breeding birds. We suggest that surveys of trees and protected species at the site should be required for this site.

MESH1001, Land at Eshiels I, mixed use (preferred): We have identified ancient semi natural woodland present at the north eastern boundary of the site. According to the Scottish Government's policy on woodland removal, there is a strong presumption against the removal of this type of woodland. According to SPP provisions, development which is likely to negatively impact this type of woodland should be located away from the area. Therefore, WTS would like to see a requirement included which asks for a buffer area between the development boundary and the woodland. We would also be able to support the requirement to protect and enhance boundary features, if the wording 'where possible' was removed.

WTS would like to see any additional planting on site to be specifically native tree planting with trees which have been sourced and grown within the UK.

SPEEB008, Land West of Edderston Ridge, mixed use (preferred): We recommend that the Council works in partnership with the Tweed Forum to devise the best mitigation solutions.

Upload Q6:

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## Planning for housing

### Question 7

#### Housing agree?:

Below we provide comments on the individual site allocations. Our main concern is the impact on ancient woodland and ancient and veteran trees. We cannot agree with many of the instances where it is required that boundary features should be retained 'where possible' because in some instances we have identified ancient woodland, and also there could be ancient or veteran trees present around the site boundary; such features are irreplaceable and should be protected from adverse impacts of development. Scottish Planning Policy (SPP) states that ancient woodland and trees should be protected. We would suggest that the wording 'where possible' is replaced with '[...]where appropriate. In instances where ancient woodland, and/or veteran or ancient trees have been identified these features must be retained and protected from adverse impacts of development.'

In all instances where additional planting is required, WTS would like to see planting with native tree species, appropriate to the site conditions, and sourced and grown in the UK.

AWESR002, Edgar Road, Housing 10 units (preferred): We recommend that the mature beech tree men is recorded in the Ancient Tree Inventory <https://ati.woodlandtrust.org.uk/> to help assess if this is a ancient or veteran specimen, and as such should be protected from adverse impacts of development. Again, the provision of protection 'where possible' may not be appropriate if the trees present on site are of importance.

AREST005, Land East of West Reston, Housing 5 units (alternative): The site requirements of additional planting could be an attractive feature of this allocated site, should it become a preferred option for housing. We suggest to ensure that planting will be with native trees, which are sourced and growing the UK.

AANCR002, Dick's Croft II, Housing 60 units (alternative): We welcome that the protection of existing trees is listed as a site requirement. A tree survey should also be required to help assess the trees. In addition we recommend the use of the Ancient Tree Inventory or a tree survey to assess if any trees are ancient or veteran and therefore should be protected from adverse impacts of development. Any additional tree planting should be with native species, sourced and grown in the UK.

AEDNA001, Cliftonhill, Housing 15 units (alternative): At the moment the site boundary is allocated on an area of woodland identified on the Native Woodland Survey for Scotland. Therefore WTS does not support this site allocation, and strongly recommend that this alternative option is not carried forward to LDP2.

ADARN005, Land South of Darnlee, Housing 10 units (preferred): We note that the western part of the site is allocated on an area of woodland. Currently this area is not listed on the AWI or on the NWSS, we note that some of the trees on the western and southern boundaries appear on historic OS six-inch maps and therefore are worthy of further study to determine whether they could be ancient or veteran trees. A tree survey should be listed as a site requirement and we recommend that the ATI or a tree survey is also used to determine the ancient or veteran character of the trees. Alternatively the site boundary can be reviewed to exclude the area of woodland on the western side.

ADOLP004, Land North of Dolphinton, Housing 10 units (preferred): The woodland is not on AWI or in the NWSS but we welcome the site requirements asking for the woodland to be protected and enhanced through additional planting. Again, here also we will stress that these trees should be native and UK sourced and grown.

AEDDL008, Land West of Elibank Park, Housing 40 units (alternative): We note that at the northern boundary of this site, currently adjacent to the site allocation, there is an area identified as ancient semi-natural woodland on the AWI. We very much welcome that this is recognised in the site requirements and that it is required that a buffer area is created between the woodland and the site allocation. WTS would be able to advise on the size of the buffer when further plans are available for this site. If it is to be taken forward then we recommend that the site allocation boundary be reviewed for LDP2.

#### Upload Q7:

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### Question 8

#### Housing countryside:

#### Upload Q8:

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### Question 9

#### Agree removed housing :

## Supporting our town centres

### Question 10

#### Core Activity Areas:

### Question 11

#### Berwickshire supermarket:

**Upload Q11:**

No file was uploaded

**Question 12**

**Develop contrib town:**

**Delivering sustainability and climate change agenda****Question 13**

**Support alternative option:**

We support this preferred option.

**Question 14**

**National park:**

We support the designation of a National Park in the Scottish Borders. We do not have a preference for where this should be located, but this should sit in an area where there is great potential for nature conservation. Of course a national park approach should not mean that the landscape out-with this area should not be managed with environmental considerations in mind, taking a landscape scale approach and aiming to preserve and enhance important features of the land such as ancient woodland and ancient and veteran trees.

**Upload Q14:**

No file was uploaded

**Regeneration****Question 15**

**Agree redevelopment:**

**Upload Q15:**

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**Settlement Map****Question 16**

**Oxnam settlement:**

**Question 17**

**Core frontage Newcastleton:**

**Planning policy issues****Question 18**

**Agree amendments appendix3:**

We agree with some of the policy amendments, and have suggestions for others. Below we will make comments on some of the policies in Annex 3 in turn.

PMD1: Sustainability – we welcome the acknowledgement that the planning system should be better integrated with the Land Use Strategy. We are aware that the Council had a Land Use Strategy pilot and wonder about the future plans for this initiative.

ED7: Business, Tourism and Leisure Development in the Countryside – We agree that this policy should be cross referenced with the Woodland Strategy in order to encourage farm/business diversification, however, we do not agree with the overly economic focus proposed in the context of Brexit. It is unsustainable and against other policies discussed in this MIR to focus on economic gain at the expense of environmental concerns. Good land stewardship is about balancing the three pillars of sustainability. Indeed, we can take this further and say that the environment underpins social and environmental activity. It seems that the proposed changes to this policy do not take this fact into account. Rural businesses are in particular dependent on natural assets, for example: the tourism and food and drink sectors are dependent on high quality of air, land and water, and should therefore operate in a way which protects natural assets.

EP3: Local Biodiversity – we welcome the proposed inclusions in this policy. It makes perfect sense to use the Council's LBAP as supplementary guidance to this policy. Biodiversity net gain could be a welcome addition however, it depends on the policy provisions and how these would be implemented. The WTS has concerns in relation to biodiversity net gain and ancient woodland protection for the following reasons: ancient woodland is irreplaceable and therefore removal of this habitat and like for like replacement cannot be applied in this case. Similarly, there are other irreplaceable habitats which should be excluded from net gain calculations, because if they are destroyed or damaged it cannot be claimed that the development has resulted in net gain.

EP13: Trees, Woodlands and Hedgerows

WTS would like to see the wording 'Removal or damage to woodlands present on the Ancient Woodland Inventory, or woodland of high nature conservation value

will not be permitted' included in this policy. We consider that any woodland included in Scottish Natural Heritage's Ancient Woodland Inventory (or AWI), which is present on historical maps or which exhibits significant numbers of ancient woodland indicators can be considered as ancient and is therefore worthy of further study and is likely to pose a constraint on development. We believe that ancient woodland is amongst the most precious and bio-diverse habitats in the UK and is a finite resource which should be protected.

We are aware that in the Borders the AWI is not comprehensive and arguably it is the area with most gaps in the data. This is why in our site assessments above we suggest that tree surveys should be undertaken for certain areas, where we see there is woodland on digital maps, but this is not present on the AWI.

WTS would also like to see a provision for the buffering and extension of ancient woodland sites through targeted woodland and habitat creation, which have greatest potential to be placed on a sustainable footing, and would be best for wildlife. We welcome that this is listed as a site-specific requirement in some instances, however, for future developments, and planning applications out-with the development plan, such a requirement should be listed in this policy as a material consideration.

This policy should also contain wording on appropriate native tree planting, in instances where replacement planting is required, with trees sourced and grow in the UK to ensure lower biosecurity risk.

## **Any other comments**

### **Question 19**

**Other main issues:**

### **Landowner details**

**Have you submitted any site suggestions in this consultation?**

No

**If yes, please confirm the site and provide the landowner details (if known) for each site you have suggested.:**