



Scottish Natural Heritage
Dualchas Nàdair na h-Alba
nature.scot

Ranald Dods
Planning & Economic Development
Scottish Borders Council
Newtown St Boswells
TD6 0SA

Date: 5 March 2019
Our ref: CNS/DC/SBC/CDM154330

Dear Ranald

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
19/00194/FUL – Erection of dwelling and garage, Blyth Bridge
River Tweed Special Area of Conservation**

Thank you for consulting SNH on the above proposal, dated 18 February 2019.

The proposal is for a single dwelling and garage immediately to the south west of Mill Lade at Blyth Bridge.

The proposal area overlaps with the River Tweed Special Area of Conservation (SAC) designated for its fish species (brook, river and sea lamprey and salmon), otter and vegetation associated with water crowfoot.

The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters, The Conservation of Habitats and Species Regulations 2017 apply. Consequently, Scottish Borders Council is required to consider the effect of the proposal on the SAC before it can be consented (commonly known as Habitats Regulations Appraisal). The SNH website has a summary of the legislative requirements (<https://www.snh.scot/professional-advice/safeguarding-protected-areas-and-species/protected-species/legal-framework/habitats-directive-and-habitats-regulations>).

In our view, it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. An appropriate assessment is therefore not required.

However, SNH has a standard requirement for a 10 m gap between the SAC and the start of the proposal footprint. A further 10 m gap between this buffer and the footprint of the house and garage is also required. For this proposal, therefore, garden ground should begin 10 m from the river edge, but the house and garage should be a further 10 m away. For this proposal the 10 m gap does not relate to the tree planting.

Scottish Natural Heritage, Anderson's Chambers, Market Street, Galashiels TD1 3AF
Tel: 01896 661 710 www.nature.scot

Dualchas Nàdair na h-Alba, Seòmraichean Anderson, Sràid a' Mhargaidh, Galashiels TD1 3AF
Fòn: 01896 661 710 www.nature.scot

The gap serves various purposes. It provides a buffer between development and the SAC, ensuring that disturbance, siltation or pollution caused by construction is not immediately adjacent to the SAC. It ensures that activities associated with the established development do not have a direct impact on the SAC. Importantly, it creates an ecological edge to the SAC that allows natural processes to take place. Natural processes includes the migration of species such as otter along the length of the river, and allows the river to meander and change course naturally.

If the buffer is not included, the development could compromise the ecology of the SAC, or conversely, the natural meanders of the river could affect the development in future years. More information on development and the River Tweed SAC can be found at the following web address:

<https://www.nature.scot/sites/default/files/2017-12/Publication%202017%20-%20River%20Tweed%20SAC%20and%20SSSI%20guidance%20for%20planners%20and%20developers.pdf>.

The tree planting proposal is for 'native Scottish hardwoods ... intermixed with conifers'. Since the Tarth Burn forms part of the River Tweed SAC, only species native to Scotland should be used. Given the relatively small space available for planting, I would suggest that birch and rowan would be appropriate, with some willow at the water's edge. Tree planting within the buffer area is acceptable since it should enhance the character and ecological setting of the SAC.

The applicant should submit a plan showing the appropriate buffer and listing the tree species to be planted.

If you need to discuss any of these points please get in touch on (01896) 661716.

Yours sincerely

[by email]

Stuart Macpherson
Operations Officer
Southern Scotland