

APPENDIX C: Matrix of Consultation Responses Received on Habitats Regulations Assessment and Strategic Environmental Assessment

Consultee	Comment	Response/Notes	Change to Habitats Regulation Assessment / Environmental Report
	Habitats Regulations Appraisal:		
Scottish Natural Heritage	<p>The HRA report which is very well written and easy to follow. However there is a one paragraph (4.3) which could be improved, currently it states: “It should be noted that although watercourses such as the Eshiels Burns run through the proposed site and issue into the Tweed, none are included within the SAC designation.”</p> <p>While this is true, it might be better explained by a paragraph similar to the below so that it is clear there is a connection between the burn and the SAC but with design and methodology there will be no LSE: “It should be noted that although there is a pathway to the SAC via the Eshiels Burn which runs through the site and issues into the Tweed, appropriate design and construction methods agreed with SNH and SEPA, as detailed in Appendix 4 of this HRA Record will avoid LSE.”</p>	Comments noted and accepted.	Amend paragraph 4.3 of report as detailed by contributor.
	Strategic Environment Assessment:		
Historic	On 1 October 2015, Historic Scotland and The Royal	Comments noted.	No change.

<p>Environment Scotland</p>	<p>Commission on the Ancient and Historical Monuments of Scotland (RCAHMS) ceased to operate and have been replaced by a new organisation, Historic Environment Scotland (HES). This new organisation (which is a Non Departmental Public Body) was established by the Historic Environment Scotland Act 2014.</p> <p>Consultations received by Historic Scotland before 1 October require a response direct from Scottish Ministers. Ministers have sought the advice of Historic Environment Scotland on the Environmental Report. On the basis of this advice, Ministers are content with the adequacy of the assessment in relation to the historic environment. Simply for information, the reference to Historic Scotland in <i>Table 8: Measures Envisaged to Prevent, Reduce and Offset any Significant Adverse Effects</i> should be removed, and replaced with Historic Environment Scotland.</p>	<p>Comments noted and accepted.</p>	<p>Amend text: Replace “Historic Scotland” within “Historic Environment Scotland.”</p>
<p>Scottish Natural Heritage</p>	<p>Table 4: Key local environmental factors: This table includes issues which are identified as relating to Special Areas of Conservation (SAC), however, only the ‘<i>Diversity of Habitats and Species</i>’ issue explicitly identifies a need for the masterplan to adhere to HRA findings. While we agree with the findings of the draft HRA Record, for a robust audit trail the reference to the HRA should be more clearly set out wherever it is relevant. We welcome the inclusion of the Scottish Borders Strategic Green Network as an issue.</p> <p>Assessment results of Glentress masterplan:</p>	<p>Comment accepted. Reference to the findings of the HRA to be included within the table.</p> <p>Comments noted.</p>	<p>Amend table 4 to include: “The findings of the HRA to be taken on board in taking the Masterplan forward.”</p> <p>No change.</p>

	<p>We agree with the assessment findings presented in Table 6 and Appendix 5 of the Environmental Report.</p> <p>Table 7: Mitigation measures identified in the SEA and implemented into the masterplan: We note that several of the issues are to be addressed through a requirement that construction of buildings uses a piled ‘floating’ floor and that platforms and cut and fill for buildings and access routes will not be acceptable. In the context of the nearby SAC and potential pathways to that site, measures which reduce the likelihood of ground disturbance will play an important role in avoiding likely significant effect. We welcome the inclusion of these requirements in the masterplan and agree with the assessment of the mitigation measures. The work undertaken to assess views into the study area from the Upper Tweeddale National Scenic Area (NSA) and the resulting identification of sensitive areas and areas for landscape enhancement is welcome. It appears likely that this part of the assessment will contribute towards the creation of a higher quality development.</p> <p>Monitoring: We agree that, in general, monitoring undertaken for the LDP and other plans, programmes and strategies will incorporate many of the monitoring needs arising from this SEA. However, there are some detailed measures which appear to be specific to this site which will require monitoring in their own right. The degree of monitoring required will depend on the extent to which mitigation measures set out in this Environmental</p>	<p>Comments noted.</p> <p>Comments noted.</p>	<p>No change.</p> <p>No change.</p>
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	<p>Report are included in these other plans.</p> <p>Appendix 2 – Relevant plans, programmes and strategies: We recommend that ‘Let’s Get Scotland Walking’, the ‘Cycling Action Plan for Scotland 2013’ and ‘A Long-Term Vision for Active Travel in Scotland 2030’ are added to relevant PPS under the Access topic.</p>	<p>Comments accepted. Inclusion of documents within Updated Appendix 2.</p>	<p>Amend Appendix 2 to include reference to ‘Cycling Action Plan for Scotland 2013’ and ‘A Long-Term Vision for Active Travel in Scotland 2030’.</p>
<p>Scottish Environment Protection Agency</p>	<p>We are satisfied that the Environmental Report (ER) provides a satisfactory assessment of the potential significant environmental effects arising from the Glentress Masterplan Supplementary Guidance (SG). We are content that most of SEPA comments at the Scoping Report consultation stage have been taken into consideration in this ER.</p> <p>Alternatives: Although alternatives have been presented in the Draft SG, the reference in the ER could have been clearer. In addition there seems to be no evidence that all alternatives have been assessed. We would have welcomed an assessment which compared the different alternatives.</p> <p>Flood risk: We consider that the effects on the water environment have been underestimated, as the assessment shows a neutral score, while the Council has identified adverse impact on the River Tweed SAC and it is clear that there is flood risk from watercourses which could be exacerbated by the development. We would therefore</p>	<p>Comments noted.</p> <p>Comments noted. It should be noted that at Scoping Stage, a potential two cabin sites were being considered, however through further preparatory work a decision was made to focus on one potential cabin site.</p> <p>Comments accepted. It should be noted that paragraph 3.19 already states: <i>“It is considered that if there are any adverse effects either alone or cumulative then they can be mitigated in a straight forward manner through Local Development Plan Policy, through HRA</i></p>	<p>No change.</p> <p>No change.</p> <p>Amend text within Environmental Report and make subsequent changes to tables. Confirm within the Supplementary Guidance the</p>

	<p>consider that a possible negative effect should be recorded, with FRA as a potential mitigation measure. Avoidance of flood risk is however the best form of mitigation.</p> <p>The ER states: <i>SEPA flood risk maps identify a number of areas at flood risk within the study area, whilst it is not intended that built development will take place within areas at risk of flooding, the Masterplan is a strategic document and the exact location of potential development will be dealt with through the Planning Application Process. The Masterplan sets out a requirement for a flood risk assessment and a drainage impact assessment to be undertaken.</i> We are in agreement with this but consider that the assessment scoring may mislead to think that there are no effects. If the effects reported were residual effects, the assessment could have been clearer. In addition, the findings of a FRA could result in the development not being appropriate for this area.</p> <p>Please also note the detailed comments that we have provided on our separate response to the Draft Glentress Masterplan SG (our ref: PCS/142087).</p> <p>In terms of baseline information we are generally content with the information provided. We note however that Table 6 of Appendix 4 – SEA Baseline Data provides data for municipal waste for the Scottish Borders, with a 2009 reference. Please note that more up-to-date information is available on waste and in particular the definition of municipal waste has changed since 2009. Please note that information about waste is available in the waste data section of the SEPA</p>	<p><i>which will be completed before adoption of the Masterplan, and through subsequent Flood Risk Assessment and/or Drainage Impact Assessment required at planning application stage.”</i></p> <p>Comments noted. Appendix 4 Baseline Report to be updated.</p>	<p>requirement for a Flood Risk Assessment.</p> <p>Amend Table 6 within Appendix 4.</p>
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	<p>website, including the interactive Discover Data Tool. http://www.sepa.org.uk/environment/waste/waste-data/waste-data-reporting/waste-data-for-scotland/</p> <p>We welcome the reference to the 'quality of the water environment' and welcome the reference to the Scotland's Environment website. Please note the new River Basin Management Plans will be published soon.</p> <p>We are generally satisfied with the mitigation measures proposed in Table 7 and the use of the policies as mitigation in Table 8. Please see our comments above about protection of the water environment and flood risk.</p> <p>On a small note, please note that the title of link in the website reads Supplementary Guidance, rather than Environmental Report.</p>	<p>Comments noted.</p> <p>Comments noted.</p> <p>Comment noted.</p>	<p>No change.</p> <p>No change.</p> <p>No change.</p>
Scottish Water	<p>It is noted that there is no mention of Drinking Water Protected Areas (DWPA) within this report. There is a DWPA close to the development area boundary. Waters used for the abstraction of drinking water have to comply with the requirements of Article 7 of the Water Framework Directive. The general objective of this Article is: To protect bodies of water used for the abstraction of water intended for human consumption avoiding deterioration in quality in order to reduce the level of purification treatment required (This has been interpreted to mean avoiding additional requirement for treatment and not the removal of treatment systems). Please contact Scottish Water for a list of precautions to take if an activity falls within or</p>	<p>Comments noted. It is noted that Table 8 sets out that appropriate mitigation would be consultation with Scottish Water at Planning Application stage. It is considered however that a further sentence could be added in relation to Table 7 of the Baseline Data in relation to Drinking Water Asset Status – <i>"It is noted that there are Scottish Water borehole assets located near to Innerleithen, downstream from the proposed development."</i> In addition, it is also considered that an additional submission requirement could</p>	<p>Amend Environmental Report – a further sentence to be added in relation to Table 7 of the Baseline Data in relation to Drinking Water Asset Status – <i>"It is noted that there are Scottish Water borehole assets located near to Innerleithen, downstream from the proposed development."</i></p>

	<p>comes within close proximity to a Drinking Water Protected Area.</p> <p>Table 8: Measures Envisaged to Prevent, Reduce and Offset and Significant Adverse Affects:</p> <p>Water – Consultation with Scottish Water</p> <p>Scottish Water has determined that the proposed 65 Cabin and associated visitor development proposals is located upstream of Borehole assets located near Innerleithen. Any potential impact on these assets from this development will require appropriate water quality and quantity protection measures.</p>	<p>be included within the Glentress Masterplan.</p>	<p>An additional Submission Requirement also to be added to the Glentress Masterplan.</p>