

# CHAPTER 2 ENVIRONMENT

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Landscape

- The Coast
- Gardens & Designed Landscapes

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## ENVIRONMENT

### Introduction

- 2.1 The quality of the natural and built environment is one of the Scottish Borders' principal assets. The state of the environment is also a key indicator of sustainability. The environment therefore features in this Plan as the first consideration against which the implementation of the development strategy will be assessed.
- 2.2 The Government acknowledges that environmental quality contributes significantly to job creation in helping to create an attractive place for living, working and visiting. Maintaining and enhancing the environment is one of the underpinning themes in the Economic Development Strategy and also features strongly in the Scottish Borders Tourism Strategy. Maintaining the general environmental quality of towns and villages, particularly those important as shopping centres or 'gateways' to the region, is also vital in fostering tourism as well as community well-being. To this end the Council is committed to a continuing programme of environmental improvement in town centres. (Relevant policies are to be found in Chapter 3 on Economic Development).
- 2.3 This chapter deals with the environment as it relates to the enhancement and maintenance of biodiversity, the landscape quality of the countryside and coast, and the cultural and historic environment. The quality and design of new development is also included. Other environmental issues are covered elsewhere in the Plan: rural resources (in Chapter 3); access to the countryside (in Chapter 5); transport, water and drainage, waste and energy (in Chapter 6).
- 2.4 Government guidance on the environment and planning is given by several National Planning Policy Guidelines (NPPGs): NPPG 14 *The Natural Heritage*; NPPG 13 *Coastal Planning*; NPPG 18 *Planning and the Historic Environment* and NPPG 5 *Archaeology and Planning*. A further key document is the Government's *Memorandum of Guidance on Listed Buildings and Conservation Areas*. A major role of the Scottish Borders Structure Plan is to conserve the environment and to provide for its enhancement.



Red Squirrel

### Biodiversity and Nature Conservation

- 2.5 Biodiversity and nature conservation both have a relationship to habitats and species but biodiversity, a short hand term for biological diversity, is a wider concept. Biodiversity encompasses all living things and their relationship with each other, with their environments and with humans. It is not only a concept but also a process, implying action planning for the integration of biodiversity into everyday activities. The quality of biodiversity is a key measure of sustainability.

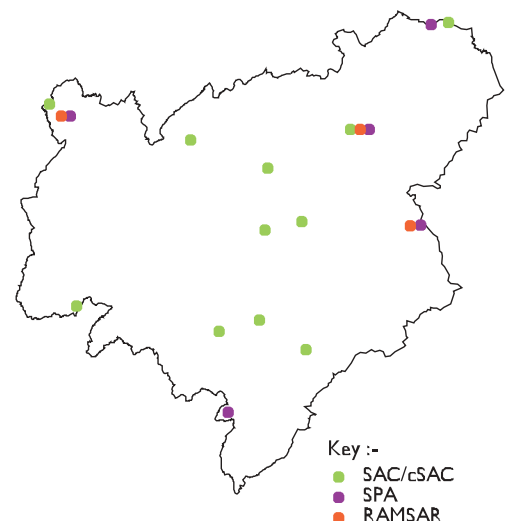
- 2.6 At the local level, Local Agenda 21 and Local Biodiversity Action Plans are seen as essential contributors to the overall UK Biodiversity Action Plan. The Scottish Borders Local Biodiversity Action Plan is being developed by a partnership of heritage, land management and other interests. The Plan provides a framework for assessing and planning for action in the interests of the natural heritage, taking account of both national and local priorities. In the Scottish Borders as elsewhere, biodiversity is being lost and, in many instances, habitats are being fragmented into unsustainably small areas. The aim of the Plan is to work with others to change land management and development practices to improve the quality of local biodiversity.

## POLICY NI Local Biodiversity Action Plan

*The Council will continue to promote the implementation and ongoing review of the Local Biodiversity Action Plan, as part of the Local Agenda 21 process and the drive towards sustainable development, in partnership with all interested parties.*

- 2.7 As a land use document, the Structure Plan policies focus on conserving designated sites - or habitats - giving the highest level of protection to internationally important sites. (see Diagram 3). However the approach is equally concerned to provide for the conservation and enhancement of species and habitats in the wider countryside and in urban areas with the aim of encouraging a network of habitats. All designations are currently under review by the Government in consultation with Scottish Natural Heritage.
- 2.8 The hierarchy of protection of sites begins with those internationally important and irreplaceable sites designated under the EU Birds and Habitats Directives (see Diagram 3). These sites comprise designated and potential Special Protection Areas (SPAs) and sites identified as candidates for designation as Special Areas of Conservation (cSACs). The European network of SPAs and SACs is known collectively as Natura 2000. There is also a further category of internationally important wetland sites for birds known as Ramsar sites. Protection of all international sites is enshrined in UK legislation under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats &c.) Regulations 1994.
- 2.9 The second tier of sites comprises nationally important sites known as Sites of Special Scientific Interest (SSSIs) designated in Scotland by Scottish Natural Heritage (SNH) (see Diagram 4). The designations reflect the sites' special interest by reason of their flora, fauna or geological or physiographical features. There are 92 SSSIs in the Scottish Borders, providing the foundation for the

Diagram 3  
International Nature  
Conservation Sites



international designations described above and for National Nature Reserves (NNRs) of which there are 5 in the Scottish Borders (see Diagram 4).

2.10 Scottish Natural Heritage plays an important role in providing information to assist decision-making. This includes identifying the range of activities that may adversely affect the nature conservation interest of designated sites and establishing conservation objectives. Such work will be progressed as part of the Local Biodiversity Action Plan process. Development adjacent to, as well as development within, international and national sites may also affect their nature conservation interest and should be considered as part of the assessment of any development proposals.

## POLICY N2 International Sites

*Development proposals which will have a significant effect on a designated or proposed Natura 2000 site, or a listed or proposed Ramsar site, and which are not directly connected with or necessary to the conservation management for that site, will be subject to an assessment of the implications of the site's conservation objectives. The development will only be permitted where the assessment demonstrates that:*

- (i) *there are no alternative means of meeting that development need, and*
- (ii) *there are imperative reasons of overriding public interest, including those of a social or economic nature that clearly outweigh the international nature conservation value of the site.*

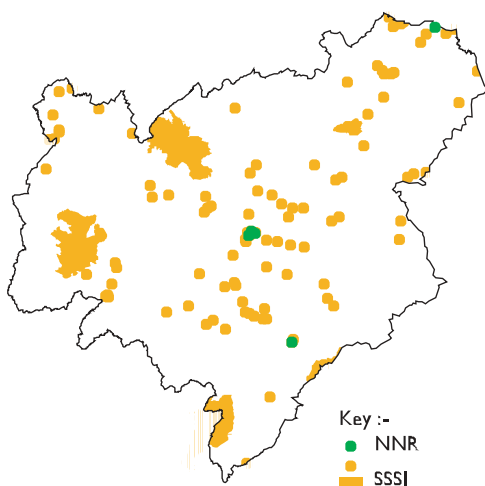
## POLICY N3 National Sites

*Development proposals which will have an adverse effect, either directly or indirectly, on a Site of Special Scientific Interest will not be permitted unless:*

- (i) *the development will not adversely affect the integrity of the site, and*
- (ii) *the development offers substantial benefits, including those of a social or economic nature, that clearly outweigh the national nature conservation value of the site.*

*Where the site concerned is a National Nature Reserve, particular regard will be paid to the site's national importance.*

Diagram 4  
National Nature Conservation Sites



2.11 Since the effects of human activities on complex living systems are not fully understood, the Government recommends that preventative action may be justified in instances where the scientific evidence is inconclusive but where the potential environmental damage could be significant. In such circumstances, the exercise of precaution is recommended.

## **POLICY N4 Precautionary Principle**

*Development may not be permitted in cases where there are good grounds for believing that it could result in significant irreversible damage to designated or proposed Natura 2000 sites, Ramsar sites or Sites of Special Scientific Interest (subject to consideration in terms of Policy N2 or N3).*

2.12 The conservation of biodiversity is as important in the 94% of the region lying outside designated sites as it is within them. The designated sites are particularly rich in biodiversity, but they cannot exist in isolation and their continued existence is determined to a large degree by activities in the wider countryside and in our towns and villages. Development and land-use change has contributed to the fragmentation of the semi-natural habitats most rich in biodiversity. The Local Biodiversity Action Plan provides a developing framework for the assessment of the requirements of biodiversity in the wider landscape and provides the basis for the identification and enhancement of a conservation network beyond the protected sites. This approach is in line with Article 10 of the EC Habitats Directive, reflected in Government guidance, which provides for the sensitive management of habitats and species in the wider countryside. Government guidance also provides for the description and protection of locally important wildlife sites, although this approach continues to evolve and the concept may change as approaches to local biodiversity action evolve.

## **POLICY N5 Local Biodiversity Action**

*Development likely to have an adverse effect, either on a locally important wildlife site, or on habitats or species identified for conservation action in the Local Biodiversity Action Plan, will only be permitted if it can be demonstrated that the benefits of the proposal will clearly outweigh the intrinsic nature conservation value of the site, feature or area and its role in contributing to the development of regional habitat networks.*



*“The Local Biodiversity Action Plan provides ... the basis for ... a conservation network beyond the protected sites”.*

2.13 A key role of the Structure Plan in implementing the Local Biodiversity Action Plan is to aim to ensure no net loss of biodiversity through careful control of development. Dealing with development proposals, which affect the natural heritage, involves difficult judgements, weighing the impact on the environment against the benefits of the proposal. Conservation does not necessarily mean that development cannot happen in sensitive locations but it does recognise that some natural heritage features are irreplaceable and therefore, once lost, cannot be recreated. The approach provides for rigorous examination of proposed developments, and action to minimise impacts, to mitigate any damage and to identify opportunities for restoration. Environmental Impact Assessment (EIA) is a useful tool for ensuring that the environmental impacts of significant developments are taken into account in the decision-making process. The new regulations governing EIA came into force in August 1999.

### **POLICY N6 Environmental Impact**

*All proposals for development will be assessed for their environmental impact. The Council will, where appropriate, request the submission of an Environmental Impact Assessment in accordance with the Environmental Assessment Regulations. Where necessary, the Council will require developments to be subject to an Appropriate Assessment<sup>1</sup> of the implications for the conservation objectives of the site.*

### **POLICY N7 Protection of Nature Conservation Interest**

*Where development is approved which would damage the nature conservation value of a site or feature, the Council will seek to ensure that such damage is kept to a minimum. Where appropriate, the Council will consider the use of conditions and/or planning obligations that will modify proposals to maintain as far as possible existing nature conservation interests and/or will mitigate the effects of damage by the creation of new habitats or features.*



River Tweed at Kelso

<sup>1</sup> At the time of writing the requirements for Appropriate Assessments are still under consideration by Scottish Natural Heritage.

2.14 The River Tweed is an extensive and valuable resource, important for a wide range of uses that include tourism and nature conservation as well as the more obvious uses of angling, agricultural irrigation, water supply and sewerage. The Tweed is a 'riverine' SSSI and is proposed as a candidate Special Area of

Conservation (cSAC) reflecting its importance to the biodiversity of the Scottish Borders. The boundaries of the cSAC are currently being identified. The Tweed's range of habitats is of international importance and its salmon stocks represent a major source of direct and indirect income and employment.

2.15 The Tweed Forum exists to co-ordinate the activities of some 30 organisations and agencies with interests in the river. It is complemented by the Tweed Foundation which concentrates on the fisheries resource. The fisheries resource is particularly sensitive to any land use changes or development that might affect the access, spawning and nursery potential of the river habitat.

## POLICY N8 River Tweed System

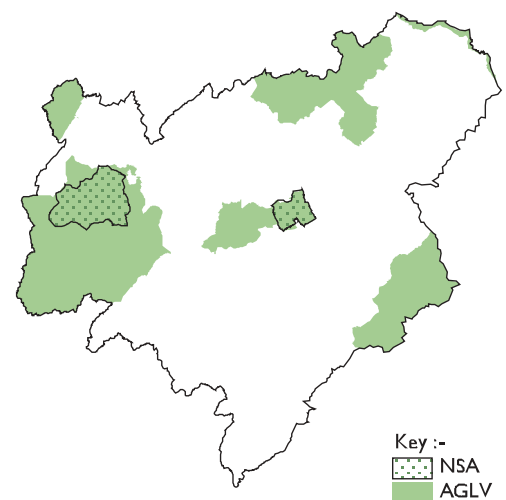
*The Council in partnership with the Tweed Forum and relevant agencies and organisations will seek to protect and enhance the heritage, landscape, amenity, nature conservation, and fisheries interests of the Tweed. Development which is considered likely to have an adverse effect on the Tweed resource, will be subject to rigorous examination under the Structure Plan's nature conservation policies.*

## Landscape

2.16 Landscape quality is the value that people place on their external, and especially their visual, surroundings. The Scottish Borders is recognised as having many outstanding landscapes, the quality of which is recognised nationally by the designation of two National Scenic Areas (NSAs). There are also six Areas of Great Landscape Value (AGLVs) designated by the Council to safeguard areas of regionally important landscape quality from inappropriate development. These national and regional designations cover 3.5% and 27.4% respectively of the Scottish Borders (see Diagram 5).

2.17 Landscapes are created by the interaction of natural and human influences over an extended period of time. Many landscapes are the result of centuries of human activity, particularly the building of settlements and roads, the creation of farming patterns of enclosure and grazing, and the establishment of tree and hedgerow cover through planting. These activities are influenced by the underlying structure of a varied landform with its associated soils and climate variations. In the Scottish Borders, the result is a very diverse range of landscapes that continue to evolve as the formative influences change.

Diagram 5  
Landscape Designations



2.18 Although the Scottish Borders does not contain significant areas of landscape degraded by industrial activity, there are opportunities for landscape enhancement. These include the main quarrying areas in the Northern Borders, some areas in and around settlements, and some of the areas of commercial forest planted during the last century. There is also a requirement to renew landscape features, such as farm woodlands, hedgerows and dykes, that are falling into disrepair.

2.19 The Structure Plan policies seek both to protect areas covered by landscape designations and to conserve the character of the wider landscape. The landscape character approach recognises that all landscapes have a value in terms of their unique character; that landscapes have different capacities to accept development and that degraded landscapes can be improved. The approach is embodied in the programme of landscape assessment carried out for Scotland by Scottish Natural Heritage.

2.20 The Landscape Assessment for the Scottish Borders identified 30 basic landscape types falling within 6 regional landscape areas (see Diagram 6). The Assessment sets out a medium term (20-30 years) landscape vision for each of the 6 regional landscape areas and, for each of the 30 landscape types, the Assessment considers their sensitivity to change, the key landscape issues and a broad landscape strategy. As a result, the Assessment provides the basis for more detailed landscape strategies and work to evaluate the impact of specific developments.

Diagram 6  
**Regional Landscape Areas**  
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### **POLICY N9** **Maintaining Landscape Character**

*Proposals for development and land use change will be guided by the Scottish Borders Landscape Assessment with the aim of maintaining the integrity of the landscape character and enhancing its quality. The Assessment will be used to inform policy reviews and guidelines on topics, which have implications for the landscape resource.*

### **POLICY N10** **National Scenic Areas**

*Development in National Scenic Areas will only be permitted where:*

- (i) the objectives of designation and the overall landscape value of the site will not be compromised, or,*
- (ii) any significant adverse effects on the qualities for which the site has been designated are clearly outweighed by social or economic benefits of national importance.*

## POLICY NI1

### Areas of Great Landscape Value

*In assessing proposals for development in Areas of Great Landscape Value, the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development. Proposals which have a significant adverse impact will only be permitted where the impact is clearly outweighed by social or economic benefits of national or local importance.*

2.21 The Scottish Executive in consultation with Scottish Natural Heritage is developing a framework for a National Park system in Scotland. Whilst it is unlikely that any areas in the Scottish Borders would be of sufficient size to be considered individually for such designation, it is possible that future consideration could be given to extending the Northumberland National Park into the southern Borders. The first round of National Parks in Scotland designated under the new legislation will need time to become established after which new parks or extensions could be considered. The issue will be addressed as part of the next Structure Plan review.

### The Coast

2.22 The Scottish Borders' coastline extends only to some 40 km but it is of exceptional quality in terms of its natural heritage interest. It includes internationally important designations that recognise the quality of the underwater marine environment as well as the coastal habitats on land. The open, unobstructed character of the coastal landscape types implies a high sensitivity to built development. Pressure for such development is however limited owing to the restricted opportunities for access. Government guidance seeks to ensure that the planning policy framework for the coast is established by the identification of sections of developed, undeveloped or isolated coast together with appropriate policy statements<sup>1</sup>.

## POLICY NI2

### Coastline

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

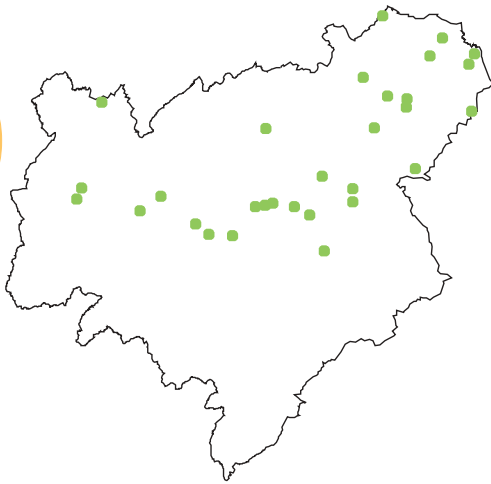
- (i) the proposal is located within a defined settlement boundary or related to an existing building group; or*
- (ii) the development requires a coastal location; and*
- (iii) the benefits of the proposal clearly outweigh any damage to the landscape character or to the nature conservation value of the site as assessed under other relevant Plan policies.*



*Berwickshire Coast, near St Abbs Head*

<sup>1</sup> With the exception of the section falling within the settlement boundary of Eyemouth identified in the Local Plan and which may be considered as 'developed', the Scottish Borders coastline may be considered as 'undeveloped' for the purposes of this definition.

Diagram 7  
**Gardens and Designed Landscapes**



### *Gardens and Designed Landscapes*

2.23 Gardens and Designed Landscapes are designated principally on the basis of their man-made or man-influenced features and require protection for their historical and amenity interest. The Inventory of Gardens and Designed Landscapes contains 30 such landscapes in the Scottish Borders designated by the predecessors of Scottish Natural Heritage and Historic Scotland (see Diagram 7). In addition there are a number of other gardens and designed landscapes, some in Council ownership, that are not included in the Inventory but may be worthy of preservation and enhancement and appropriate for inclusion.

#### **POLICY NI3 Gardens and Designed Landscapes**

*There will be a presumption against development that would adversely affect the landscape features, character, or setting of sites listed in the Inventory of Gardens and Designed Landscapes. Proposals for appropriate enhancement or restoration will be supported. The Council supports the review of the Inventory by the designatar bodies.*

### **Cultural and Historic Environment**

2.24 The Scottish Borders enjoys a rich cultural heritage that includes: more than 700 Scheduled Ancient Monuments and 2,600 buildings of special historical or architectural interest 'listed' by Scottish Ministers, some 6% of which fall within the nationally important 'A' category; 40 Conservation Areas designated by the local authority and 30 gardens and designed landscapes designated by Scottish Natural Heritage in conjunction with Historic Scotland (see Policy NI3 above).

2.25 The role of the Structure Plan is to provide for the conservation and enhancement of the historic environment. The local authority plays a direct role in the protection of archaeological sites, designed landscapes and Listed Buildings of all categories through its involvement in the planning process, and in the enhancement of the man-made environment through management of Conservation Areas and other sites.

## Archaeology

2.26 The Council's Sites and Monuments Record holds information on over 11,700 sites of national, regional and local importance. The record includes Listed Buildings and Scheduled Ancient Monuments as well as buildings or sites that are considered to be of national importance but which have not yet been designated. The Structure Plan seeks to give protection to such sites as well as those already designated. High quality local records therefore play an important role in helping to maintain the archaeological resource. Local Plans will include detailed policies, as appropriate, for the protection, preservation, excavation and recording of archaeological sites.

### **POLICY NI4**

#### **National Archaeological Sites**

*Development proposals, which would destroy or adversely affect the appearance, fabric or setting of Scheduled Ancient Monuments or other nationally important sites not yet scheduled will not be permitted unless:*

- (i) the development offers substantial benefits, including those of a social or economic nature, that clearly outweigh the national value of the site,*
- (ii) there are no reasonable alternative means of meeting that development need, and*
- (iii) the proposal includes a mitigation strategy acceptable to the Council.*

### **POLICY NI5**

#### **Regional and Local Archaeological Sites**

*Development proposals which will adversely affect an archaeological site of regional or local significance will only be permitted if it can be demonstrated that the benefits of the proposal will clearly outweigh the archaeological value of the site or feature.*



Lyne Fort, Peebles

### POLICY N16

#### Archaeological Evaluation, Preservation and Recording

Where there is reasonable evidence of the existence of archaeological remains, but their nature and extent are unknown, the Council may require an Archaeological Evaluation to provide clarification of the potential impact of a development before a planning decision is reached. Where development is approved which would damage an archaeological site or feature, the Council will require that such development is carried out in accordance with a strategy designed to minimise the impact of development upon the archaeology and to ensure that a complete record is made of any remains which would otherwise be damaged by the development. Such a strategy might include some or all of the following:

- (i) the preservation of remains in situ and in an appropriate setting,
- (ii) surface or geophysical survey,
- (iii) archaeological excavation,
- (iv) study of the excavated evidence and publication of the results.

The preferred solution will be influenced by the value of the site in national, regional or local terms.

#### Listed Buildings and Conservation Areas

- 2.27 Together with Scheduled Ancient Monuments, Listed Buildings and Conservation Areas represent the best of the Scottish Borders' man-made heritage and are an irreplaceable resource. They make a positive contribution to the general amenity of a particular area and to the definition of its character and sense of place. They also provide an important contribution to the economy through cultural tourism. Conservation activity should play an integral part in area regeneration initiatives.



Traquair House, Innerleithen

### POLICY N17

#### Listed Buildings

The Council will seek to preserve the character of Listed Buildings, their setting and related fixtures, and will encourage their repair and the re-use of vacant or derelict listed buildings wherever possible.

(continued)

(continued)

*Proposed alterations to listed buildings, their setting and related fixtures, will only be permitted where such alterations maintain and preferably enhance the special architectural or historic quality of the building.*

*Demolition will only be considered where all other alternatives have been fully evaluated and demonstrated not to be feasible.*

*Decisions on proposals for alterations and demolitions will be made in accordance with the advice contained in the 'Memorandum of Guidance' on Listed Buildings and Conservation Areas produced by Historic Scotland and in full consultation with the appropriate heritage bodies.*

2.28 Of the 40 Conservation Areas in the Scottish Borders (see Diagram 8), currently 13 are designated by Historic Scotland as 'outstanding' for grant purposes. The importance of Conservation Area designation relates to the interrelationship between the buildings, open spaces, features, historic layout and setting which combine to create the area's essential character. Development outside a Conservation Area may therefore affect it. The Council is committed to a continuing review, through the Local Plans process, of existing Conservation Areas and their boundaries, and to the designation of new Conservation Areas in appropriate cases.

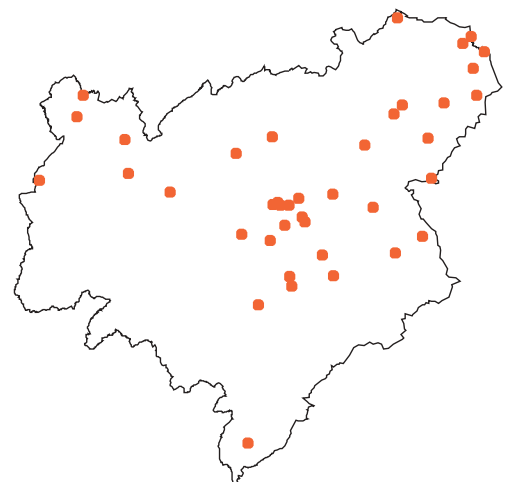
## **POLICY NI8 Development affecting Conservation Areas**

*The Council will support development affecting Conservation Areas that is of a quality and design which will preserve and enhance the special character and appearance of these areas. Development proposals should seek to retain existing features which are considered integral to the character of the Conservation Area. There will be a presumption against development which is considered likely to have an adverse impact on a Conservation Area.*

## **POLICY NI9 Demolition of Buildings in Conservation Areas**

*The Council will only permit the demolition and/or replacement of buildings in Conservation Areas in instances where it can be satisfactorily demonstrated that the existing buildings are of no architectural or historic interest or where all other alternatives have been fully evaluated and demonstrated not to be feasible, and where there are acceptable detailed plans for the site.*

Diagram 8  
**Conservation Areas**



Hawick High Street Conservation Area

## Design

2.29 The design of new development is fundamental to the quality of the modern environment. Government guidance recognises design as a legitimate consideration in making decisions on planning applications. It also promotes encouragement of energy efficiency in design and the value of landscape in helping 'fit' housing into its surroundings, particularly in the countryside.

2.30 The Council recognises the long-term benefit of good design and is committed to its general encouragement, promotion and implementation. To this end the Council organises a biennial Architectural Awards Scheme and participates in similar schemes run by the Civic Trust and the Association for the Protection of Rural Scotland. The Council will continue to ensure that adequate detailed design guidance for development control purposes is contained within Local Plans. Good design is an important element in crime prevention and, in appropriate instances, the Council will consult with the police, through their architectural liaison officer.



Marine Square, Eyemouth

### POLICY N20

#### Design

*The Council will encourage a high quality of layout, design and materials in all new developments, including redevelopments and alterations. Favourable consideration is more likely where development proposals:*

- (i) provide a design brief or design statement, where required, as part of a submission for planning permission,*
- (ii) incorporate a landscape plan, where required, as part of the application,*
- (iii) demonstrate an appropriate use of building materials in keeping with their surroundings,*
- (iv) promote the use of recycled building materials where possible,*
- (v) demonstrate a consideration of energy efficiency in orientation and design,*
- (vi) demonstrate a consideration of water minimisation measures, and*
- (vii) demonstrate a consideration of safety and security.*