

# **Environmental Assessment (Scotland) Act 2005**

## **Dumfries and Galloway Local Development Plan - Post Examination Modifications**

### **Strategic Environmental Assessment Screening Determination**

**May 2015**

***Contents:***

**1. Statutory Notice**

**2. Screening determination**

**3. Screening Report**

**4. Responses from Consultation Authorities**

**SEA Gateway Covering Letter**

**Scottish Natural Heritage Response**

**Historic Scotland Response**

**Scottish Environment Protection Agency Response**

## **1.0 DUMFRIES & GALLOWAY COUNCIL**

### **ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005**

#### **SCREENING DETERMINATION**

NOTICE IS HEREBY GIVEN that Dumfries & Galloway Council has made a determination in respect of the changes to the Dumfries and Galloway Local Development Plan arising from the Examination Reporters recommendations.

Following consultation with the SEA Consultation Authorities about its Screening Opinion, the Council has determined under Section 8(1) of the Act that the changes are not likely to have significant environmental effects and therefore that a full strategic environmental assessment of it is not required.

A copy of the determination and Screening Report containing the Statement of Reasons is available for public inspection at the address below:

on the Council's website ([www.dumgal.gov.uk/](http://www.dumgal.gov.uk/)) at  
<http://www.dumgal.gov.uk/index.aspx?articleid=14014>

and also available by request from:

Development Planning

**Address:** Development Planning, Dumfries and Galloway Council, Militia House, Dumfries, DG1 2HR;

**Email address:** [LDP@dumgal.gov.uk](mailto:LDP@dumgal.gov.uk);

**Telephone No:** 01387 260109

**David Suttie**

Service Manager

## **2.0 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)**

### **SCREENING DETERMINATION UNDER SECTION 8(1) OF THE ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005**

#### **Dumfries and Galloway Local Development Plan - Post Examination Modifications**

This statement sets out Dumfries & Galloway Council's determination under Section 8(1) of the Act as follows:

1. Dumfries & Galloway Council consulted the consultation authorities referred to below via SEA Gateway with its SEA Screening Report on 25 June 2014 setting out its reasons as to why it was of the opinion that the changes are not likely to have significant environmental effects.
2. The Council has noted and taken account of the views of the Consultation Authorities as to whether or not the changes are likely to have significant environmental effects:

<b>Consultation Authority</b>	<b>Date of Opinion</b>	<b>Likelihood of Significant Environmental Effects</b>
Scottish Environment Protection Agency	8 July 2014	NO
Scottish Natural Heritage	7 July 2014	NO
Historic Scotland	21 July 2014	NO

### 3.0 SEA Screening Report

<b>Name of Plan: Dumfries &amp; Galloway Local Development Plan: Post-Examination Modifications</b>		
<b>SEA Screening Report : Cover Note</b>		
<b>Part 1</b>		
To: <a href="mailto:SEA.gateway@scotland.gsi.gov.uk">SEA.gateway@scotland.gsi.gov.uk</a>		
Or to: SEA Gateway Team , 2-H (South) , Victoria Quay, Edinburgh EH6 6QQ		
<b>Part 2</b>		
An SEA Screening Report is attached for the plan programme or strategy (PPS) entitled:	Dumfries & Galloway Local Development Plan - Post-Examination Modifications	
The Responsible Authority is:	Dumfries & Galloway Council	
Now complete Part 3 <i>or</i> 4 <i>or</i> 5		
<b>Part 3</b>		
Screening is required by the Environmental Assessment (Scotland) Act 2005.		
The view of the Responsible Authority is that:		
1	An SEA is required because the PPS falls under the scope of Section 5(3) of the Act and is likely to have significant environmental effects <i>or</i>	X
2	An SEA is required because the PPS falls under the scope of Section 5(4) of the Act and is likely to have significant environmental effects <i>or</i>	X
3	An SEA is not required because the PPS is unlikely to have significant environmental effects	√
<b>Part 4</b>		
The PPS does not require an SEA under the Act. However, we wish to carry out an SEA on a voluntary basis. We accept that, because this SEA is voluntary, the statutory 28 day timescale for views from the Consultation Authorities cannot be guaranteed.		X
<b>Part 5</b>		
Neither of the above (Part 3 and Part 4) apply.		X
A screening report has been prepared because:		
<b>Part 6</b>		
Contact name (for this screening report):	Peter Shellard	
Job title:	Senior Planner	
Contact address:	Militia House, English Street, Dumfries DG1 2HR	
Contact telephone No:	01387 260128	
Contact email:	Peter.shellard@dumgal.gov.uk	
<b>Part 7</b>		
Signature (electronic signature is acceptable): Peter Shellard		

<b>Title of PPS</b>	<b>Dumfries &amp; Galloway Local Development Plan: Post-Examination Modifications</b>
<b>SEA Screening Report: Key Facts</b>	
<b>Responsible Authority:</b>	<b>Dumfries &amp; Galloway Council</b>
Purpose of PPS	To accommodate the recommendations of the Scottish Government Reporters following receipt of their Examination Report with recommendations.
What prompted the PPS. (For example, is it a legislative or regulatory or administrative provision?)	Progressing the Dumfries & Galloway Local Development Plan toward adoption.
Subject: (For example, transport.)	Land use planning.
Period covered by PPS	2014 - 2024
Frequency of updates	5 years
Area covered by PPS. (For example geographic area. It is good practice to attach a map.)	Dumfries & Galloway Council administrative area.
Summary of nature/content of PPS	Modifications, as outlined above, to the Local Development Plan prepared under the Planning etc (Scotland) Act 2006.
Are there any proposed PPS objectives?	To consider representations made to the local Development Plan.
List <i>or</i> summary of objectives <i>or</i>	See above.
Copy of objectives attached?	No.
Date	June 2014

The opinion of Dumfries & Galloway Council (the Responsible Authority) regarding the likely significance of effects on the environment of the Post-Examination Modifications to be made to the Dumfries & Galloway Proposed Local Development Plan is set out in Table 1 and 2.

**Table 1: Likely Significance of Effects on the Environment – Schedule 2 Part 1**

Title of PPS		
SEA Screening Report: Likely significance of environmental effects		
Responsible Authority:		
Criteria <sup>1</sup> for determining the likely significance of effects on the environment	LSEE? <sup>2</sup> Y/N	Summary of significant environmental effects (negative and positive)
1(a) the degree to which the PPS sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources		The LDP overall intends to set the framework for projects and other activities the impacts of which it is hoped will be significant. However, these have already been assessed in the Environmental Report. The changes recommended in the Reporter's Report are modifications that adjust the terms of the Plan. It is considered that they are not likely to individually or collectively lead directly to significant environmental impacts.
1(b) the degree to which the PPS influences other PPS including those in a hierarchy		The LDP overall intends to influence other plans in the Dumfries & Galloway hierarchy of plans. In this way it intends to have an influence in producing significant environmental impacts. However, these have already been assessed in the Environmental Report. The changes recommended in the Reporter's Report are modifications that adjust the terms of the Plan. It is considered that they are not likely to individually or collectively lead to significant environmental impacts through the influence of the LDP on other plans.
1(c) the relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development		The LDP overall intends to take due account of environmental considerations in particular with a view to promoting sustainable development. This has already been considered in the Environmental Report. The changes recommended in the Reporter's Report are modifications that adjust the terms of the Plan. It is considered that these generally improve the integration of environmental considerations and the promotion of sustainable development. However, in themselves it is expected that they are not likely to individually or collectively lead directly or indirectly to significant environmental impacts.
1(d) environmental problems relevant to the PPS		The LDP overall intends to take due account of environmental issues affecting the area and this has already been considered in the Environmental Report. The changes recommended in the Reporter's Report are modifications that adjust the terms of the Plan. It is considered that these are generally consistent with an appropriate response to the environmental problems affecting the area. It is expected that in themselves -

<sup>1</sup> Paragraphs 1(a) – 1(e) in Schedule 2 of the Act

<sup>2</sup> LSEE = Likely significant environmental effect

<b>Title of PPS</b>		
<b>SEA Screening Report: Likely significance of environmental effects</b>		
<b>Responsible Authority:</b>		
<b>Criteria <sup>1</sup>for determining the likely significance of effects on the environment</b>	<b>LSEE?<sup>2</sup> Y/N</b>	<b>Summary of significant environmental effects (negative and positive)</b>
		they are not likely to individually or collectively lead directly or indirectly to significant environmental impacts.
1(e) the relevance of the PPS for the implementation of Community legislation on the environment (for example, PPS linked to waste management or water protection)		The LDP overall intends to take due account, according to its scope, of the implementation of community legislation on the environment. This has already been considered in the Environmental Report. The changes recommended in the Reporter's Report are modifications that adjust the terms of the Plan. It is considered that these are generally consistent with an appropriate response to the implementation of community legislation on the environment. It is expected that in themselves they are not likely to individually or collectively lead directly or indirectly to significant environmental impacts.

**Table 2: Likely Significance of Effects on the Environment – Schedule 2 Part 2**

Title of PPS:		
SEA Screening Report: Likely significance of environmental effects		
Responsible Authority:		
Criteria <sup>3</sup> for determining the likely significance of effects on the environment	LSEE? <sup>4</sup> Y/N	Summary of significant environmental effects (negative and positive)
2 (a) the probability, duration, frequency and reversibility of the effects		The LDP overall intends to have positive environmental impacts. The likely significant environmental effects of the Proposed LDP have been considered in the Environmental Report (ER) (comprising the Interim Environmental Report (March 2011) and Environmental Report (December 2011)). The probability, duration, frequency and reversibility of environmental effects was part of the process for the ER. It is considered that would result from the recommendations in the Reporter's Report are not substantial in respect of the probability, duration, frequency and reversibility of environmental effects. They are not liable to have likely significant environmental effects.
2 (b) the cumulative nature of the effects		The LDP overall intends to have positive cumulative impacts. The cumulative impact of the LDP was part of the process for the ER. It is considered that the Recommendations in the Reporter's Report are generally positive but are not liable to have likely significant cumulative environmental effects.
2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States)		Consideration of the potential for transboundary effects was part of the process for the ER. It is considered that the Recommendations of the Reporter's Report are positive but not substantial and not liable to have likely significant transboundary environmental effects.
2 (d) the risks to human health or the environment (for example, due to accidents)		Consideration of the risks to human health was part of the process for the ER. It is considered that the Recommendations of the Reporter's Report are generally positive but not substantial and not liable to have likely significant environmental effects in respect of the risks to human health or the environment.
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)		Consideration of the size and spatial extent of environmental effects was part of the process for the ER. It is considered that the Recommendations of the Reporter's Report are generally positive but not substantial and in terms of their size and spatial extent not liable to have likely significant environmental effects.
2 (f) the value and vulnerability of the area likely to be affected due to- (i) special natural characteristics		Consideration of the value and vulnerability of areas in terms of natural heritage, cultural heritage, environment values, environmental limits and intensity of use was part of the process for the ER. It is

<sup>3</sup> Paragraphs 2(a) – 2(g) in Schedule 2 of the Act

<sup>4</sup> LSEE = Likely significant environmental effect

<b>Title of PPS:</b>		
<b>SEA Screening Report: Likely significance of environmental effects</b>		
<b>Responsible Authority:</b>		
<b>Criteria<sup>3</sup> for determining the likely significance of effects on the environment</b>	<b>LSEE?<sup>4</sup> Y/N</b>	<b>Summary of significant environmental effects (negative and positive)</b>
or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use.		considered that the Recommendations of the Reporter's Report are positive but not substantial of in terms of the value and vulnerability of the area relative to natural heritage, cultural heritage, environment values, environmental limits and intensity of use. They are not liable to have likely significant environmental effects.
2 (g) the effects on areas or landscapes which have a recognised national, Community or international protection status		Consideration of environmental effects on areas and landscapes recognised as of national, Community or international protection status was part of the process for the ER. It is considered that the Recommendations of the Reporter's Report are generally positive but not substantial, and in terms of effects on areas and landscapes recognised as of national, Community or international protection status not liable to have likely significant environmental effects.

**A summary of considerations of Dumfries & Galloway Council (the Responsible Authority) regarding the likely significance of effects on the environment of the Post-Examination Modifications to the Dumfries & Galloway Proposed Local Development is given in Table 3 below.**

**TABLE 3: Summary of Environmental Effects**

<b>Title of PPS: Dumfries &amp; Galloway Local Development Plan: Post-Examination Modifications</b>
<b>Screening Report: Summary of Environmental Effects</b>
<p>The Report from the Examination held on the Dumfries &amp; Galloway Proposed Local Development Plan contained 224 individual recommendations by the Reporter. The Council is proposing to accept all of these recommendations.</p> <p>In summary, it is considered that the recommendations are relatively minor modifications to the Proposed Plan in almost all cases. There are a limited number of more substantial revisions, including new policy and new sites. All of the Reporters recommendations, which have arisen from the consideration of the unresolved LDP Issues in the Examination, have been screened for their environmental impacts. This screening is set out in summary form in columns 3 - 5 in the Screening Table below.</p> <p>The assessment of all the Recommendations for the Spatial Strategy, Issues 1-3, is based on the assessment in the Interim Environmental Report.</p> <p>The Recommendations for the Policies arise from Issues 4-16 in the Examination Report. The assessments of the anticipated environmental impact of the Recommendations for new and also substantially revised policies considered the policy assessment objectives used in the Supplementary Report.</p> <p>The Recommendations for the Sites arise from Issues 17-30 in the Examination Report. The assessment of their anticipated environmental impact is based on the assessment set out in the Environmental Report. Each of the sites, including those 'new' sites recommended by the Reporter, had been assessed at that stage. The Reporter recommends the inclusion of the Barholm sites in Creetown. These were scored as '-3' for landscape impacts. This 'score' should be understood as likely to be environmentally significant and a major negative factor for development. In this case a review of the original assessment in the IER indicated that it would have been more appropriately scored as '-2' rather than '-3'. It should be noted that the IER states in para 2.2.4 that "all conclusions are subject to some degree of uncertainty." The revised scoring allows for the possibility of development on the basis that constraining factors can be addressed. A masterplan to avoid, deal with or mitigate the landscape issues will be required for the development of the site.</p> <p>Assessment Conclusions: The environmental effects are broadly categorised in column 4 in the attached Table. In most cases the impacts are considered to be nil or minimal ('/'). Where environmental effects specific to the recommendations could be anticipated these are all considered to be small, and almost all positive ('+'). In all cases it is concluded that there are not likely significant new environmental effects arising from the Reporters recommendations. As noted above, this assessment is based on the work of the Interim Environmental Report, the Environmental Report and Supplementary Report. In doing so it has taken account of Appendices 2 and 3 of the 2005 Act.</p>

Screening Table: Dumfries & Galloway Local Development Plan - Reporter Recommendations: SEA Screening

ISSUE	REPORTER'S RECOMMENDATION	SEA comment	Impact <sup>5</sup>	LSEE <sup>6</sup> ? Y/N
1. Overarching Approach to the Plan	On page 3 amend the second line in paragraph 1.11 to read: "a principal challenge to sustainable economic growth".	1.1: Clarification.	/	N
1. Overarching Approach to the Plan	On page 4 amend the 5 <sup>th</sup> bullet point of Paragraph 1.13 to read: Enhance the environment of, and protect access to, open space, green networks and recreational opportunities.	1.2: Clarification.	/	N
1. Overarching Approach to the Plan	On page 30 amend the first sentence of Policy H6 to read: The Council will support proposals for particular needs housing and accommodation (including adaptations to the existing housing stock) for people with particular needs such as housing for the frail, elderly and those with special and varying needs.	1.3: Clarification.	/	N
2. Local Development Plan Vision	On page 5 insert a new bullet point at the end of the section- A viable rural economy and community characterised by: Ready access to higher education and opportunities for knowledge transfer.	2.1: Clarification.	/	N
2. Local Development Plan Vision	On page 5 insert a new bullet point at end of section headed - A successful Regional Capital in Dumfries characterised by: A full range of educational opportunities, including a thriving and vibrant University Campus at the Crichton as a key economic driver for the regional economy	2.2: Clarification.	/	N
3. Spatial	No modifications are recommended.	3: No	~	~

<sup>5</sup> Effects Key: --- likely significant; -- notable; - small or moderate; / nil or minimal; + small or moderate; ++ notable; +++ likely significant

<sup>6</sup> LSEE = Likely Significant Environmental Effect

Strategy and Settlement Hierarchy		Recommendations		
4. Overarching Policies	On page 15 insert “Individual policies and land allocations do not set out the whole picture for the various types of development” at the start of paragraph 4.1.	4.1: Clarification.	/	N
4. Overarching Policies	On page 15 delete the introductory sentence of Policy OP1 and replace with: “Development will be assessed against the following considerations where relevant to the scale, nature and location of the proposal:”	4.2: Clarification.	/	N
4. Overarching Policies	On page 15 include the following text at the end of the first sentence of Policy OP1 d) “including ancient and semi-natural woodland”.	4.3: Clarification.	+	N
4. Overarching Policies	On page 16 delete the final bullet point in Policy OP1 f): Sustainability and replace with: incorporating sustainable principles by demonstrating that in all new buildings at least 10% of the carbon emissions reduction standard set by Scottish Building Standards has been met through the installation and operation of zero carbon generating technologies. This percentage will increase to 15% from the beginning of 2015 and will be reviewed in 2017. On page 16, OP1 f) include a footnote to the bullet point in (4) above to require the preparation of statutory supplementary guidance on this topic. This should be prepared within one year of adoption of this plan and should provide further detailed guidance on the implementation of Policy OP1 (f) – final bullet point-including its application to existing buildings and the circumstances where exceptions should apply.	4.4: Clarification. 4.5: Clarification.	+ +	N N
4. Overarching Policies	On page 17 amend the first sentence of Policy OP3 to read: Developer contributions will be sought where a development proposal (or a combination of developments) creates an identified need: to secure the mitigation required to address an adverse environmental impact; or to provide for new, extended or upgraded public infrastructure facilities or services.	5.6: Clarification.	+	N

4. Overarching Policies	On page 17 at the end of Policy OP3: Developer Contributions delete “This policy is supported by supplementary Guidance” and replace as follows: Supplementary Guidance shall provide further details on the scale and nature of developer contributions; any exceptions that may apply; and the submission of development appraisal information where development viability issues arise.	4.7: Clarification.	/	N
4. Overarching Policies	On page 17 replace reference to Circular 1/2010 in Policy OP3 with the updated reference to Circular 3/2012: Planning Obligations and Good Neighbour Agreements.	4.8: Clarification.	/	N
5. Economic Development	In paragraph 4.2, after “important sectors” insert: A new and increasingly significant part of the area’s economy is generation of renewable energy.	5.1: Clarification.	/	N
5. Economic Development	In policy ED1: Business and Industry, delete the paragraph that begins “Alternative uses” and instead put: Alternative uses on individual plots within these sites will only be considered favourably by the council if: the plot contains a building that has previously been used for business or industry; the plot has been disused for at least twelve months; it is demonstrated that despite marketing of the site for at least twelve months (supplementary guidance provides more detail) there has been no viable interest for other business and industry use; and the alternative use would not be materially detrimental to the specific character and amenity of the immediate area.	5.2: Clarification.	+	N
5. Economic Development	In policy ED1: Business and Industry, at the end of section (a) insert a new paragraph: Proposals for waste management facilities will in principle be acceptable on sites identified or safeguarded for business and industry.	5.3: Clarification.	/	N
5. Economic Development	In policy ED5: Development in Town Centres, in the paragraph that begins “Class 1 retail proposals” delete “Class 1” and instead put: Subject to the provisos in the preceding paragraph, Class 1	5.4: Clarification.	/	N
5. Economic Development	In Policy ED5: Development in Town Centres, delete the paragraph that begins “Class 3 proposals” and instead put: Class 3 proposals together with public	5.5: Clarification.	/	N

	houses and hot food takeaways should not have a detrimental impact on the amenity of adjacent residential properties.			
5. Economic Development	From Policy ED6: Retail Development Outside a town Centre, delete the following: This policy is supported by supplementary guidance.	5.6: Clarification.	/	N
5. Economic Development	In Policy ED13: Fish Farming, add the following to the list of bullet points: impacts on and access to outdoor sports and recreation interests	5.7: Minor extension of scope.	+	N
5. Economic Development	In policy DE13: Fish Farming, delete the last bullet point and instead put: impacts on the water environment and on habitats influenced by the quality of the water environment	5.8: Minor extension of scope.	+	N
5. Economic Development	In Policy ED16: Advertisements, the following bullet point should be included in the first group of bullet points: lighting should be designed and installed so that any nearby woodland is not affected by light pollution	5.9: Clarification.	+	N
5. Economic Development	In Appendix 4: Glossary, add the following or similar text: Fish farming - As well as finfish, fish farming refers to the production of shellfish, including scallops, brown shrimp, cockles and mussels.	5.10: Clarification.	/	N
6. Tourism	<u>Tourism – Introduction</u> Paragraph 4.8: In last sentence of paragraph replace the word character by tourism assets.	6.1: Minor change in emphasis	+	N
6. Tourism	Paragraph 4.10 : Insert new sentence to become second sentence of the paragraph: The main objectives of the designation of the Biosphere are conservation, learning and research, and sustainable development.	6.2: Clarification.	+	N
6. Tourism	Omit the word significantly from the last sentence of the paragraph.	6.3: Clarification.	+	N
6. Tourism	<u>Policy ED10: Tourism</u> Insert the word “recreational” before “facilities” in part (a) of the policy	6.4: Clarification.	/	N

6. Tourism	<u>Policy ED12: Dark Sky Park</u> Amend map 5 to include the Galloway Forest Dark Sky Park Buffer Area, as shown in Core Document 40.	6.5: Clarification.	+	N
6. Tourism	<u>Policy NE6 : Forestry and Woodland</u> Insert a new sentence, to form a new second sub-paragraph : seek to ensure that ancient and semi-natural woodlands and other woodlands with high nature conservation value are protected and enhanced;	6.6: Strengthens policy	+	N
7. Mineral Assets	Delete paragraph 4.14 and instead put: Permanent development that would result in the sterilisation of mineral resources which are viable at present or may become viable in future and which either could be extracted in accordance with LDP policy or which are the subject of extraction interest will not be permitted. Supplementary guidance will be prepared to identify areas that are the subject of extraction interest. Generally, these areas will be the locations that contain the mineral reserves that are quantified in the Council’s technical paper “Mineral Assessment”.	7.1: Clarification.	+	N
7. Mineral Assets	At the end of paragraph 4.15, delete “mineral reserves” and instead put “construction aggregates”.	7.2: Clarification.	/	N
7. Mineral Assets	After paragraph 4.16 insert the following new paragraph: 4.17 Unlike other minerals, peat is, in general, to be treated not as a mineral asset to be exploited or protected for possible exploitation, but rather as a carbon store to be protected in perpetuity. Renummer the paragraphs that occur after new paragraph 4.17.	7.3: Clarification.	+	N
7. Mineral Assets	After new paragraph 4.17 insert: Policy EDXX: Mineral safeguarding Permanent development that would result in the sterilisation of mineral resources that are viable at present or that may become viable in future and which either could be extracted in accordance with LDP policy or which are the subject of extraction interest will not be permitted. This policy will be supported by supplementary guidance. The guidance will include maps showing sites that are underlain by the mineral reserves	7.4: <b>NEW POLICY:</b> This protects mineral deposits from development that could compromise the	/	N

	associated with the various quarries identified in the Mineral Assessment Technical Paper (January 2013), any land where planning permission for coal working has been granted and any other land where a mineral resource should be safeguarded. The guidance will also identify broad areas where surface coal extraction may be acceptable.	prospect of their future extraction.		
7. Mineral Assets	In Policy ED14: Minerals, delete the first bullet point.	7.5: Bullet point does not add to the policy and so its deletion is a clarification.	/	N
7. Mineral Assets	In Policy ED14: Minerals, in the eighth bullet point, delete “an index linked financial bond” and instead put “a financial guarantee”.	7.6: Bullet point is less specific but retains its objective	/	N
7. Mineral Assets	Delete Policy ED15 (including the footnote) and instead put: Policy ED 15: Protection and Restoration of Peat Deposits as Carbon Sinks The role of natural carbon sinks in retaining carbon dioxide will be maintained by safeguarding and protecting those peat deposits not already designated for habitat conservation reasons and by considering the likely balance between gain and loss should other high carbon content soils be subject to proposed developments or other land use change. The council will support peatland restoration, including rewetting. Development affecting peat deposits not already designated for habitat conservation reasons may be permitted in the following circumstances. In areas of degraded peatland where all of the following apply.  i. The deposits have been significantly damaged by human activity.  ii. The conservation value is low.  iii. Restoration to functioning peatland is not possible.	7.7: <b>NEW TEXT:</b> This replaces a policy to be deleted. It provides a more clear expression of the intended meaning than the original.	+	N

	<p>In all cases, appropriate site restoration measures will be required. Where renewable energy generating development is proposed and it can be demonstrated (in accordance with the Scottish Government’s ‘carbon calculator’ or other equivalent independent evidence) that the balance of advantage in terms of climate change mitigation lies with the energy-generation proposal.</p> <p>Where surface coal extraction requires removal of peat as an overburden to access the coal and where, following extraction of the coal, the site will be restored to a wetland habitat with a biodiversity value that is no less than the biodiversity value of the site prior to development. Grassland and woodland should not be considered as restoration options. If these requirements cannot reasonably be achieved within the development site, creation of a wetland within the vicinity of the site may be an acceptable alternative.</p>			
8. Housing	On page 27 amend the first sentence of the second paragraph of Policy H1 to read: “Sites allocated for housing after 2024 can be assessed to be brought forward for development....”.	8.1: Clarification.	/	N
8. Housing	On page 28, Policy H2, delete the final sentence and replace with “Supplementary Guidance is to be prepared to provide additional detail on the considerations set out above including Ribbon Development”.	8.2: Clarification.	/	N
8. Housing	On page 30, Policy H6, delete reference to “elderly” in the second line and replace with “older people”.	8.3: Clarification.	/	N
8. Housing	On page 30, delete Policy H9.	8.4: To avoid possible confusion: The issue is covered under Policy H8.	/	N

9. Housing in the Countryside	On page 28, in Policy H3: Housing in the Countryside, delete the first bullet point and replace it with the following. is within or well related to a small building group which is either identified on lists contained in supplementary guidance or is defined as three or more separate habitable or occupied houses which are well related to each other and which create a sense of place;	9.1: Clarification.	/	N
10. Historic Environment	In Policy HE1: Listed Buildings, in Section (a) after the final bullet point, add the following new paragraph: Proposals to extend or alter a listed building should include written justification demonstrating a full and proper understanding of the character and special interest of the building.	10.1: Clarification.	/	N
10. Historic Environment	In paragraph 4.29, before the last sentence insert: It is the council's intention to have appraisals for every conservation area.	10.2: Clarification.	+	N
10. Historic Environment	In Policy HE2: Conservation Areas, delete the fourth bullet point and instead put the following new bullet point: in the case of proposed works on trees, the tree is dead; or diseased or dying and presents a danger to people or property; or the position of the tree is inappropriate due to shading or damage to buildings and services and where an appropriate replanting scheme can mitigate or undo the negative impact of the loss of the tree or trees in question.	10.3: Clarification.	+	N
10. Historic Environment	In Policy HE5: Hadrian's Wall, after the words "an adverse impact on" insert: those aspects of the setting which contribute to	10.4: Clarification.	+	N
10. Historic Environment	In Policy HE6: Historic Gardens and Designed Landscapes, after paragraph (b) insert a new paragraph: (c) Proposals that would have a detrimental effect on the specific quality, character or integrity of a garden or designed landscape will not be approved unless it is demonstrated that the proposal has benefits of overriding public interest.	10.5: Clarification	+	N
10. Historic Environment	In Policy HE6: Historic Gardens and Designed Landscapes, delete from the policy title "Historic".	10.6: Clarification.	/	N

11. Natural Environment	<p><u>Introduction – paragraphs 4.42 – 4.48</u>  Add the following sentence to the end of paragraph 4.44: “The Dumfries and Galloway Wind Farm Landscape Capacity Study should be used in relation to wind energy developments rather than the Dumfries and Galloway Landscape Assessment which should be used for all other forms of development”.</p>	11.1: Clarification.	/	N
11. Natural Environment	<p>Amend the final two sentences of paragraph 4.48 to read as follows: “Any development proposals being submitted within or in close proximity to an identified search area for wild land, will be considered against Policy OP1: Development Considerations. The Council will consider producing supplementary guidance once areas of wild land have been formally designated.”</p>	11.2: Clarification.	/	N
11. Natural Environment	<p><u>Policy NE2 : Regional Scenic Areas</u>  Delete and/at the end of the first bullet point.</p>	11.3: Clarification.	/	N
11. Natural Environment	<p><u>Biodiversity and Geodiversity- paragraph 4.51</u>  Amended wording to sentence 3 of paragraph 4.51 to read: “All proposals will be assessed for their impact on European Protected Species and other nationally protected species.”</p>	11.4: Clarification.	/	N
11. Natural Environment	<p><u>Policy NE4: Species of International Importance</u>  Replace all of the text in the policy box with the following :  Development proposals that would be likely to have an adverse effect on a European Protected Species will not be permitted unless it can be shown that :  there is no satisfactory alternative, and   the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment, and   the development would not be detrimental to the maintenance of the population</p>	11.5: <b>NEW POLICY TEXT:</b> Replaces a policy to be deleted. Provides a more clear expression of the policy.	/	N

	of the species at a favourable conservation status in its natural range.			
11. Natural Environment	<p><u>Policy NE5: Sites of National Importance for Biodiversity and Geodiversity</u> Delete the policy text and replace with- "Development that affects Sites of Special Scientific Interest, not designated as International Sites, and other national nature conservation designations will only be permitted where: it will not adversely affect the integrity of the area or the qualities for which it has been designated, or  any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance."</p>	11.6: <b>NEW POLICY TEXT:</b> Replaces a policy to be deleted. Altered emphasis provides clarification.	/	N
11. Natural Environment	<p><u>Trees, Forestry and Woodland- paragraph 4.53</u> Amend the first and second sentences of paragraph 4.53 as follows: "Trees and woodland are important features of a sustainable environment, <i>contributing to carbon capture. They also play a key part in...</i>".</p>	Clarification.	/	N
11. Natural Environment	<p><u>Policy NE6: Forestry and Woodland</u> Amend the second sentence of the policy as follows: "In determining its response to individual forestry felling, planting and replanting consultations <i>where Forestry Commission Scotland are the determining authority</i>, the Council will:"</p>	11.8: Clarifies the scope of the policy.	/	N
11. Natural Environment	<p><u>Policy NE7: Trees and Development</u> "In assessing development proposals the Council will support proposals that promote additional tree planting and also."</p>	11.9: Clarification.	/	N
11. Natural Environment	<p><u>Policy NE7: Trees and Development</u> Amend text to the first bullet point as follows: "maintain trees, woodlands (in particular ancient and semi-natural woodlands)".</p>	11.10: Clarification.	/	N
11. Natural Environment	<p><u>Policy NE7: Trees and Development</u></p>	11.11: Clarification.	/	N

Environment	At the end of the second paragraph add: "This strategy is a relevant consideration for all proposals likely to impact on the woodland resource."			
11. Natural Environment	<u>Policy NE13: Soil</u> In this title, insert the word Agricultural before the word Soil.	11.12: Clarification.	/	N
12. Community Services and Facilities	<u>Community Facilities - paragraph 4.72</u> Add the following new sentence to become the third sentence of paragraph 4.72 : The facilities and services provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community.	12.1: Clarification.	/	N
13. Infrastructure: Renewable Energy	<u>Renewable Energy : Paragraphs 4.85-4.87</u> On page 50 insert a new paragraph 4.87: Policies IN2 and IN5 address Wind Energy and Energy Recovery from Waste. Policy IN1 provides a general framework for the assessment of all other forms of renewable energy. Future local plans and/or supplementary guidance may require a more tailored policy approach to address other specific forms of renewable energy technology.	13.1: Clarifies policy application	/	N
13. Infrastructure: Renewable Energy	Insert a new sentence at the end of paragraph 4.87: In all cases particular attention will be paid to the need for sensitive siting and design, including the consideration of alternatives.	13.2: Appears to focus the scope of the policy so that higher level alternatives are not included.	/	N
13. Infrastructure: Renewable Energy	Policy IN1: Renewable Energy Insert "individually or in combination" after "they do not" in the first line of the policy.	13.3: Clarification.	/	N
13. Infrastructure:	Policy IN1: Renewable Energy Insert "unacceptable*" before significant adverse impact in the first line with an	13.4: Clarification.	/	N

Renewable Energy	associated asterix linked to the following footnote: * Acceptability will determine through an assessment of the details of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed.			
13. Infrastructure: Renewable Energy	Policy IN1: Renewable Energy In the second bullet point replace “built” with cultural.	13.5: Clarification.	+	N
13. Infrastructure: Renewable Energy	Policy IN1: Renewable Energy Delete the paragraph following “All proposals will be required-----“ and replace with the following amended text: To enable this assessment sufficient detail should be submitted, to include the following as relevant to the scale and nature of the proposal: <ul style="list-style-type: none"> <li>• Any associated infrastructure requirements including road and grid connections (where subject to planning consent)</li> <li>• Environmental and other impacts associated with the construction and operational phases of the development including details of any visual impact, noise and odour issues.</li> <li>• Relevant provisions for the restoration of the site</li> <li>• The extent to which the proposal helps to meet the current government targets for energy generation and consumption.</li> </ul>	13.6: Rewording to accommodate Issue Recommendations 13.3 and 13.4.	/	N
13. Infrastructure: Renewable Energy	Policy IN2: Wind Energy Insert new paragraphs 4.92 and 4.93 as follows: 4.92 The examination of this plan recognised that the spatial framework was based on a significant evidence base and sought to reflect local circumstances and priorities. However, some refinement of the associated mapping is required to address compliance with Scottish Planning Policy in relation to: <ul style="list-style-type: none"> <li>• Areas of Greatest Potential: The spatial framework currently removes areas of high and medium local landscape sensitivity from inclusion. This approach should be revised in accordance with Scottish Planning Policy.</li> <li>• Areas of significant protection: These should be revised in accordance</li> </ul>	13.7: Clarification of text to provide consistency with SPP and other recommendations for this Issue.	/	N

	<p>with Scottish Planning Policy to include sites designated for their national or international landscape or natural heritage value and areas where the cumulative impact of existing and consented windfarms limits further development.</p> <ul style="list-style-type: none"> <li>• Cumulative Sensitivity Zones: These should be redefined as a potential constraint with revised mapping to focus on cumulative impact considerations with regard to preventing future co-alescence between clusters of windfarms and the maintenance of an acceptable and coherent pattern of wind-farm development.</li> <li>• Other Areas: Retained but with amendment to reflect all the revisions outlined above.</li> </ul> <p>4.93 Whilst the original spatial framework mapping is retained it is labelled – “interim spatial framework guidance”. It provides guidance but will be replaced by revised mapping to be approved through supplementary guidance. Review of this Interim Spatial Framework mapping is required to ensure consistency with Scottish Planning Policy. This will be addressed initially through approval of Supplementary Guidance and brought into the local development plan at the earliest possible opportunity.</p>			
<p>13. Infrastructure: Renewable Energy</p>	<p>Modify Policy IN2 as follows: PART 1: Assessment of all windfarm proposals: The council will assess the acceptability* of any proposed wind energy development against the following considerations (1): <b>Landscape and visual impact:</b></p> <ul style="list-style-type: none"> <li>• The extent to which the proposal addresses the guidance contained in the Dumfries and Galloway Windfarm Landscape Capacity Study.</li> <li>• The extent to which the landscape is capable of accommodating the development without significant detrimental impact on landscape character or</li> </ul>	<p>13.8: <b>REVISED</b> <b>TEXT:</b> It provides a more clear expression of the intended meaning bearing in mind the additional paras 4.92 and 4/93. The policy as now worded is consistent with SPP. The policy now requires that new</p>	<p>±</p>	<p>N</p>

	<p>visual amenity</p> <ul style="list-style-type: none"> <li>• That the design and scale of the proposal is appropriate to the scale and character of its setting, respecting the main features of the site and the wider environment and that it fully addresses the potential for mitigation.</li> </ul> <p><b>Cumulative Impact</b> The extent of any detrimental landscape or visual impact from two or more wind energy developments and the potential for mitigation.</p> <p><b>Impact on local communities</b> The extent of any detrimental impact on communities and local amenity including assessment of the impacts of noise, shadow flicker, visual dominance and the potential for associated mitigation.</p> <p><b>Impact on Aviation and Defence Interests</b> The extent to which the proposal addresses any impacts arising from location within an area subject to potential aviation and defence constraints including the Eskdalemuir Safeguard Area.</p> <p><b>Other Impacts and considerations</b> The extent to which the proposal avoids or adequately resolves any other significant adverse impact including :- on the natural and historic environment, cultural heritage, biodiversity; forest and woodlands; and tourism and recreational interests.</p> <p>The extent to which the proposal addresses any physical site constraints and appropriate provision for decommissioning and restoration.</p> <p>(1) Further details on this assessment process including its application to smaller capacity windfarms are to be provided through Supplementary Guidance on Wind Energy Development: This will also include mapping of the constraints relevant to the considerations above. Acceptability will be determined through an assessment of the details of the</p>	<p>supplementary guidance be provided. Screening for this under the 2005 Act will be appropriate.</p>		
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	<p>proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed. Part 2: Spatial Framework</p> <p>The considerations in part 1 above will be applied in the context of the following Spatial Framework*:</p> <ul style="list-style-type: none"> <li>• <b>Areas of Greatest Potential(1)</b>- areas free from significant constraint where proposals for large and medium turbine typologies will be supported subject to detailed assessment.</li> <li>• <b>Areas of Significant Protection(2)</b>: Areas where a presumption against development applies due to significant constraints. These include: <ol style="list-style-type: none"> <li>1. Sites designated for their national or international landscape or natural heritage value where Policies NE1, NE3, NE4 and NE5 also apply.</li> <li>2. Areas where the cumulative impact of existing and consented windfarms limit further development.</li> </ol> </li> <li>• <b>Cumulative Sensitivity Zones(3)</b>: Areas where cumulative impact is a potential constraint. In these areas proposals should: address potential future cumulative impact and avoid unacceptable coalescence between clusters of windfarms to retain an acceptable and coherent pattern of wind-farm development.</li> <li>• <b>All other areas(4)</b>: Areas where potential constraints apply but with potential for mitigation. Wind energy proposals will be assessed against all the considerations set out above in part 1. For Regional Scenic Areas the proposal should assess the potential impact on the objectives of the designation and demonstrate the extent to which these can be addressed.</li> </ul> <p>(1)-(4) The relevant mapping of these areas including an updated and</p>			
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	<p>consolidated spatial framework map is to be included within Supplementary Guidance.</p> <p>*The following Interim Spatial Framework Maps provide some strategic guidance on the relevant areas but must be read in conjunction with paragraphs 4.92 and 4.93 above and the relevant detailed mapping to be included in Supplementary Guidance. This mapping will be consolidated and revised to provide an updated spatial framework within the local development plan at the earliest possible opportunity.</p>			
13. Infrastructure: Renewable Energy	<p>Replace the existing titles of the Spatial Framework Maps on page 52 and 53 to read: Interim Spatial Framework Guidance for Large Typologies (over 80 metres to blade tip). Interim Spatial Framework Guidance for Medium Typologies (50-80 metres to blade tip).</p>	13.9: Clarification of Maps to take account of additional paras 4.92 and 4.93 and modified text of Policy IN2.	/	N
14. Infrastructure	<p><u>Policy IN5 – Energy Recovery from Waste</u></p> <p>Amend the beginning of the second bullet point of the policy to read “connection to the electricity grid and/or gas network ....”.</p>	14.1: Clarification.	+	N
14. Infrastructure	<p><u>Policy IN7: Flooding and Development</u></p> <p>Add new sentence at the beginning of Policy IN7: “The avoidance principle is the most sustainable form of flood management, in accordance with the first principle of Scottish Planning Policy relating to sustainable development and the Flood Risk Management (Scotland) Act 2009.”</p>	14.2: Clarification.	+	N
14. Infrastructure	<p><u>Policy IN9: Waste Water Drainage</u></p> <p>Add new sentences at the end of paragraph 4.93 : “Where there is limited or no capacity at the waste water treatment works, Scottish Water is funded to provide strategic capacity for domestic growth within Scotland, and a key factor in the delivery of additional capacity is early engagement. Should any development necessitate an increase to Scottish Water’s treatment capacity, an investment project can be initiated, subject to the development meeting the</p>	14.3: Clarification.	+	N

	approved growth funding criteria. Scottish Water will also continue to work with the Scottish Environmental Protection Agency to accommodate development needs wherever practical in line with the Memorandum of Understanding, until such time as additional capacity and infrastructure is delivered.”			
14. Infrastructure	<p><u>Policy IN10: Contaminated Land</u>  In the title, add “and Unstable” after “Contaminated”.  In the first sentence of the policy, insert the words “or unstable, including due to past mining activity,” after the word “contaminated”.  Extend text at the end of the policy by the addition of : “, in accordance with the guidance contained in Planning Advice Note 33 Development and Contaminated Land”.</p>	14.4: Clarification. 14.5: Clarification. 14.6: Clarification.	/ + +	N N N
14. Infrastructure	<p><u>Policy IN11: Telecommunications</u>  In the second paragraph of the policy, delete the words “and the use of infrastructure such as road networks and electrical works” from the sentence; change “have” to “has”. Add a new sentence to follow : “If there are other practical options for efficiency these also should be explored.”</p>	14.7: Alternative expression.	/	N
14. Infrastructure	<p><u>Proposed New Policies</u>  Insert the following new paragraphs, to follow paragraph 4.92 :  4.92a The eventual decommissioning of Chapelcross power station is likely to require the disposal of radioactive waste. Radioactive waste management policy, which is a devolved matter, is considered under Scottish legislation and policies. The land use issues arising from the disposal of nuclear waste are handled by the Scottish Environmental Protection Agency as a Scottish national organisation. This would include responsibility for any cross- border issues. Dumfries and Galloway Council in consultation with the Scottish Environmental Protection Agency is committed to dealing responsibly with radioactive waste that may arise from Chapelcross, and from the health sector within the area.  4.92b The Nuclear Decommissioning Agency in partnership with Magnox Ltd has produced a decommissioning strategy for Chapelcross which considers on-site storage and possible phased removal off-site of any remaining nuclear waste. The council recognises that the agency provides a competent regulatory</p>	14.8: New text provides clarification.	/	N

	regime. The local development plan is compliant with local land use issues arising from this approach. 4.92c Consultation with the Scottish Environmental Protection Agency and the National Health Service has determined that health service activities within the Dumfries and Galloway Region will not result in low level radioactive waste as defined in the Radioactive Substances Act 1993.			
15. Transport	<u>Policy T5: Former Transportation Routes</u> 1. Insert the phrase “or recreational purposes” after “or active transport” in lines 2-3 of the policy.	15.1: Clarification.	/	N
16. Proposals Maps and Appendix 4: Glossary	<u>Appendix 4: Glossary</u> In the definition for conservation areas, add the words “requiring additional protection” at the end.	16.1: Clarification.	/	N
16. Proposals Maps and Appendix 4: Glossary	In the definition for listed buildings, add the words “which have been given additional protection through legislation” at the end.	16.2: Clarification.	/	N
16. Proposals Maps and Appendix 4: Glossary	Change the definition of settlement to read : For the purposes of this plan, settlements are Dumfries, and the district centres, local centres, and villages listed in the settlement hierarchy (Appendix 1).	16.3: Clarification.	/	N
17. Annan HMA District Centres	<u>Annan Settlement Overview.</u> Add a new final sentence at the end of the third paragraph in the settlement overview: “Scottish Water advises that there are currently water network issues within Annan.”	17.1: Clarification.	/	N

17. Annan HMA District Centres	<u>Housing allocations Gretna- General.</u> Add a new final sentence at the end of the third paragraph in the settlement overview: “Scottish Water advises that there are water network issues within Gretna at present. Phase 1 of the works to alleviate this and permit new connections has been completed. Phase 2 works will require developer contributions to further alleviate the water network issues here.”	17.2: Clarification..	/	N
17. Annan HMA District Centres	Delete reference to GTN.MU1 not being required to meet the housing numbers during the plan period so the final sentence of paragraph 3 in the settlement over-view reads: “GTN.H7 is not required to meet housing numbers during the Plan period but forms part of the larger planned extension to Gretna Border.”	17.3: Clarification..	/	N
17. Annan HMA District Centres	<u>Gretna - GTN.H7 Land north of Victory Avenue (Phase 2)</u> Insert the following sentence at the end of the paragraph under GTN.H7: A flood risk assessment shall be submitted to and agreed in writing by SEPA and the council as part of any planning application.	17.4: Clarification of requirement for planning the site.	/	N
17. Annan HMA District Centres	<u>Gretna - GTN.MU1 Former Golf Course</u> Replace 200 units allocated 2024 and beyond with “200 units allocated up to 2024.”	17.5: Clarification in respect of programming of development.	/	N
17. Annan HMA District Centres	<u>Gretna - GTN.MU1 Former Golf Course</u> In the second sentence of the second paragraph after the first mention of Loanworth Road delete “and Dominion Road” and insert “and with pedestrian /cycle access from Dominion Road.”	17.6: Clarification of a requirement for planning of the site.	/	N
17. Annan HMA District Centres	<u>Gretna - GTN.MU1 Former Golf Course</u> Add the following additional text at the end of the site guidance: “The masterplan should appropriately address the topography of the site and the retention of an attractive landscape setting to the town on approach from the east. This will require appropriate boundary treatment along the western and north western boundaries, inclusion of internal infrastructure and amenity planting and the achievement of appropriate densities, layout and design.”	17.7: Clarification of masterplan requirements.	/	N

18. Annan HMA Local Centres	<u>Eastriggs - Settlement Overview</u> On page 112 add the following additional sentence at the end of the first paragraph in the settlement overview: 'The plan supports in principle the formation of a new railway station at Eastriggs.'	18.1: Clarification of DGC position.	/	N
18. Annan HMA Local Centres	<u>Ecclefechan - ECC.H2 Land South of Buccleuch Cottage</u> On page 115 in the site guidelines add an additional second sentence - "Landscaping details should address effective boundary treatment particularly along the south-western edge of the site."	18.2: Clarification of requirements for planning of the site.	/	N
18. Annan HMA Local Centres	<u>Ecclefechan - ECC.H3 Ibrak Farm</u> On page 116 in the site guidelines following the list of matters the master-plan is required to address add an additional sentence – "The masterplan will include details of a comprehensive landscape framework to retain and enhance existing features of merit, secure appropriate boundary treatment and provide an appropriate landscape buffer between the A74(M) and the proposed housing."	18.3: Clarification of requirements for the masterplan.	/	N
19. Eskdale HMA	<u>Langholm Inset Map</u> , redraw the boundary line of site LHN.H4 as shown in Millard Consulting Engineers Flood Envelope Drawing Number 3966/21/002 dated 13/06/07 (Core Document 117 - Appendix) to exclude the 200 year flood envelope.	19.1: Clarification in respect of flood hazard.	+	N
19. Eskdale HMA	<u>Langholm - LHM.H4 Murtholm Farm</u> , include the following sentence at the end of the site guidance: "The site is within close proximity of the Langholm Waste Water Treatment Works."	19.2: Identification of a factor to be considered in planning of the site.	/	N
20. Dumfries: Housing	<u>Dumfries Settlement Overview.</u> On page 75 of the plan move the heading "Other Issues and Opportunities" to above the heading "Whitesands" and replace with	20.1a: Clarification of the planning position for D&G Health Board	+	N

	<p><b>Development Opportunities - South Dumfries</b>  A number of opportunities are identified in this area. Work is already underway on a master- plan for the Crichton Campus. This may represent a vehicle to ensure an integrated approach to development in the wider area. In any event, the council is committed to working with the relevant interests to secure a coherent development framework. This should address the efficient provision of the necessary infrastructure, road and traffic management improvements. A planned approach will enable appropriate consideration of any cumulative impacts and provide clarity regarding any consequent developer contributions.</p>	<p>holdings given the planning approval for the new hospital site at Garroch Loaning. Note: The new hospital proposal was not considered in the LDP Environmental Report, but was subject to a Screening Determination by NHS D&amp;G in July 2013.</p>		
<p>20. Dumfries: Housing</p>	<p><u>Dumfries Settlement Overview.</u>  Delete the text associated with the “<b>Hospital</b>” bullet point and replace as follows: <b>Hospital:</b> The National Health Service has now confirmed its proposals to relocate to Garroch Loaning (DFS.B&amp;I3). This will release a substantial windfall development opportunity at the existing Dumfries and Galloway Royal Infirmary and the associated landholding at Nithbank. As these are existing sites in current use a consistent approach to the plan means these sites are not currently allocated for development. However, it is anticipated that proposals will come forward within the timeframe of this plan. The council will work with the National Health Service to secure an appropriate re-use of these significant and well located land-holdings.  Retain text - Learning Town and new Secondary School.</p>	<p>20.1b: Clarification also of the planning position for the Crichton Campus and Ladyfield which adjoin the current DGR.  Note: The new hospital proposal was not considered in the LDP Environmental Report, but was subject to a Screening Determination by NHS D&amp;G in July 2013. Part of 20.1</p>		

20. Dumfries: Housing	<p><b>Crichton Quarter:</b> Delete existing paragraph and replace with;  <b>“Crichton Quarter:</b> Proposals are underway to develop the Crichton campus for a mix of uses, including educational.”  <b>Ladyfield:</b> Part of this site was previously identified for housing with the remainder as part of the Crichton Campus. The council has now identified the entire site for up to 557 houses. Given the extent of other development opportunities in the area the site is retained for the longer term</p>	<p>20.1c: Crichton Quarter - notes DGC position.  Ladyfield - See Issue Recommendations 20.9 - 20.14 below.   Note: for Issue Recommendation 20.2 see Issue Recommendation 21.3.</p>	/  /	N  N
20. Dumfries: Housing	<p><u>DFS:H1: Barnhill</u>  Add the following additional sentence before the last sentence “a drainage and ground investigation study should be submitted”.</p>	20.3: Clarification of requirements in respect of surface water drainage for planning of the site.	+	N
20. Dumfries: Housing	<p><u>DFS:H1: Barnhill</u>  Add an additional bullet point:  <ul style="list-style-type: none"> <li>• Landscaping and boundary treatment with particular regard to establishing an appropriate western edge to the built up area.</li> </ul> </p>	20.4: Clarification of requirements boundary treatment for site development.	+	N
20. Dumfries: Housing	<p><u>DFS:H1: Barnhill</u>  Amend the site boundary to include the paddock as shown in Core Document 97.</p>	20.5: Minor extension to site boundary.	/	N
20. Dumfries: Housing	<p><u>DFS:H3 Noblehill.</u>  Add the following additional sentence before the last sentence “a drainage and ground investigation study should be submitted”</p>	20.6: Clarification of requirements in respect of surface water drainage for planning of the site.	+	N
20. Dumfries:	<p><u>DFS:H3 Noblehill.</u></p>	20.7: Clarification of	+	N

Housing	Add an additional bullet point: <ul style="list-style-type: none"> <li>address the potential to retain and integrate the existing area of open space/playing field between the shelter-belt north west of Noble Grove, Parkhead Loaning and Greenbrae Loaning.</li> </ul>	requirements in terms of open space for planning of the site.		
20. Dumfries: Housing	<u>DFS.H4 Heathhall College</u> Add the following final paragraph: “Structural planting should be provided to the south east boundary of the site adjoining the Catherinefield Industrial Estate to provide visual enhancement and assist in any noise attenuation that may be required in this location.”	20.8: Clarification of requirements in terms of possible visual and noise impacts for site development .	+	N
20. Dumfries: Housing	<u>DFS.H5 Ladyfield</u> Replace (557 units allocated up to 2024) with (557 units allocated beyond 2024).	20.9: Set back of date for anticipated development of the site.	/	N
20. Dumfries: Housing	<u>DFS.H5 Ladyfield</u> Revise the site boundary of DFS.H5 to delete the listed buildings and their associated grounds at Ladyfield east and west.	20.10: Allows this part of DFSH5 to come forward under Policy H1	/	N
20. Dumfries: Housing	<u>DFS.H5 Ladyfield</u> Delete “as part of the Crichton Quarter Masterplan” from the first sentence.	20.11: Deletes requirement to be part of Crichton Quarter Masterplan	-	N
20. Dumfries: Housing	<u>DFS.H5 Ladyfield</u> Delete “However it is likely that this site will not commence until towards the end of the plan period due to legal and lease issues relating to this site” and replace with: “Due to legal and lease issues and the potential for significant windfall housing land release in this area development is proposed in the longer term post 2024. There may be scope to release the site earlier in accordance with Policy H1 subject to the required master-planning.	20.12: Clarifies set back date for site DFS.H5. Allows site to come forward under Policy H1. Refers to ‘required masterplanning’.	/	N

20. Dumfries: Housing	<u>DFS.H5 Ladyfield</u> Insert new paragraph before “The site is located adjacent and partly within the Conservation Area.....” to read as follows: “Proposals should be in accordance with the approved development framework for Dumfries south as referenced in the settlement over-view.”	20.13: Clarifies that development of DFSH5 should be in accordance with the development framework for Dumfries south.	+	N
20. Dumfries: Housing	<u>DFS.H5 Ladyfield</u> Add a new final paragraph: A survey of the woodland resource should inform the overall design of the scheme to incorporate this resource and to show how trees will be appropriately protected during the construction period in accordance with Policy NE7 :Trees and Development.	20.14: Clarifies requirements in respect of trees for planning of the site.	+	N
20. Dumfries: Housing	<u>DFS.H6 Lincluden Depot</u> Add the following sentence to the end of the paragraph: “The site is within close proximity to the Lincluden Waste Water Treatment Works.”	20.15: Identifies a factor to be considered in planning of the site.	/	N
20. Dumfries: Housing	<u>DFS.H7 Brownrigg Loaning</u> Add the following additional sentence before the last sentence “a drainage and ground investigation study should be submitted”.	20.16: Clarifies a requirement in terms of surface water drainage for the planning of the site.	+	N
21. Dumfries: Business & Industry, Retail & General Issues	<u>DFS.B&amp;I2 Cargenbridge</u> Amend area from 10.5 hectares to 12.3 hectares.	21.1: Minor correction.	/	N
21. Dumfries: Business & Industry, Retail & General Issues	On page 79 replace the last sentence of the site guidance for DFS.B&I4 Heathhall Airfield with: “The existing mature planting strip to the northern boundary of the site should be retained, strengthened and, where necessary, extended or replaced to provide visual enhancement and assist in any noise	21.2: Strengthens B&I4 in respect of environmental concerns.	+	N

	attenuation that may be required in this location.”			
21. Dumfries: Business & Industry, Retail & General Issues	<p>On page 76, following on from the bullet point “Town Centre” add a final additional bullet point as follows:</p> <p><b>Curries/Penmans/Catherinefield Redevelopment Opportunity:</b> These three sites provide a significant future redevelopment opportunity for this part of the town. Both Curries and Penmans have indicated to the Council that they are looking to relocate their factories to a more suitable site within the region. Catherinefield Farm is allocated in the plan as a longer term housing opportunity. Should either Penmans or Curries apply to redevelop their sites for an alternative use the planning application should be accompanied by a masterplan which shows how all three sites could be developed in a coherent manner.</p>	21.3: Clarification of the Curries/Penmans/sites which may seek to secure alternative uses. (Repeats Issue Recommendation 20.2.)	+	N
22. Moffat	<p>On page 158, delete the second paragraph (“Moffat has well established links ..... future development.”) and put instead the following.</p> <p>Moffat developed in the nineteenth century as a spa town. It has an extensive conservation area and an attractive landscape setting. It is within the Moffat Hills Regional Scenic Area. These positive qualities and its proximity to the A74(M) are a sound base for its tourist economy. Development potential is restricted by the hills to the north, east and west, the floodplain associated with the River Annan, Birnock Water and Crosslaw Burn, and the gas pipeline and A74(M) to the west. The conservation area and regional scenic area designations are important considerations in determining future development.</p>	22.1: Clarification of Overview text.	/	N
22. Moffat	<p>On page 158, insert the following after the first planning objective.</p> <p>2. Protect and enhance the conservation area and the landscape setting to sustain and encourage tourism and for the benefit of residents.</p> <p>Renumber the following objectives.</p>	22.2: Clarification of Objectives	+	N
22. Moffat	<u>MOF.H2 Greenacres</u>	22.3: Clarification of	+	N

	<p>Delete the paragraph of text and put instead the following.          Planning permission in principle for residential development was granted in 2010 but has now lapsed. Housing numbers should be restricted to 15 units due to road access constraints. Proposals for development must be accompanied by a flood risk assessment. Hedge boundaries and trees should be retained subject to pedestrian, cycle and vehicular access points. The scope for improvement of provision for pedestrian movement along Old Carlisle Road should be explored at the planning application stage. The desirability of creating pedestrian access within the site to its south boundary should be born in mind. This would allow for the possibility of a pedestrian route being created from the site and around the south side of the schools site to the south end of Jeff Brown Drive. Such a route would provide good access to the schools and a shorter journey to the town centre.</p>	requirements for planning and development of the site.		
22. Moffat	<p><u>MOF.H3 Old Carlisle Road</u>          Add the following to the paragraph of text.          Proposals for development must be accompanied by a flood risk assessment. Tree planting will be required to screen the development from the waste water treatment works. The scope for improvement of provision for pedestrian movement and for traffic calming measures along Old Carlisle Road should be explored at the planning application stage. The desirability of creating pedestrian access within the site to its north-west corner should be born in mind. In conjunction with development on site MOF.H2 Greenacres, this would allow for the possibility of a pedestrian route being created from the site and around the south side of the schools site to the south end of Jeff Brown Drive. Such a route would provide good access to the schools and a shorter journey to the town centre.</p>	22.4: Clarification of requirements for planning and development of the site	+	N
22. Moffat	<p><u>MOF.H4 Selkirk Road</u>          In the second sentence of the second paragraph after “must include the following” insert: the results of a survey of the wildlife interest of the site and measures to protect or mitigate averse effects on wildlife of significance,</p>	22.5: Clarification of requirements for the masterplan	/	N

22. Moffat	<u>MOF.H4 Selkirk Road</u> In the second paragraph, before “landscaping” insert “substantial”.	22.6: Clarification of requirements for the masterplan	+	N
22. Moffat	<u>MOF.H4 Selkirk Road</u> In the third paragraph delete “may” and replace with “will”.	22.7: Strengthens the policy in this matter.	/	N
22. Moffat	<u>MOF.H4 Selkirk Road</u> Add the following paragraph after the third paragraph in the box. The conservation interests of the Regional Scenic Area must be protected. This will require a substantial element of internal and boundary landscaping to establish a clear settlement boundary and to respect existing landform and features.	22.8: Strengthens the policy in terms of landscape concerns.	+	N
22. Moffat	<u>MOF.MU1 Former Academy</u> Delete from the second paragraph the opening sentence (“Site to ... business units.”) and put instead the following. The site could accommodate a mix of uses, including residential, business, cultural and educational uses.	22.9: Clarification. Enables rather than requires mixed uses.	/	N
23. Lochmaben	<u>LMB.H1 Former Railway Station</u> Delete the text and replace it with the following. An archaeological assessment will be required as the site is the location of the former Lochmaben railway station and there was a mill in the vicinity of the junction between Mill Road and the B7020. Any significant archaeological features remaining on site may form part of provision of open space. A contaminated land assessment should be carried out due to previous railway and gas works uses on site. The site should be accessed from Mill Road and/or Millhill Road. A residual flood risk from Mill Loch in the event of infrastructure failure requires to be investigated.	23.1: Clarification of requirements for planning of the site.	+	N
23. Lochmaben	<u>LMB.H2 Laverockhall</u> Delete the second sentence (“Site to be .....via Mossvale.”)	23.2: Clarification of requirements for	/	N

		planning of the site.		
24. Dumfries HMA District Centres	<p><u>Kirkconnel/Kelloholm - KCN.H1 Glenaber Avenue</u>  After the third sentence (which ends with “overcome”) insert the following.  A culverted watercourse appears to flow through the site. A masterplan layout and level information regarding the site along with bed, bank and water levels of the watercourse may be sufficient to demonstrate that any flood risk is acceptable. Otherwise a flood risk assessment may be required.</p>	24.1: Clarification of requirements for planning of the site.	/	N
24. Dumfries HMA District Centres	<p><u>Lockerbie - LRB.H1 Former Academy</u>  1. On page 154, at the end of the text relating to LRB.H1 add the following.  It is believed that a culverted watercourse crosses the site. Site levels in relation to bed, bank and water levels of the watercourse should be ascertained. This may be sufficient to show that there is no flood risk. Otherwise a flood risk assessment may be required.</p>	24.2: Clarification of requirements for planning of the site.	/	N
24. Dumfries HMA District Centres	<p><u>Lockerbie - LRB.H2 10-14 Townhead Street</u>  On page 155, at the end of the text relating to LRB.H2 add the following.  Care will be needed to avoid unacceptable effect on the privacy of neighbouring residential property (Policy OP1(a) refers).</p>	24.3: Clarification of requirements for planning of the site.	+	N
24. Dumfries HMA District Centres	<p><u>Planning objectives for Sanquhar</u>  On page 183 add the following objective.  Recognise the historical and landscape significance of the settlement and ensure that development respects this with any new buildings being constructed to a high standard of design quality and appropriate densities.</p>	24.4: Clarification.	+	N
24. Dumfries HMA District Centres	<p><u>Thornhill Overview</u>  On page 195, delete the text from “The more easily accessible” to “such issues as the following” and replace with the following.  The more easily accessible parts of Thornhill have now been developed. In order to open up additional areas for development in this popular and vibrant settlement and in accordance with “Designing Streets” it will be necessary to</p>	24.5: Clarification of access requirements for planning of the site.	/	N

	<p>review and develop road links to the existing road network south of Thornhill. The A76 trunk road forms part of the road network in the proximity of these sites and therefore it should be noted that this will require consultation and formal agreement with Transport Scotland. Transport Scotland has not yet determined whether any alteration to the trunk road is acceptable or suitable. The process to determine the most appropriate access strategy must consider and address existing road safety issues. This will form part of a masterplanning exercise which takes into account such issues as the following:</p>			
24. Dumfries HMA District Centres	<p><u>Thornhill - THN.H2, THN.H3, THN.H4, THN.H5 and THN.MU1</u> On pages 196 and 197, in the site guidance for every case delete the opening sentence (“A masterplanning exercise” to “trunk road network.”) and replace with the following. For this site and the four other sites south of Boatbrae Wood a masterplanning exercise must be carried out, as described under “Thornhill Settlement Overview”. As part of the masterplanning process, and in accordance with Scottish Planning Policy, consultation with Transport Scotland on the suitability or otherwise of access to the A76 trunk road must be undertaken.</p>	24.6: Clarification of requirements for planning of the sites taking into account Issues Recommendation 24.5.	/	N
24. Dumfries HMA District Centres	<p><u>Thornhill - THN.H2 and site THN.H3</u> On page 196, in the text associated with the sites add the following. The site is in close proximity to the waste water treatment works.</p>	24.7: Identification of a factor to be considered in planning of the site.	/	N
25. Dumfries HMA Local Centres	<p><u>Glencaple - GCP.H2 Wardlaw Drive</u> On page 123 add the following to the text under GCP.H2. It will be necessary to demonstrate that the site is not subject to unacceptable flood risk. It may be possible to demonstrate this by means of a masterplan layout with level information regarding the site and the bed, bank and water levels of the adjoining watercourse. Otherwise a flood risk assessment may be required.</p>	25.1: Clarification of requirement for planning of the site.	/	N
25. Dumfries HMA Local	<p><u>Holywood - HLW.H1 Kirkland</u> On page 131 add the following text under HLW.H1.</p>	25.2: Clarification of access	/	N

Centres	Vehicular access into the site should be formed within the western frontage. The public road from the vicinity of Poplar Cottage to the access must be improved as part of the development.	requirement for development of the site.		
25. Dumfries HMA Local Centres	<u>Johnstonebridge - JSB.H2 Land West of School</u> On page 133, in the box headed JSB.H2, delete “beyond 2024” and instead put “up to 2024”.	25.3: Bringing forward the date for possible development of the site.	/	N
25. Dumfries HMA Local Centres	<u>Moniaive - MOV.H1 Chapel Street</u> On page 161, in the box headed MOV.H1 add the following text. There are existing problems in the village in relation to narrow carriageways, lack of footways and on-street parking. Traffic generated by the development has the potential to make these problems worse. This must be offset by incorporating into the development measures such as provision of parking for existing properties. Direct vehicular access between the site and Ayr Street may be required.	25.4: Clarification of access and parking requirements for planning and development of the site.	/	N
25. Dumfries HMA Local Centres	<u>New Abbey Inset Map</u> On page 162 add to the protected areas of open space on the inset map the areas coloured dark green on the drawing entitled “Map showing proposed amendments to Protected Open Space in New Abbey” (core document 89).	25.5: Clarification of the Inset Map for New Abbey.	+	N
25. Dumfries HMA Local Centres	<u>Penpont Inset Map</u> On page 173 delete site PNT.H1 and exclude it and the houses to the south-west of it from the settlement boundary.	25.6: Deletion of site PNT.H1.	/	N
25. Dumfries HMA Local Centres	<u>Penpont Inset Map</u> On page 173 show site 100/PNT/01b (as defined in the Further Consultation on Sites and Policies, Core Document CD 32) as an allocated housing site, PNT.H1.	25.7: <b>NEW SITE:</b> This was a recommended site at the FCSP stage of the plan. There are no likely significant environmental issues.	/	N

25. Dumfries HMA Local Centres	<u>Penpont - PNT.H1 Townhead</u> On page 174 delete all the text in the box headed PNT.H1 and delete the box.	25.8: Follows from Recommendations Issue 25.6	/	N
25. Dumfries HMA Local Centres	<u>Penpont – New Site</u> On page 174, in a new box put the following. PNT.H1 West of Bogg Road (8 units allocated up to 2024) This is an infill site. Care must be taken to ensure that development relates satisfactorily to the existing Tynron View development.	25.9: Follows from Recommendations Issue 25.7	/	N
25. Dumfries HMA Local Centres	<u>Penpont - PNT.H2 Main Street</u> On page 174 in the box headed PNT.H2 add the following. Particular consideration must also be given to facilitating pedestrian movement to and from the site. The feasibility of providing a pedestrian crossing facility on the A702 in the vicinity of the west end of the site frontage should be investigated. Pedestrian access between the site and the adjoining school, and to the road beyond, should also be investigated. Site layout should minimise the effect of development on the adjoining caravan park.	25.10: Clarification of requirements for planning the site.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Newton Stewart - Settlement Overview</u> On the Inset Map, extend the town centre boundary as shown on council's Core Document 91.	26.1: Minor revision of town centre boundary.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Newton Stewart</u> In the first paragraph of text of the Settlement Overview, delete the words "a couple of small" in the fourth line.	26.2: Minor text edit.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Newton Stewart - NST.H8 North of Windsor Lodge</u> Delete this housing site on the Newton Stewart Inset Map and references to it elsewhere in the plan. Instead, show as a Protected Area of Open Space on the inset map, but reduce the extent of the allocation at the south end to exclude the area shown for housing and landscaping on the plan of potential	26.3: Reduces site size and allows development of residual part	/	N

	housing sites forming document 3 in representation 073.064.	before 2024.		
26. Mid Galloway HMA District & Local Centres	<u>Wigtown - Settlement Overview</u> On the inset map, extend settlement boundary at Church Lane/Lovers Walk to include approved site of the newly constructed house.	26.4: Minor extension to settlement boundary.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Wigtown - Settlement Overview</u> On the Inset Map, designate land at Harbour Road accommodating a children's play area as a Protected Area of Open Space as shown on council's Core Document 92.c	26.5: Acknowledges children's play area.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Wigtown - Housing site WGT.H4 Windy Hill</u> 4. Delete this site on the Wigtown Inset Map and the relevant references elsewhere in the plan. Amend settlement boundary to follow the inner (eastern) boundary of the deleted site.	26.6: Deletion of small site and readjustment of settlement boundary.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Creetown - Settlement Overview</u> 5. On the inset map, extend the settlement boundary to include all of the King George V Playing Field land held in trust, and designate as an Area of Protected Open Space.	26.7: Adjustment of settlement boundary to include Open Space.	+	N
26. Mid Galloway HMA District & Local Centres	<u>Creetown</u> On the inset map, delete housing sites CRE.H1 and CRE.H2 and relocate settlement boundary to follow Park Crescent and land to the south to exclude these sites.	26.8: Deletion of 2 sites and readjustment of settlement boundary.	+	N
26. Mid Galloway HMA District & Local Centres	<u>Creetown</u> On the inset map, relocate settlement boundary westwards from the Established Business and Industry Site to take in the sites previously assessed 0108.001 and 0052.001 at Barholm. Designate this land for housing development.	26.9: <b>NEW SITES:</b> See FCSP ER assessment. A review of the IER SEA assessment of the site for the indicates that a scoring of '-2' would		

		<p>have been more appropriate than '-3'. Mitigations in respect of landscape impact and cultural heritage will be expected to form part of the masterplan requirements for this site. They should seek to protect and conserve the remaining positive designed landscape features of the site. In addition there is a small landscape benefit in the deletion of CRE.H1 and CRE.H2. There is no likely significant environmental effect.</p>		
26. Mid Galloway HMA District & Local Centres	<p><u>Creetown</u> Delete site guidance for sites CRE.H1 and CRE.H2.</p>	26.10: Follows from Recommendation Issue 26.8.	/	N
26. Mid Galloway HMA District & Local	<p><u>Creetown</u> Insert housing site guidance for sites 0108.001 and 0052.001 at Barholm, based on the matters covered in the submissions and at paragraphs 50 - 63</p>	26.11: Follows from Recommendations Issue 26.9.	/	N

Centres	above.			
26. Mid Galloway HMA District & Local Centres	<u>Garlieston - Housing site GRL.H1 Mill Road</u> Add the following text to the end of the site guidance : A Flood Risk Assessment will be required to determine the developable area. No floodplain development should be proposed.	26.12: Clarification of planning requirements for the site.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Kirkcowan - Settlement Overview</u> On the inset map, extend the settlement boundary at northeast tip of Kirkcowan to correspond with that shown in the currently adopted Wigtown Local Plan.	26.13: Minor extension of settlement boundary.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Kirkinner / Braehead - Settlement Overview</u> On the inset map, reduce the extent of the settlement boundary on the west side of Braehead to the north of the Milldriggan Burn to revert to that shown on the Proposals Map for Kirkinner/Braehead in the Wigtown Local Plan.	26.14: Minor reduction of the settlement boundary.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Kirkinner / Braehead</u> On the inset map, extend the settlement boundary on the east side of Braehead to reflect the extent of the planning permission granted for this land.	26.15: Minor extension of the settlement boundary.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Kirkinner / Braehead</u> On the inset map, extend settlement boundary to the north of the primary school to retain the land shown as site WM7 on the Wigtown Local Plan inset for Kirkinner/Braehead	26.16: Modest extension of settlement boundary to replicate that of the Wigtown Local Plan.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Kirkinner / Braehead</u> On the inset map, delete housing site KBH.H3 and relocate settlement boundary accordingly.	26.17: Delete KBH.H3 site identified for beyond 2024.	/	N
26. Mid Galloway HMA District & Local Centres	<u>Kirkinner / Braehead</u> Delete entry and site guidance for housing site KBH.H3.	26.18: Follows from Recommendations Issue 26.17.	/	N

26. Mid Galloway HMA District & Local Centres	<u>Port William - Housing site PWL.H1 South Street</u> Add the following sentence to the end of the site guidance: 'The site is within close proximity to the Waste Water Treatment Works and the Waste Water Pumping Station.'	26.19: Identifies a factor to be considered in planning of the site.	/	N
27. Stewartry HMA District Centres	<u>Castle Douglas - Housing site CSD.H3 West of Dunmuir Road</u> Delete this site on the Castle Douglas Inset Map and the relevant references elsewhere in the plan. Amend settlement boundary to follow the inner (eastern and southwestern) boundary of the deleted site.	27.1: Deletion of site for up to 6 units and consequent adjustment to settlement boundary.	/	N
27. Stewartry HMA District Centres	<u>Castle Douglas - Housing site CSD.H8 Rear of Douglas Terrace/Trinity Lane</u> Add the following sentence to the end of the site guidance: The site is within close proximity to the Castle Douglas Waste Water Treatment Works.	27.2: Identification of a factor to be considered in planning of the site.	/	N
27. Stewartry HMA District Centres	<u>Castle Douglas - Showfield Site, East of Ernespie Road (site reference 0141.005)</u> The Showfield site allocation should reflect the reduced development area indicated in paragraph 24 in Reporters conclusions Add this new housing allocation to the Inset Map, with consequential adjustments to the settlement boundary, and insert site guidance for each of them, based on the matters covered in the main issues and strategic environmental assessment reports and the conclusions above.	27.3: Large <b>NEW SITE</b> : See FCSP ER assessment. No likely significant environmental issues.	/	N
27. Stewartry HMA District Centres	<u>Castle Douglas Land to South of Ernespie Lodge (site reference 0141.004)</u> Add this new housing allocation to the Inset Map, with consequential adjustments to the settlement boundary, and insert site guidance for each of them, based on the matters covered in the main issues and strategic environmental assessment reports and the conclusions above.	27.4: Medium <b>NEW SITE</b> : See FCSP ER assessment. No likely significant environmental issues.	/	N

27. Stewartry HMA District Centres	<u>Castle Douglas - Land to South of Kilmichael, Abercromby Road (site reference 0141.002)</u> Add this new housing allocation to the Inset Map, with consequential adjustments to the settlement boundary, and insert site guidance for each of them, based on the matters covered in the main issues and strategic environmental assessment reports and the conclusions above.	27.5: <b>Medium NEW SITE:</b> See FCSP ER assessment. No likely significant environmental issues.	/	N
27. Stewartry HMA District Centres	<u>Dalbeattie- Housing site DBT.H3 Land at Craigmath</u> Delete this site on the Dalbeattie Inset Map and the relevant references elsewhere in the plan. Amend settlement boundary to follow the inner (northern and western) boundary of the deleted site.	27.6: Deletion of DBT.H3 site.	/	N
27. Stewartry HMA District Centres	<u>Dalbeattie - Housing site DBT.H4 Bruce Road/Port Road</u> Add the following sentence to the end of the site guidance: The site is within close proximity to a waste water pumping station.	27.7: Identification of a factor to be considered in planning of the site.	/	N
27. Stewartry HMA District Centres	<u>Dalbeattie - Housing site DBT.H7 John Street/Barhill Road</u> Reduce indicative capacity to 20 units in the title.	27.8: Reduction in number of houses on the site.	/	N
27. Stewartry HMA District Centres	<u>Dalbeattie - New community site DBT.CF1 Craignair Road</u> Add new sentence to the site guidance for this site, to become the third sentence, following the word Council : If it is necessary to include the land at the western periphery of the site, the arrangements will take account of the access roadway serving Reedweel, and future maintenance responsibilities if there is to be any use of this lane, suitably upgraded, to serve the community site.	27.9: Clarification of certain requirements in respect of access for development of the site.	/	N
27. Stewartry HMA District Centres	<u>Kirkcudbright - Settlement Overview</u> Amend the wording of the second planning objective for Kirkcudbright (page 142) to read : Protect the landscape setting and historic character of Kirkcudbright, in order to sustain and encourage tourism.	27.10: Clarification of Objectives.	+	N
27. Stewartry	<u>Kirkcudbright</u>	27.11:	/	N

HMA District Centres	At the end of the third of the planning objectives for Kirkcudbright (page 142), add new sentence: There is a continuing need to identify additional land for business and industry use.	Clarification of Objectives.		
27. Stewartry HMA District Centres	<u>Kirkcudbright</u> Adjust settlement boundary on the inset map to include the land at the top of Burnside Loaning, as shown on the amended map core document 93. Housing site KBT.H3 Land at Parkhouse.	27.12: Minor extension to settlement boundary.	/	N
27. Stewartry HMA District Centres	<u>Kirkcudbright</u> In the site guidance on page 143, delete the words “as far as possible” from the end of the fifth sentence. Add the following new sentence at the end of the guidance: The site is within close proximity to a waste water pumping station.	27.13; Clarification of site guidance and identification of a factor to be considered in planning of the site.	/	N
27. Stewartry HMA District Centres	<u>Kirkcudbright</u> Housing site KBT.H4 Former creamery site, Merse Road Insert the following new sentence to follow after the third sentence: The site is within close proximity to a waste water pumping station.	27.14: Identification of a factor to be considered in planning of the site.	/	N
28. Stewartry HMA Local Centres	<u>Auchencairn - Site AUC.H2</u> Insert the following new sentence to become the second sentence of the site description: In the interests of road safety, the layout should incorporate a single access point to the A711 with appropriate visibility, serving a shared driveway to the individual houses.	28.1: Specification of a road safety requirement for development of the site.	/	N
28. Stewartry HMA Local Centres	<u>Auchencairn - Settlement Overview</u> Relocate the proposed settlement boundary to include the land between the settlement and Loch Ken, from the north side of boatyard/jetty northwards	28.2: Extension of settlement boundary and	+	N

	to the vicinity of Etive Mhor; and from the sewage farm southwards to correspond with the area covered by policy 43 in the Stewartry Local Plan. Both areas should be designated as a Protected Area of Open Space. Individual Housing Sites	application of open space policy		
28. Stewartry HMA Local Centres	<u>Crossmichael - CMI.H1 Land at Templand</u> In the descriptive text for this site (page 101) change 10 (units) to 5 in the title line.	28.3: Reduction in number of houses for this site.	/	N
28. Stewartry HMA Local Centres	<u>Gatehouse of Fleet - Housing site GOF.H2 East of Meadowside</u> Delete this site on the Gatehouse of Fleet Inset Map and the relevant references elsewhere in the plan. Amend settlement boundary to follow the western and southern boundaries of the deleted site to exclude this site.	28.4: Deletion of site GOF.H2 for 10 units and associated reduction in settlement boundary.	/	N
28. Stewartry HMA Local Centres	<u>Gatehouse of Fleet - Housing site GOF.H4 Fleet Street</u> Delete this site on the Gatehouse of Fleet Inset Map and the relevant references elsewhere in the plan. Amend settlement boundary follow the northern and eastern boundaries of the deleted site to exclude this site.	28.5: Deletion of site GOF.H4 for 4 units and associated reduction in settlement boundary.	/	N
28. Stewartry HMA Local Centres	<u>New Galloway - Settlement overview</u> Add new planning objective as second objective (and renumber as required): Support further additional employment opportunities in New Galloway and the nearby area, where consistent with other policies of the plan.	28.6: Addition to Objectives to include employment.	/	N
28. Stewartry HMA Local Centres	<u>New Galloway</u> Add new planning objective as final objective (and number as required) : Recognise the historical and landscape characteristics of the settlement and ensure that development respects these, with any new buildings being constructed to a high standard of design quality with appropriate densities.	28.7: Addition to Objectives to include historical and landscape characteristics	+	N
28. Stewartry	<u>New Galloway - Housing site NGA.H2 West Port</u>	28.8: Minor reduction	/	N

HMA Local Centres	Amend boundary of site to exclude land at northeast corner, as shown on map core document 94.	to settlement boundary.		
28. Stewartry HMA Local Centres	<u>Palnackie - PAL.H2 North of Yettan Terrace</u> Add the following sentence to the end of the site guidance: The site is within close proximity to the Palnackie Septic Tank.	28.9: Identification of a factor to be considered in planning of the site.	/	N
28. Stewartry HMA Local Centres	<u>Springholm - SPR.H1 Land off Ewart Place</u> In the site guidance for this site, change the third sentence to read: Access will be taken from the A75, where appropriate junction design standards will be required, with the possibility of a secondary access from Reoch Place.	28.10: Site guidance change to require access from A75 rather than local road network.	/	N
28. Stewartry HMA Local Centres	<u>St John's Town of Dalry - DLR.H3 East of Underhill</u> Delete this allocation in the inset map but retain settlement boundary unchanged; delete site guidance.	28.11: Deletion of site for 7 units, but retained within settlement boundary.	/	N
28. Stewartry HMA Local Centres	<u>Twynholm - TWY.H3 Land adjacent to The Doon</u> Delete this site on the Twynholm Inset Map and the relevant references elsewhere in the plan. Amend settlement boundary to follow the western and southern boundaries of the existing houses in The Doon to exclude this site.	28.12: Deletion of site for 37 units and associated reduction in settlement boundary.	/	N
29. Stranraer HMA District & Local Centres	<u>Stranraer</u> Add the following text to the end of the site guidance for sites STR.H2, STR.H3 and STR.H4: A masterplan layout and level information of the site along with bed, bank and water levels of the small watercourse may be sufficient to remove concerns about potential flooding; or a Flood Risk Assessment may be required to verify that the site complies with the principles of Scottish Planning Policy	29.1: Addition to site guidance for Policies STR.H2, H3 and H4 to include consideration of flood hazard.	+	N

29. Stranraer HMA District & Local Centres	<u>Stranraer -</u> Add the following text to the end of the site guidance for site STR.MU1: The new Port Rodie Waste Water Pumping Station is within this site.	29.2: Identification of a factor to be considered in planning of the site.	/	N
29. Stranraer HMA District & Local Centres	<u>Drummore - Housing site DRM.H1 Land off Ward Place</u> Add the following text at the end of the site guidance: A masterplan layout and level information of the site along with bed, bank and water levels of the small watercourse may be sufficient to remove flooding concerns. Alternatively a Flood Risk Assessment may be required to ensure that development of the site complies with the principles of Scottish Planning Policy.	29.3: Addition to site guidance for Policies DRM.H1 to include consideration of flood hazard.	/	N
29. Stranraer HMA District & Local Centres	<u>Glenluce - Housing site GLU.H3 Bankfield Farm East</u> Add the following text at the end of the site guidance: The development of this site will result in the closure of the Bankfield Road/A75 junction as part of the access strategy for the site.	29.4: Clarification of access requirements for site development.	/	N
29. Stranraer HMA District & Local Centres	<u>Portpatrick - Settlement Overview</u> On the Portpatrick Inset Map, amend the settlement boundary to take in the parcel of land on the north side of Heugh Road that is within the settlement boundary of the current adopted Wigtown Local Plan and covered by planning permission 02/P/1/0035.	29.5: Minor extension to settlement boundary.	/	N
29. Stranraer HMA District & Local Centres	<u>Sandhead - Settlement Overview</u> On the Sandhead Inset Map, extend the Protected Area of Open Space policy designation eastwards from the bowling club to include the former tennis courts and the grass amenity space, as far as the western boundary wall of the White House.	29.6: Extension to the area of Protected Open Space.	/	N
29. Stranraer HMA District & Local Centres	<u>Sandhead - Housing site - SDH.H1 Sandhead Field, Piggery Lane</u> Delete this site on the Sandhead Inset Map and the relevant references elsewhere in the plan. Amend settlement boundary to follow the southern boundary of the deleted	29.7: Deletion of site SDH.H1 for 42 units and associated reduction in	/	N

	site.	settlement boundary.		
30. A74(M) Business & Industry Sites	<u>A74(M) B&amp;I2 Hayfield/Newhope, Kirkpatrick Fleming</u> On the inset map, delete all of the proposed allocation to the east of the B6357 road and the southernmost field on the west side of the road, adjoining the motorway.	30.1: Deletion of parts of B&I2 site.	/	N
30. A74(M) Business & Industry Sites	<u>A74(M) B&amp;I2 Hayfield/Newhope, Kirkpatrick Fleming</u> In the site guidance: amend site area; extend first sentence to read "...and is intended for business use as specified in Class 4 of the Town and Country Planning (Use Classes) (Scotland) Order 1997"; in line 5, delete the words "A74(M) and"; in line 8, delete the words "two areas of".	30.2: Changes consequent on Issue Recommendation	/	N
30. A74(M) Business & Industry Sites	<u>A74(M) B&amp;I 3 Redhouse, Kirkpatrick Fleming</u> On the inset map, omit the two westernmost fields, as shown hatched on the plan accompanying representation 0048.034.	30.3: Deletion of part of the B&I3 site.	/	N
30. A74(M) Business & Industry Sites	<u>A74(M) B&amp;I 3 Redhouse, Kirkpatrick Fleming</u> In the site guidance, amend the site area.	30.4: Changes consequent on Issue Recommendation 30.3.	/	N
<b>Overall SEA Conclusion</b>		<b>No Likely Significant Environmental Effect</b>		

## **4.0 Consultation Authority Responses**

**Directorate for Local Government and Communities**

SEA Gateway, 2-J (South),  
Victoria Quay, Edinburgh,  
EH6 6QQ



T: 0131-244 7650  
E: [Johnathan.whittlestone@scotland.gsi.gov.uk](mailto:Johnathan.whittlestone@scotland.gsi.gov.uk)  
D: 21 July 2014

Peter Shellard  
Dumfries and Galloway Council  
Militia House  
English Street  
Dumfries  
DG1 2HR



**00953 SCREENING - DUMFRIES AND GALLOWAY COUNCIL - DUMFRIES & GALLOWAY LOCAL DEVELOPMENT PLAN : POST-EXAMINATION MODIFICATIONS**

Dear Peter,

With reference to the Screening document you submitted on 25 June 2014.

The Consultation Authorities have now considered your screening request as per **Section 9(3)** of the **Environmental Assessment (Scotland) Act 2005**. For convenience I have set out, in the table below, their individual views on whether there is a likelihood of significant environmental effects.

Please note, these are the views and opinions of the Consultation Authorities on the likelihood of significant environmental effects arising from the plan or programme and not a judgement on whether an SEA is required. It is therefore for the Responsible Authority to determine whether an SEA is required in the circumstances. I have attached the individual letters from the Consultation Authorities, outlining their views and opinions. Where possible the Consultation Authorities may have offered supplementary information and/or advice for you to consider, which you should find helpful.

<b>CONSULTATION AUTHORITY</b>	<b>LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS</b>
Historic Scotland	No
Scottish Environment Protection Agency	No
Scottish Natural Heritage	No
<b>OVERALL VIEW ON LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS</b>	No

As the Consultation Authorities have now notified you of their views, you should now refer to the 2005 Act to consider your next step. You should of course take into account the advice offered by the Consultation Authorities.



You should note, as per Section 10 of the 2005 Act, within 28 days of your determination about whether an SEA is required or not, a copy of the determination and any related statement of reasons must be passed to the Consultation Authorities. This may be done via the SEA Gateway.

If you have any queries or would like me to clarify any points, please call me on 0131 244 7650.

Yours sincerely

Johnathan Whittlestone  
SEA Gateway Officer

Peter Shellard  
Senior Planner  
Dumfries & Galloway Council  
Development Planning  
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Our ref: LDP/DUM  
Our Case ID: 201401895  
SEA Gateway ref: 00953

21 July 2014

Dear Peter

**Environmental Assessment (Scotland) Act 2005  
Dumfries & Galloway Council – Local Development Plan (Modifications):  
Screening Report**

Thank you for consulting Historic Scotland on the screening report for the modifications to the Local Development Plan for Dumfries & Galloway received by the Scottish Government's SEA Gateway on 25 June. I have reviewed the report on behalf of Historic Scotland in its role as a Consultation Authority in accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005. In doing so, I have used the criteria set out in schedule 2 of the legislation for determining the likely significance of effects on the environment. I am providing this view in relation to our main area of interest for the historic environment.

My understanding is that the modifications will implement the recommendations arising from the recent Examination of the Proposed LDP by the Directorate for Planning and Environmental Appeals. The modifications relate to a range of issues, including energy, waste, housing, transport and the environment.

Overall I found the report to be clear and I welcome the that you have provided a summary of the likely environmental effects arising from each issue highlighted in the Examination report. I note that the majority of these changes are of a minor or factual nature and as such are unlikely to give rise to any significant environmental effects, beyond those already considered during the previous assessment of the plan. In light of this and other information contained in the screening report, I agree with your view that significant effects are unlikely.

As you will be aware, however, it is the responsibility of Dumfries & Galloway Council as the Responsible Authority to determine whether the guidance requires an environmental assessment and to inform the Consultation Authorities

accordingly. Please note that this response is solely in the context of the SEA Act and our role as a Consultation Authority.

I hope this is helpful. Please do not hesitate to contact me on 0131 668 8924 should you wish to discuss this response.

Yours sincerely



Alasdair M'Kenzie  
Heritage Management Team Leader (SEA)



Our ref: PCS 134270  
SG ref: 00953scr

If telephoning ask for:  
Lorna Maclean

8 July 2014

Peter Shellard  
Dumfries & Galloway Council  
Senior Planner  
Militia House  
English Street  
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DG1 2HR

By email only to: [sea.gateway@scotland.gsi.gov.uk](mailto:sea.gateway@scotland.gsi.gov.uk)

Dear Mr Shellard

**Environmental Assessment (Scotland) Act 2005  
Dumfries and Galloway Council - Dumfries & Galloway Local Development Plan:  
Post-examination modifications - Screening Report**

Thank you for your Screening Report consultation which SEPA received via the Scottish Government SEA Gateway on 25 June 2014.

In accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005 we have considered your screening report using the criteria set out in Schedule 2 for determining the likely significance of effects on the environment. Having reviewed the Screening Report, we consider that in respect of our main areas of interest (air, water, soil, human health, material assets (of which we have a specific interest in waste) and climatic factors) the plan is unlikely to have significant environmental effects. Although we are of the view that significant environmental effects are not likely, it is for Dumfries and Galloway Council as Responsible Authority to make a formal determination taking into account the consultation responses received.

If it is formally determined that SEA is required, you will be aware that the next stage requires the Responsible Authority to consult the Consultation Authorities on the proposed scope and level of detail to be included within the Environmental Report. This can be undertaken through preparation of a concise Scoping Report. We would encourage you to use the scoping process to focus the assessment on those SEA issues upon which there are likely to be significant environmental effects, to outline the baseline information you consider as most relevant and explain your proposed method of assessment. To assist with this process we have produced Standing Advice for Responsible Authorities on Strategic Environmental Assessment (SEA) Scoping Consultations, which is available from [www.sepa.org.uk/planning](http://www.sepa.org.uk/planning).

We are committed to providing early and focused advice and supporting continuous engagement and would therefore welcome the opportunity to meet with you and discuss these issues prior to the formal consultation. Further information can be found in the Scottish Government SEA Guidance available at: [www.scotland.gov.uk/Publications/2013/08/3355](http://www.scotland.gov.uk/Publications/2013/08/3355).



Chairman  
David Sigsworth  
  
Chief Executive  
James Curran

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tel 01698 839000 fax 01698 738155  
[www.sepa.org.uk](http://www.sepa.org.uk)

Should you wish to discuss this screening consultation please do not hesitate to contact me on 01698 839 000 or via our SEA Gateway at [sea.gateway@sepa.org.uk](mailto:sea.gateway@sepa.org.uk).

Yours sincerely

Lorna Maclean  
Senior Planning Officer

Ecopy: [hssea.gateway@scotland.gsi.gov.uk](mailto:hssea.gateway@scotland.gsi.gov.uk) ; [sea\\_gateway@snh.gov.uk](mailto:sea_gateway@snh.gov.uk)



**Scottish Natural Heritage**  
**Dualchas Nàdair na h-Alba**

All of nature for all of Scotland  
Nàdar air fad airson Alba air fad

Peter Shellard  
Senior Planner – Development Planning  
Strategic Planning  
Council Offices  
Militia House  
Dumfries DG1 2DD

Our ref: CEA131633  
Date: 07 July 2014

Dear Peter

**Environmental Assessment (Scotland) Act 2005: 00953 Screening - Dumfries and Galloway Council - Dumfries & Galloway Local Development Plan : Post-Examination Modifications.  
Screening Determination**

I refer to your screening consultation submitted on 26 June 2014 via the Scottish Government SEA Gateway in respect of the above plan.

In accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005, SNH has considered your screening report using the criteria set out in Schedule 2 for determining the likely significance of effects on the environment.

We agree that the above Plan is not likely to have significant environmental effects.

Please note that this consultation response provides a view solely on the potential for the plan or programme to have significant environmental effects. We cannot comment on whether or not the plan or programme meets other criteria determining the need for SEA as set out in the Act.

Should you wish to discuss this screening determination, please do not hesitate to contact Stuart Graham on 01387 272440 or via SNH's SEA Gateway at [sea.gateway@snh.gov.uk](mailto:sea.gateway@snh.gov.uk)

Yours sincerely

By e-mail



**Chris Miles**  
Unit Manager  
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INVESTOR IN PEOPLE

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