

**Scottish Borders Council**

**Local Development Plan 2: Main Issues Report**

**Interim Environment Report**

Appendix 9: SEA Assessment of Existing & Proposed Policies

## SEA Assessment Criteria

Significantly Positive	Positive	Neutral	Adverse	Significantly Adverse
++	+	0	-	--

The MIR highlights where new policies and areas where significant revisions to existing policies could be required. It does not provide the detail of what these policies will contain. If following consultation and engagement, any of these preferred or alternative options are taken forward into the Proposed Plan, then a full SEA assessment will be carried out on those relevant policies, at that stage.

In line with PAN 1/2010 an assessment of policies which are rolling forward has been undertaken. This assessment is formed through a simple screening exercise, whereby the policies are considered against their impact on the SEA objectives and are ranked, using the scoring criteria above. Where there is a policy change proposed within the MIR, a description of the change is included within the table below.

As the adopted LDP is relatively new, there are a number of policies which the Council proposes to carry forward into the LDP2. The table below contains all the existing adopted policies within the LDP. Each of the existing policies has been assessed against the 9 SEA objectives, using the above criteria. In the final column, the notes indicate whether a change to this policy is proposed within the MIR or whether the policy will be substantially retained within the LDP2. The questions contained within the MIR under the main issues have been subject to a SEA assessment, which is contained within Appendix 8. Where policy changes are proposed, this has been indicated in the table and the SEA Assessment will be contained within Appendix 8, under that relevant main issue. Finally, any new proposed policy topics are included within the final table and have also been subject to a SEA assessment.

Policy and description purpose	Assessment by SEA Topic									
	Air	Biodiversity, Flora and Fauna	Soil	Water	Climate Factors	Cultural Heritage	Landscape and Townscape	Material Assets	Population and Human Health	Notes
<b>Place Making and Design Policies</b>										
<b>Policy PMD1: Sustainability</b>  <i>The policy outlines 12 sustainability principles which all proposals are assessed against. These underpin all the Plan's policies and developers are expected to incorporate these into their developments.</i>	+	0	0	+	+	+	0	+	+	<p>It is considered that the policy will be substantially retained within LDP2.</p> <p>Reference to be made to the Land Use Strategy (LUS).</p>
<b>PMD2: Quality Standards</b>  <i>The policy states that all new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with</i>	+	+	0	+	+	0	+	+	++	<p>It is considered that the policy will be substantially retained within LDP2.</p> <p>Potentially minor updates to existing policy.</p>

<p><i>Scottish Borders townscapes and to integrate with its landscape surroundings.</i></p> <p><i>There are 21 standards, identified under 4 headings; sustainability, placemaking &amp; design, accessibility and green space, open space &amp; biodiversity.</i></p>										
<p><b>PMD3: Land Use Allocations</b></p> <p><i>The policy states that development will be approved in principle for the land use allocated on the Land use Proposals table and accompanying Proposals Maps.</i></p> <p><i>Within new housing allocations other subsidiary uses may be appropriate provided these can be accommodated in accordance with policy and without adversely</i></p>	0	0	0	0	0	0	0	0	0	<p>It is considered that this policy will be substantially retained within LDP2.</p>

<p><i>affecting the character of the housing area.</i></p> <p><i>The policy provides a set of 4 criteria, in which any other uses on allocated sites will be assessed against. If the proposal does not meet the criteria, it will be refused.</i></p>										
<p><b>PMD4: Development Outwith Development Boundaries</b></p> <p><i>Where Development Boundaries are defined on Proposals Maps, they indicate the extent to which towns and villages should be allowed to expand during the Local Plan period. Development should be contained within the Development Boundary and proposals for new development outwith this boundary, and not on allocated sites identified on the proposals maps, will</i></p>	0	+	+	0	+	0	0	+	+	<p>It is considered that this policy will be substantially retained within LDP2.</p> <p>Potential for minor text changes within the existing policy.</p>

<p><i>normally be refused.</i></p> <p><i>Exceptional approvals may be granted provided strong reasons can be given, which meet the criteria contained within the policy.</i></p>										
<p><b>PMD5: Infill Development</b></p> <p><i>Development on non-allocated, infill or windfall sites, including the re-use of buildings within Development Boundaries as shown on the Proposal Maps, will be approved where the proposal meets the 6 criteria contained within the policy.</i></p> <p><i>All applications will be considered against the Council's Supplementary Planning Guidance on Placemaking and Design. Developers are required to provide design statements as</i></p>	0	0	0	0	0	0	0	0	0	<p>It is considered that the policy will be substantially retained within LDP2.</p>

<i>appropriate.</i>											
<b>Economic Development Policies</b>											
<p><b>ED1: Protection of Business and Industrial Land</b></p> <p><i>The Council aims to maintain a supply of business and industrial land allocations in the Scottish Borders. There is a presumption in favour of the retention of industrial and business use on strategic and district sites, including new land use proposals for business and industrial land.</i></p> <p><i>The policy sets out assessment criteria for the 3 categories of land; strategic sites, district sites and local sites.</i></p>	<p>The MIR includes preferred and alternative options for this policy. The SEA assessment is included within Appendix 8, for each of the preferred and alternative options contained within the MIR.</p>										
<p><b>ED2: Employment Uses Outwith Business and Industrial Land</b></p> <p><i>The policy states that within the defined Development Boundary there will be a general presumption against</i></p>	+	0	0	0	+	+	+	0	0	<p>It is considered that the policy will be substantially retained within LDP2.</p>	

<p><i>industrial or business uses outwith business and industrial land, mixed use or redevelopment sites. Any proposal for such a use in such a location will require to meet the criteria contained within the policy.</i></p>										
<p><b>ED3: Town Centres and Shopping Development</b></p> <p><i>The policy states that the Council will seek to develop and enhance the role of town centres. A network of centres and growth of the retail sector will be supported through directing development to district town centres.</i></p> <p><i>To protect town centres, town centre locations will be preferred to edge-of-centre locations which, in turn, will be preferred to out-of-centre locations. An out-of-centre location will only be considered where there is no suitable site available in a town centre or edge-of-centre</i></p>	0	0	+	+	+	+	+	+	+	<p>It is considered that the policy will be substantially retained within LDP2.</p> <p>Minor wording changes. The town of Innerleithen to be added to the text within the policy.</p>



<p><i>location.</i></p> <p><i>The Council sets out criteria for assessing applications for out-of-centre development, including retail proposals.</i></p>										
<p><b>ED4: Core Activity Areas in Town Centres</b></p> <p><i>To provide flexibility and maintain vitality and viability in the retail core of the town centre, core activity areas have been identified in a number of settlements. In these core activity areas, a mix of uses appropriate to the town centre will be allowed. Class 1 and 3 of the Use Class Order are seen as appropriate uses within the core activity areas.</i></p> <p><i>Proposals for uses other than Class 1 and 3 at ground level in core activity areas will normally be refused.</i></p> <p><i>Proposals for other uses including class 2 will be assessed in terms of their contribution towards the core</i></p>	<p>The MIR includes preferred and alternative options for this policy. The SEA assessment is included within Appendix 8, for each of the preferred and alternative options contained within the MIR.</p>									

<p><i>retail function of the area and will only be acceptable where there is a significant positive contribution to the core retail function.</i></p> <p><i>Other uses, such as residential, are encouraged above shops and other town centre uses.</i></p>										
<p><b>ED5: Regeneration</b></p> <p><i>The policy sets out criteria in which proposals on allocated and non-allocated brownfield sites will be assessed against. Development will be approved in all cases where the criteria can be satisfied.</i></p>	0	0	0	+	+	+	+	+	0	<p>It is considered that the policy will be substantially retained within the LDP2.</p> <p>Minor updates to text.</p>
<p><b>ED6: Digital Connectivity</b></p> <p><i>The policy states that the Council will support proposals which lead to the expansion and improvement of the electronic communications network in the Borders, provided it can be achieved without any unacceptable detrimental impact on the natural and built</i></p>	+	0	+	0	0	0	+	0	0	<p>It is considered that the policy will be substantially retained within the LDP2.</p>

<p><i>environment. This includes delivery of core infrastructure for telecommunications, broadband, and other future digital infrastructure.</i></p>										
<p><b>ED7: Business, Tourism and Leisure Development in the Countryside</b></p> <p><i>Proposals for business, tourism and leisure development in the countryside will be approved and rural diversification initiatives will be encouraged provided that it meets the set of criteria contained within the policy.</i></p> <p><i>Where a proposal comes forward for the creation of a new business including that of a tourism proposal, a business case that supports the proposal will be required to be submitted as part of the application process.</i></p>	0	0	0	0	0	0	0	0	+	<p>It is considered that the policy will be substantially retained for the LDP2.</p> <p>Minor changes to the text.</p>
<p><b>ED8: Caravan and Camping Sites</b></p> <p><i>The Council will support</i></p>	0	+	+	0	0	0	+	0	0	<p>It is considered that the policy will be substantially retained for the</p>

<p><i>proposals for new or extended caravan and camping sites in locations that can support the local economy and the regeneration of towns, and are in accordance with the Scottish Borders Tourism Strategy and Action Plan. Developments on appropriate sites within or immediately outwith the development boundary of settlements that can help support local shops and services will be favoured over countryside locations.</i></p> <p><i>All proposals must meet the criteria contained within the policy.</i></p> <p><i>In respect of existing caravan and camping sites, the Council will protect existing caravan and camping sites where their loss is likely to have a significant and sustained adverse impact on tourism. Proposal that result in the loss of an existing caravan or camping site may be supported where they meet the criteria contained</i></p>										<p>LDP2.</p> <p>Minor changes to the text.</p>
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<i>within the policy.</i>										
<b>ED9: Renewable Energy Development</b>  <i>The Council will support proposals for both large scale and community scale renewable energy development including commercial wind farms, single or limited scale wind turbines, biomass, hydropower, biofuel technology, and solar power where they can be accommodated without unacceptable significant adverse impacts or effects, giving due regard to relevant environmental, community and cumulative impact considerations.</i>  <i>The policy sets out criteria in which wind energy proposals must be assessed against.</i>	++	+	++	0	++	0	+	+	+	It is considered that the policy will be substantially retained for the LDP2.
<b>ED10: Protection of Prime Quality Agricultural Land and Carbon Rich Soils</b>  <i>Development, expect</i>	0	0	++	0	++	0	0	0	0	It is considered that the policy will be substantially retained for the LDP2.

<i>proposals for renewable energy, which results in the permanent loss of prime quality agricultural land or significant carbon rich soil reserves, particularly peat, will not be permitted, unless they meet the criteria contained within the policy.</i>										
<b>ED11: Safeguarding of Mineral Deposits</b>  <i>The Council will not grant planning permission for development which will sterilise reserves for economically significant mineral deposit unless, it meets the criteria contained within the policy.</i>	0	0	0	0	0	0	0	+	0	It is considered that the policy will be substantially retained for the LDP2.
<b>ED12: Mineral and Coal Extraction</b>  <i>The policy sets out criteria in which mineral extraction applications will be assessed against.</i>	0	0	0	0	0	0	0	0	+	It is considered that the policy will be substantially retained for the LDP2.
<b>Housing Development Policies</b>										
<b>HD1: Affordable and Special</b>	0	0	0	0	0	0	+	0	0	It is considered that

<p><b>Needs Housing</b></p> <p><i>Where the Local Housing Strategy or Local Housing Needs and Demand Assessment identifies a local affordable housing need, the Council will require the provision of a proportion of land for affordable or special needs housing, currently set at 25%, both on allocated and windfall sites. The final scale of such affordable and/or special needs housing will be assessed against a set of criteria contained within the policy.</i></p>										<p>the policy will be substantially retained for the LDP2.</p>
<p><b>HD2: Housing in the Countryside</b></p> <p><i>The Council wishes to promote appropriate rural housing development, where it meets set criteria, contained within the policy.</i></p> <p><i>Housing in the Countryside will be assessed against a set of criteria under the following headings: Buildings Groups,</i></p>	<p>The MIR includes preferred and alternative options for this policy. The SEA assessment is included within Appendix 8, for each of the preferred and alternative options contained within the MIR.</p>									

<p><i>Dispersed Buildings Groups, Conversions of Buildings to a House, Restoration of Houses, Replacement Houses and Economic Requirement. In each heading, a proposal must meet all the set criteria.</i></p>										
<p><b>HD3: Protection of Residential Amenity</b></p> <p><i>Development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against a set criteria.</i></p>	0	0	0	0	0	0	+	0	0	<p>It is considered that the policy will be substantially retained for the LDP2.</p> <p>Minor changes to the text.</p>
<p><b>HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding</b></p> <p><i>The areas indicated in the settlement profiles for longer term expansion and protection shall be safeguarded accordingly. Proposals for housing</i></p>	0	0	0	0	+	0	+	0	0	<p>It is considered that the policy will be substantially retained for the LDP2.</p> <p>Minor changes to the text.</p>



<p><i>development in such expansion areas coming forward in advance of the identification of a shortfall in the effective housing land supply will be treated as premature.</i></p>										
<p><b>HD5: Care and Retirement Homes</b></p> <p><i>Proposals for new or extended residential care or nursing homes or other supported accommodation provision will be supported where this meets an identified local need as defined by agreed joint strategies and commissioning plans by the Council and HNS Borders.</i></p> <p><i>Any new residential care or nursing proposal will be required to meet the criteria contained within the policy.</i></p>	0	0	0	0	0	0	+	0	0	It is considered that the policy will be substantially retained for the LDP2.
<b>Environmental Promotion and Protection Policies</b>										
<p><b>EP1: International Nature Conservation Sites and Protected Species</b></p>	0	++	0	+	+	0	+	0	0	It is considered that the policy will be substantially retained for the

<p><i>Development proposals which will have a likely significant effect on a designated or proposed Natura site, which includes all Ramsar sites, are only permissible where they meet the criteria contained within the policy.</i></p>										LDP2.
<p><b>EP2: National Nature Conservation and Protected Species</b></p> <p><i>Development proposal which are likely to have a significant effect, either directly or indirectly, on a Site of Special Scientific Interest or habitat directly supporting a nationally important species will not be permitted unless they meet the criteria contained within the policy.</i></p>	0	++	0	+	+	0	+	0	0	It is considered that the policy will be substantially retained for the LDP2.
<p><b>EP3: Local Biodiversity</b></p> <p><i>Development that would have an unacceptable adverse effect on Borders Notable Species and Habitats of Conservation Concern will be refused unless it can be</i></p>	0	++	0	+	+	0	+	0	0	It is considered that the policy will be substantially retained for the LDP2.  Minor update to the text.

<p><i>demonstrated that the public benefits of the development clearly outweigh the value of the habitat for biodiversity conservation and meet the criteria contained within the policy.</i></p>										
<p><b>EP4: National Scenic Areas</b></p> <p><i>Development that may affect National Scenic Areas will only be permitted where they meet the criteria contained within the policy.</i></p>	0	0	0	0	0	0	++	0	0	<p>It is considered that the policy will be substantially retained for the LDP2.</p>
<p><b>EP5: Special Landscape Areas</b></p> <p><i>In assessing proposals for development that may affect Special Landscape Areas, the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development, including the visual impact. Proposals that have a significant adverse impact will only be permitted where the landscape impact is clearly outweighed by social</i></p>	0	0	0	0	0	0	++	0	0	<p>It is considered that the policy will be substantially retained for the LDP2.</p>

<i>or economic benefits of national or local importance.</i>										
<p><b>EP6: Countryside Around Towns</b></p> <p><i>Within the area defined as Countryside Around Towns, proposals will only be considered for approval if they meet the criteria contained within the policy.</i></p>	0	0	0	0	+	+	+	+	0	It is considered that the policy will be substantially retained for the LDP2.
<p><b>EP7: Listed Buildings</b></p> <p><i>The Council will support development proposals that conserve, protect and enhance the character, integrity and setting of Listed Buildings. Proposals must ensure they meet the criteria set out within the policy.</i></p>	0	0	0	0	0	+	+	0	+	It is considered that the policy will be substantially retained for the LDP2.
<p><b>EP8: Archaeology</b></p> <p><i>The policy sets out 3 headings; National Archaeological Sites, Battlefields and Regional/Local Archaeological Sites. There are criteria under each of the</i></p>	0	0	0	0	0	+	+	0	+	It is considered that the policy will be substantially retained for the LDP2.

<p><i>headings which proposals must meet. Any proposal that will adversely affect a historic environment asset or its appropriate setting must include a mitigation strategy acceptable to the Council.</i></p>										
<p><b>EP9: Conservation Areas</b></p> <p><i>The Council will support development proposals within or adjacent to a Conservation Area which are located and designed to preserve or enhance the special architectural or historic character and appearance of the Conservation Area.</i></p> <p><i>In respect of demolition within a Conservation Area, proposals must meet the criteria outlined within the policy.</i></p>	0	0	0	0	0	+	+	0	+	It is considered that the policy will be substantially retained for the LDP2.
<p><b>EP10: Gardens and Designed Landscapes</b></p> <p><i>All development should be carefully sited, be of the highest standards of design</i></p>	0	0	0	0	0	+	+	0	+	It is considered that the policy will be substantially retained for the LDP2.

<p><i>using appropriate finishing materials and planting, and be informed by and respectful of the historic landscape structure. Proposals that will result in an unacceptable adverse impact will be refused.</i></p>										
<p><b>EP11: Protection of Greenspace</b></p> <p><i>The policy outlines criteria under the following headings; Key Greenspaces and Other Greenspaces. The policy contains criteria in which proposals are assessed against.</i></p>	+	++	+	+	+	0	+	0	+	It is considered that the policy will be substantially retained for the LDP2.
<p><b>EP12: Green Networks</b></p> <p><i>The Council will support proposals that protect, promote and enhance the Greenspace Network.</i></p> <p><i>Where a proposal comes forward that will result in a negative impact on the natural heritage, greenspace, landscape, recreation or other element of a Green</i></p>	+	++	++	0	+	+	++	0	+	It is considered that the policy will be substantially retained for the LDP2.

<i>Network, appropriate mitigation will be required.</i>										
<p><b>EP13: Trees, Woodlands and Hedgerows</b></p> <p><i>The Council will refuse development that would cause the loss of or serious damage to the woodland resource unless the public benefits of the developments clearly outweigh the loss of landscape, ecological, recreational, historical or shelter value. Any proposal must ensure it meets the criteria contained within the policy.</i></p>	0	+	0	0	0	0	+	0	0	It is considered that the policy will be substantially retained for the LDP2.
<p><b>EP14: Coastline</b></p> <p><i>Development proposals at a coastal location will only be permitted where it meets the criteria contained within the policy.</i></p>	0	+	0	0	0	0	+	0	0	It is considered that the policy will be substantially retained for the LDP2.
<p><b>EP15: Development Affecting the Water Environment</b></p> <p><i>Proposals must ensure they meet the criteria contained</i></p>	0	+	0	+	+	0	+	0	0	It is considered that the policy will be substantially retained for the LDP2.

<i>within the policy.</i>										
<b>EP16: Air Quality</b>  <i>Development proposals that, individually or cumulatively, could adversely affect the quality of air in a locality to a level that could potentially harm human health and wellbeing or the integrity of the natural environment, must be accompanied by provisions that the Council is satisfied will minimise such impacts to an acceptable degree.</i>	++	0	0	0	++	0	0	0	0	<p>It is considered that the policy will be substantially retained for the LDP2.</p> <p>Minor changes to the text.</p>
<b>Infrastructure and Standards Policies</b>										
<b>IS1: Public Infrastructure and Local Service Provision</b>  <i>The Council will encourage the retention of and improvements to public infrastructure and local services. Proposals must ensure they meet the criteria set out within the policy.</i>	+	0	0	0	0	+	+	0	0	<p>It is considered that the policy will be substantially retained for the LDP2.</p>
<b>IS2: Developer Contributions</b>  <i>Where a site is otherwise</i>	0	0	0	0	0	0	0	0	0	<p>It is considered that the policy will be substantially</p>



<p><i>acceptable in terms of planning policy, but cannot proceed due to deficiencies in infrastructure and services or to environmental impacts, any or all of which will be created or exacerbated as a result of the development, the Council will require developers to make a full or partial contribution towards the cost of addressing such deficiencies. Proposals must ensure they meet the criteria outlined within the policy.</i></p>										retained for the LDP2.
<p><b>IS3: Developer Contributions Related to the Borders Railway</b></p> <p><i>In accordance with the provisions of the Waverley Railway (Scotland) Act 2006, the Council will seek developer contributions towards the cost of providing the Borders railway from any developments that may be considered to benefit from, or be enhanced by, the re-instatement of the rail link.</i></p>	0	0	0	0	0	0	0	0	0	It is considered that the policy will be substantially retained for the LDP2.
<p><b>IS4: Transport Development</b></p>	+	0	0	0	0	+	+	0	0	It is considered that

<p><b>and Infrastructure</b></p> <p><i>The Council supports a number of schemes to provide new or improved transport infrastructure.</i></p> <p><i>The Council will support proposals for transport infrastructure that meet the criteria contained within the policy.</i></p>										<p>the policy will be substantially retained for the LDP2.</p> <p>Minor changes to the text.</p>
<p><b>IS5: Protection of Access Routes</b></p> <p><i>Development that would have an adverse impact upon an access route available to the public will not be permitted unless a suitable diversion or appropriate alternative route, as agreed by the Council, can be provided by the developer.</i></p>	+	+	0	0	+	+	+	0	++	<p>It is considered that the policy will be substantially retained for the LDP2.</p>
<p><b>IS6: Road Adoption Standards</b></p> <p><i>On non trunk roads, new roads, footpaths and cycleways within developments must be</i></p>	-	-	-	0	0	0	-	-	+	<p>It is considered that the policy will be substantially retained for the LDP2.</p>

<p><i>provided and constructed in accordance with the Council's adopted standards to secure Road Construction Consent, with the exception of development which can be served by a private access.</i></p>				0	0	0	0			<p>Minor changes to the text.</p>
<p><b>IS7: Parking Provision and Standards</b></p> <p><i>Development proposals should provide for car and cycle parking in accordance with approved standards.</i></p> <p><i>Relaxation of technical standards will be considered where appropriate due to the nature of the development and/or if possible amenity gains can be demonstrated that do not compromise road safety.</i></p> <p><i>In town centres where there appear to be parking difficulties, the Council will consider the desirability of seeking additional public parking provision, in the context of policies to promote the use of sustainable travel</i></p>	-	-	-	0	0	0	0	-	+	<p>It is considered that the policy will be substantially retained for the LDP2.</p>

modes.										
<p><b>IS8: Flooding</b></p> <p><i>Within certain risk categories, particularly where the risk is greater than 0.5% annual flooding probability or 1 in 200 year flood event, some forms of development will generally not be acceptable, these are listed within the policy.</i></p> <p><i>The policy outlines what level of information may be required, in order to assess proposals.</i></p>	0	0	0	+	+	0	0	0	0	<p>It is considered that the policy will be substantially retained for the LDP2.</p> <p>Supporting text to be added regarding Council's Flood Schemes.</p>
<p><b>IS9: Waste Water Treatment Standards and Sustainable Urban Drainage</b></p> <p><i>The policy is split into 2 sections: Waste Water Treatment Standards and Sustainable Urban Drainage.</i></p> <p><i>Under both headings, there are sets of criteria which proposals must ensure they meet.</i></p>	0	+	0	+	+	0	0	+	0	<p>It is considered that the policy will be substantially retained for the LDP2.</p>

<p><b>IS10: Waste Management Facilities</b></p> <p><i>The Council will support the provision of waste facilities within the hierarchy set out within the table in the policy. Proposals which would prejudice the operation of these waste facilities will not normally be supported.</i></p> <p><i>The policy contains a set of criteria which waste facility proposals must be assessed against.</i></p>	0	0	++	0	0	+	0	0	0	<p>It is considered that the policy will be substantially retained for the LDP2.</p>
<p><b>IS11: Hazardous Developments</b></p> <p><i>Proposals for hazardous developments as defined under the relevant legislation will be subject to strict controls on siting to maintain appropriate separation from residential areas and areas frequented by the public, major transport routes and areas of national heritage importance.</i></p>	+	+	+	+	+	0	+	0	++	<p>It is considered that the policy will be substantially retained for the LDP2.</p>

<i>Development will be refused if it falls within the criteria outlined within the policy.</i>										
<p><b>IS12: Development Within Exclusion Zones</b></p> <p><i>All proposals for development which are located within the exclusion zone of a pipeline or civil aviation navigation beacon or within the vicinity of any notifiable installation or of any new hazardous development or notifiable installation that may arise during the lifetime of the Local Development Plan, will be refused if it is judged to result in unacceptable levels of pollution, nuisance or result in an unacceptable hazard to the public or the environment.</i></p>	+	+	0	+	+	0	0	+	0	<p>It is considered that the policy will be substantially retained for the LDP2.</p> <p>Minor changes to the text confirmed regarding consultation zones and relevant bodies to be contacted.</p>
<p><b>IS13: Contaminated Land</b></p> <p><i>Where development is proposed on land that is contaminated, suspected of contamination, or unstable the development will need to meet the criteria outlined</i></p>	+	+	+	+	++	0	+	0	+	<p>It is considered that the policy will be substantially retained for the LDP2.</p> <p>Minor changes to</p>

<i>within the policy.</i>										the text.
<b>IS14: Crematorium Provision</b>  <i>The Council will consider applications for crematoria to meet community needs, provided the criteria set out within the policy are met.</i>	+	0	0	0	+	+	+	0	0	It is considered that the policy will be substantially retained for the LDP2.
<b>IS15: Radio Telecommunications</b>  <i>Development involving telecommunications masts, antennas, power lines and associated structures required for installation including buildings, access and site security will be assessed against siting and design consideration, outlined within the criteria contained within the policy.</i>	0	+	0	0	0	+	+	0	+	It is considered that the policy will be substantially retained for the LDP2.
<b>IS16: Advertisements</b>  <i>The policy outlines criteria which proposals must meet.</i>	0	0	0	0	0	0	0	0	0	It is considered that the policy will be substantially retained for the LDP2.
<b>IS17: Education Safeguarding</b>	+	0	0	0	0	+	+	0	0	It is considered that

<p><i>Within areas identified for educational uses judged to be of strategic importance, consent will only be granted for those uses that would facilitate or improve educational facilities within the Scottish Borders.</i></p>										<p>the policy will be substantially retained for the LDP2.</p>
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**New Policies Proposed within the MIR**

Policy and description purpose	Assessment by SEA Topic									Notes
	Air	Biodiversity, Flora and Fauna	Soil	Water	Climate Factors	Cultural Heritage	Landscape and Townscape	Material Assets	Population and Human Health	
Cemeteries	+	0	0	0	0	0	0	+	+	Existing cemeteries are currently formally allocated within the LDP. However, it is proposed that these allocations are removed and replaced instead by a policy based approach which will give protection to existing cemetery sites and also lay down criteria to be addressed for applications for new cemetery proposals or extension to existing cemeteries.
Dark Skies	++	0	0	0	0	0	0	0	+	The Council was approached by Newcastleton Community Council to consider the possibility of

										<p>formulating the promotion and a related policy regarding dark skies. An area of woodland adjoining Keilder was suggested. The dark-sky movement seeks to reduce light pollution which in turn include an increased number of stars visible at night, reducing the effects of electric lighting, cutting down on energy use. The promotion of dark skies can help tourism. If this was to be pursued policy should presume against development proposals which produce levels of lighting which may impact on dark skies. Clearly there is a balance of ensuring sufficient levels of lighting</p>
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											where required in the interests of public safety. The promotion of dark skies requires to be investigated further and if it is considered to have some support and merit then an appropriate policy would be prepared.
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