## EIA Ref Number: 034901501 (FDP/LMP 191)

Nether Horsburgh Afforestation & Forest Roads

# THE ENVIRONMENTAL IMPACT ASSESSMENT (FORESTRY) (SCOTLAND) REGULATIONS 1999

# DETERMINATION OF AN APPLICATION UNDER REGULATION 4 OF THE REGULATIONS FOR CONSENT TO CARRY OUT A RELEVANT PROJECT

## Background and Statement of Reasons Supporting the Decision to Grant Consent

### Purpose

To explain the background to Forestry Commission Scotland's (FCS) decision to grant consent, subject to conditions, to the above application. This will include the main reasons for granting consent and considerations on which the decision is based and describe, where necessary, the main measures that have been agreed to avoid, reduce and, if possible, offset the major adverse effects of the project. The applicant is Forest Enterprise Scotland as manager of the National Forest Estate in Scotland.

### **Environmental Statement**

The Environmental Statement and associated documents referred to in this document are the final versions of each document named and dated as follows:

Environmental Statement	13/4/2016
Proposal Map (with SP/Bi/OG to top of High Wood)	9 <sup>th</sup> May 2016
Fencing map with BG	12 <sup>th</sup> April 2016
Ground Prep and Drainage map (with line of Romar	n road labelled) June 2014
Forest Design Plan / Land management Plan	September/November 2014
Nether Horsburgh EIA Issues Log	13/6/16

### Site

Nether Horsburgh is a very visible site of about 400ha extending from the improved fields and small woodlands in the bottom of the Tweed valley by the A72, up through the progressively less improved valley side – with several prominent conifer shelterbelts - to the edge of Glentress Forest and the heathery hill top ridge between Black Knowe and Lee Burn Head. The visible mid slopes are mostly improved pasture and rough grazing with some mostly conifer shelterbelts, some of which don't sit well in the landscape whilst some of the steeper lower slopes and the valley of the Hope Burn hold some more attractive

native woodland remnants and mixed woodland with some younger planted (and patchily established) mixed woodland to the west around Castle Hill.

The site is prominent in the local landscape including from the main road (A72) that runs along the southern edge of the site on its way down the Tweed Valley from Peebles to Innerleithen and Galashiels. The site is also visible from Cardrona Village, large hotel & golf course, several residences in and around the site and scattered along the opposite side of the valley. The site is also prominent from the B7062 public road which runs along the opposite side of the valley and from popular tourism/recreation sites and walking/cycling routes in this section of the Tweed Valley Forest Park including Kailzie Gardens and Cardrona Forest.

The primary land use of the site has been based around sheep farming but the farm buildings were sold separately to a different owner at the time Forest Enterprise acquired the land.

### Proposal for woodland creation and associated works

The proposal is to create about 259ha (inc about 10% internal open ground) of new woodland, containing a wide range of conifer (52%) and broadleaved (48%) species including productive mixed/native broadleaves (28%), Sitka Spruce (25%), low density native broadleaves (16%), Douglas Fir (12%) with some Scots Pine, Noble Fir, Western Red Cedar, Grand Fir, Norway Spruce, Beech, Birch and Sycamore. Associated with this is the construction of about 5km of new forest roads and tracks (using stone from existing quarries in neighbouring Glentress Forest) including a new haul road that will link the existing Glentress Forest road network to a new access point on the A72, thereby largely separating timber lorries and other forestry traffic from the pedestrians, cyclists and recreational traffic using the only existing access road to the popular Glentress Forest. Background information on the proposal is set out in Chapter 3 (Site description) and Chapter 4 (Description of the proposals) of the main Environmental Statement.

Table 1 below sets out the constituent parts of the final woodland creation proposal. The EIA area includes a large area of open ground on the upper slopes and hill tops above the woodland creation area as well as a few flat fields retained in agriculture in the bottom of the valley.

Table 1		
New Woodland Component	Area	% of new
	(ha)	woodland
		area
Sitka Spruce (inc. 21 ha to be planted around 2023)	46	18
Productive Mixed Broadleaves	43	17
Native Broadleaves 50% / Open Ground 50%	42	16
Graded Douglas Fir 50% / Sitka Spruce 50%	36	14
Native Productive Broadleaves	29	11
Douglas Fir 60%/Grand Fir 20%/Western Red Cedar 20%	21	8
Scots Pine	16	6
Scots Pine 25% / Birch 25% / Open Ground 50%	8	3
Noble Fir & Norway Spruce	8	3
Beech & Sycamore	6	2
Scots Pine 90% / Noble Fir 10%	4	2
TOTAL PLANTING (inc. about 10% internal open ground)	259	100
Open Land (mostly hill top)		
Fields Retained in Agriculture (with parkland tree planting)	28	
TOTAL EIA AREA (excludes existing small farm woods)	404	

### Basis of the Environmental Impact Assessment

The Environmental Impact Assessment (Forestry) (Scotland) Regulations 1999 ("the EIA Regulations") prohibit the carrying out of any work or operations in relation to a "relevant project" unless consent has been obtained from Forestry Commission Scotland. This proposal constitutes an afforestation and forest road works under section 3 of the EIA regulations.

The EIA process provides the framework for assessing whether the project will have a significant impact on the environment. The decision on whether or not to grant consent takes account of the environmental impacts of a proposed project and takes into consideration the environmental information, representations received in relation to the application and any other material consideration. These include the assessment of direct and indirect impacts of the project on the environmental factors listed in Schedule 4 of the EIA (Forestry) Regulations 1999:

- i) Human beings, fauna and flora
- ii) Soil, water, air, climate and the landscape
- iii) Material assets and the cultural heritage
- iv) The interaction between the factors mentioned in (i) to (iii) above.

In assessing the proposal's impact on these factors, we considered the factors both individually and the interactions between them.

This Statement of Reasons will outline:

- The main reasons and considerations on which the decision is based
- A description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the project
- The conditions which are attached to the approval.

# Background to the project requiring consent

Forestry Commission Scotland first considered proposals for afforestation at Nether Horsburgh in November/December 2014. The applicant initially proposed establishing about 255ha of mixed conifer and broadleaved forest including about 10% internal open ground. This proposal was screened and the applicant was advised of Forestry Commission Scotland's Opinion that EIA consent was required. The reasons for requiring consent were set out in a letter from Forestry Commission Scotland to the applicant on 19<sup>th</sup> December 2014.

The primary reasons for requiring consent and requesting an Environmental Statement (ES) was because of:

- 1. The significant scale of the woodland creation and new forest roads in a populated area.
- 2. Landscape impact in a sensitive location (Special Landscape Area).
- 3. New timber transport route for the significant timber production from the existing Glentress Forest.

Extensive public and statutory consultation had already taken place over the proposals as part of the applicant's preparation of a wider Forest Design/Land Management Plan that also covered existing woodlands extending to a further 120ha in and around Nether Horsburgh. The EIA scoping process continued and the scoping report was agreed in September 2015. Following this there was a period of liaison between Forestry Commission Scotland, other consultees and the applicant to clarify proposals and discuss appropriate elements of mitigation for the proposal.

The Environmental Statement was received on 6<sup>th</sup> January 2016 and public consultation on the Environmental Statement began on 2<sup>nd</sup> March 2016.

Following several consultee responses, additional information was provided by the applicant primarily relating to Black Grouse and deer fencing, planting design modifications were agreed primarily relating to landscape integration with the adjoining Glenormiston Estate woodlands and further mitigation of impacts on archaeology were agreed. During this period the proposals were further amended and the final application now proposes 259ha of woodland creation as set out in Table 1 above.

### Reasons for project requiring consent

The main reasons for the project requiring consent were the scale of the woodland creation, forest road building and new timber transport route in a well populated and sensitive landscape:

### Landscape

The project area lies within one of the few remaining relatively open sections of Tweed Valley Forest Park, retaining views to open hillside including some of the most prominent hill tops along this section of the Tweed Valley. Potential impacts include cultivation and roading as well as conversion to forest. In the longer term the area will have a much more wooded appearance, which will significantly alter the local landscape character of this part of a Special Landscape Area. Opportunities exist to integrate the landscape with existing woodlands and adjoining forests.

### Forestry Access

Access for forestry operations associated with establishing the woodland and future harvesting operations and timber transport – including the new haul route from the existing Glentress Forest - need to be considered.

#### Social and Economic Impact

The impact of the proposals on residential properties, public access, recreation and tourism in the area need to be considered. The impact of any proposed fencing including deer fencing on the landscape and public access will need to be considered.

#### Natural Heritage

The proposals could have significant effects on the local population of mammals, birds and important open ground habitats, existing native woodlands and deep peat.

#### Archaeology

The proposals could have an impact on archaeology, which will need to be surveyed and recorded in order to inform the planting designs.

### Soils & Water

Including identification and protection of deep peat and impacts of proposed ground cultivation and drainage on soils and water including private water supplies.

# National policy context relating to Nether Horsburgh

National and regional policy documents provide context for considering applications under the EIA regulations. They help to inform the decision by setting down the contemporary standards that should be applied when determining whether or not an environmental impact is likely to be significant, what mitigation should be carried out to minimise the impact and to assess the value of any compensatory benefits.

The Scottish Forestry Strategy<sup>1</sup>

The Scottish Government's Scottish Forestry Strategy was published in 2006 and sets out government priorities for forestry in Scotland. The vision of the strategy is:

"By the second half of this century, people are benefiting widely from Scotland's trees, woodlands and forests, actively engaging with and looking after them for the use and enjoyment of generations to come. The forestry resource has become a central part of our culture, economy and environment."

Seven key themes to help achieve the vision are identified:

• Using forestry, and adapting forestry practices, to help reduce the impact of climate change and help Scotland adapt to its changing climate.

• Getting the most from Scotland's increasing and sustainable timber resource.

• Strengthening forestry through business development to underpin sustainable forest management and support economic growth and employment across Scotland.

• Improving the quality of life and well-being of people by supporting community development across Scotland.

• Making access to, and enjoyment of, woodlands easier for everyone - to help improve physical and mental health in Scotland.

• Protecting the environmental quality of our natural resources (water, soil and air), contributing to and improving our scenery, and helping to make the most of our unique historic environment.

• Helping to restore, maintain and enhance Scotland's biodiversity, and increasing awareness and enjoyment of it.

New woodland creation

<sup>&</sup>lt;sup>1</sup> <u>http://scotland.forestry.gov.uk/supporting/strategy-policy-guidance/forestry-strategy</u>

The creation of new woodlands is a key Scottish Government policy and the Scottish Government's target is to create 100,000 hectares of new woodland between 2012 and 2022, equivalent to an average of 10,000 hectares per year over the 10 year period. This should be done in a way that is integrated with other land-based objectives.

This target forms an important part of the Scottish Government's Low Carbon Scotland: Meeting our Emissions Reduction Targets 2013-2027: The Second Report on Proposals and Policies (RPP2)<sup>2</sup>.

### UK Forestry Standard

The UK Forestry Standard<sup>3</sup> (3<sup>rd</sup> edition, 2011) (UK FS) sets out the Scottish Government's (and that for other governments in the UK) approach to sustainable forest management. The UK Forestry Standard is supported by Guidelines and other relevant policy and information documents.

The UKFS provides the benchmark for judging the performance of the forestry sector in Scotland and defines the standards and requirements, providing a basis for regulation and monitoring. The UK FS together with the UK FS Guidelines and other supporting documents provide useful guidance for all the matters considered in this Environmental Statement.

There is a requirement that any woodland creation supported through Forestry Commission Scotland's Forestry Grant Scheme, complies with the UK Forestry Standard and associated Guidelines.

### Regional policy context relating to Nether Horsburgh

There are a number of regional policies which are relevant to the assessment of this application.

### Scottish Borders Woodland Strategy

The most important document is Scottish Borders Council's Woodland Strategy<sup>4</sup>, published in 2005, which is statutory supplementary guidance. The strategy provides a clear indication of the vision for how the woodland resource and forestry industry in Scottish Borders should develop over the next 10 to 50 years.

Spatial guidance is provided within the Woodland Strategy to guide opportunities for woodland expansion. This guidance is delivered through a series of maps and

<sup>&</sup>lt;sup>2</sup> <u>http://www.gov.scot/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets</u>

<sup>&</sup>lt;sup>3</sup> <u>http://www.forestry.gov.uk/ukfs</u>

<sup>&</sup>lt;sup>4</sup> <u>http://www.scotborders.gov.uk/downloads/download/113/scottish\_borders\_woodland\_strategy</u>

associated supporting text. For the proposals at Nether Horsburgh, the relevant map is "Map 6 Upland /Upland Fringe Forests and Woodlands" as revised in 2012 following a review of landscape designations. The proposals at Nether Horsburgh largely fall into an area identified as "Sensitive" for woodlands of this type.

In 2012 SBC published additional guidance within a "Technical Advice Note" which further refined the guidance published in 2005. This involved a revision of the relevant maps, and, in addition, further guidance on matters to be considered and addressed when considering woodland creation of various identified types. The Technical Advice Note also provided further guidance at a sub regional level about the opportunities and priorities for woodland expansion within different identified areas within the Scottish Borders.

The proposal at Nether Horsburgh has been assessed against this guidance and is considered to comply with both the 2005 Woodland Strategy and the subsequent 2012 Technical Advice Note.

### Summary of Consultation Responses

A public consultation on the Environmental Statement prepared by the applicant began on 2<sup>nd</sup> March 2016. Public Notices were placed in the Southern Reporter and the Peebles News. The Environmental Statement was made publicly available at the Forest Enterprise office in Glentress Forest and FCS Office in Selkirk. The applicant sent details of the latest proposals to all those individuals, and non-statutory consultees who had expressed interest to them previously. FCS put the accompanying FDP/LMP on the Public Register and sent details to the neighbouring land owners/managers.

The Environmental Statement was sent by FCS to the following statutory consultees:

- Scottish Borders Council (SBC)
- Scottish Natural Heritage (SNH)
- Scottish Environment Protection Agency (SEPA)
- Scottish Government Rural Payments & Inspections Directorate (SGRPID)
- Historic Environment Scotland (HES)

Statutory consultees (SBC, SNH, SEPA, RPID & HES) were – subject to a few requests for further information and minor design and implementation requests – generally supportive of the proposals. Non statutory consultees were generally supportive with most concerns centred around the position of the new forest road access onto the A72 (covered by planning permission), public access arrangements and potential impacts on the private water supply to Nether Horsburgh Cottages.

Following this there was a period of liaison between Forestry Commission Scotland, Scottish Borders Council, Scottish Natural Heritage and the applicant to clarify proposals and discuss appropriate elements of mitigation for the proposal. During this period the proposals were further amended and the final application now proposes about 259ha of woodland creation as set out in Table 1 above and the revised Proposal Map dated 9<sup>th</sup> May 2016 (with about 4ha additional SP/Bi/OG near the top of High Wood added to the original 9<sup>th</sup> May 2016 map).

A more detailed record of the comments made through the ES consultation process is within the EIA Issues Log document. A record of comments made during the extensive consultations prior to formal ES submission is within the Forest Design Plan / Land management Plan.

### Assessment of the main issues and determination

The following specific issues were considered:

### <u>General</u>

Time conditions, as required by the regulations, will be applied to ensure that the work consented is begun and completed within an appropriate time period.

#### Overall Development of the design of the woodland

Changes to the proposals have been made both before and during the EIA process following consultation with stakeholders.

Main changes to the design during the EIA process have centred around the location/route of the new timber haul route, landscape integration with neighbouring woodland at High Wood, Glenormiston Estate and protection of archaeological features.

### Landscape

Potential issues identified related to the overall landscape impact of a land use change in one of the few remaining relatively open sections of Tweed Valley Forest Park.

- Key concerns identified were retaining some views to the open hillside including the hill tops. Within any design, it was identified that it would be important to distinguish between the landscape types from flat valley floor to open hill tops.
- Detailed scale, localised landscape impacts, such as impacts on neighbouring properties were also identified as a key concern.
- With existing woodlands in and around Nether Horsburgh, effective integration in landscape terms with these woodlands was also seen as an important opportunity.
- Maximising species diversity, within the limits of the site capacity and objectives of the woodland creation was also considered important.

The upper woodland edge design has been considered and assessed to ensure that the upper open hill is retained and that the upper forest margin sits acceptably within the wider landscape. Provision has also been made within the design to create an element of transition woodland on the upper margin utilising low density planting of broadleaves and Scots pine species to soften the woodland edge visually and also to enhance the habitat for key species.

Issues were identified early on in the design process in respect to the design of woodland planting in the lower fields. The flat fields in the bottom of the valley by the A72 are being retained in agriculture with some individual parkland tree planting proposed.

The initial design proposed some planting in relatively close proximity to a number of residential properties. The design was subsequently modified to move planting further away from these properties to mitigate this potential impact.

In developing the design, consideration has been made to the likely long term forest structure and design of the adjacent woodlands and the proposed design for Nether Horsburgh will integrate with these areas as they evolve, including early removal of some farm woods/shelterbelts that don't sit comfortably in the landscape.

Site investigation works identified that the site had a small degree of limitation in respect to productive species suitability, but this has still allowed opportunities for the use of significant elements of a wide range of both broadleaved (48%) and conifer (52%) tree species with Sitka spruce limited to 25%.

In respect of landscape, we are satisfied that although the change in the landscape of Nether Horsburgh from a largely unforested to a largely forested one is a major change, that because of the woodland design this will not significantly reduce the quality of the landscape or the experience of those accessing it, and we are satisfied that the final proposals will not have a significant environmental impact on landscape, visual amenity and experience.

Given the information in the Environmental Statement together with the various elements of mitigation incorporated into the final design proposal and conditions of consent, we are satisfied that whilst the proposal will lead to a change in the nature of land use and resultant landscape, that these changes are not likely to have significant environmental impact on the landscape.

### **Forestry Access and Roading**

- The existing farm access was not seen as a sustainable long term timber transport solution. Any design for significant productive woodland needed to identify and address this, including identification of an appropriate access point onto the public road network.
- The design, location/route and use of the new forest roads, including the new haul route from the existing Glentress Forest was identified as a key

concern, particularly in the vicinity of Hope Cottage and Nether Horsburgh House.

An appropriate new timber transport access (including a suitable access point onto the public road network) has been identified during the development of the design.

Alignments and construction approach for new roadlines on site have been considered and assessed as part of the design evolution. The original route of the haul road has been moved further away from Hope Cottage and Nether Horsburgh House to reduce impacts on these properties. Conditions have been placed upon the consent to ensure that features of value are protected when these roads are implemented.

Given the information in the Environmental Statement together with the various elements of mitigation incorporated into the final proposal and in the conditions placed on the consent, we are satisfied that the roading activity is not likely to have significant environmental impact.

### Social and Economic Impact (include public access)

- While use of the existing farm in terms of public access was fairly "low key" and informal, it was seen as something that needed to be considered in respect to any design, in particular relating to the Right of Way.
- The impact of the proposals on residential properties, recreation, tourism, agriculture and the social infrastructure of the area need to be considered.

Within the design process, alterations to the design have been made to ensure that the existing right of way and identified paths have been appropriately accommodated. Deer fencing is seen as essential to allow effective establishment but provision has been made to ensure public access is maintained through the incorporation of suitable gates within the fence perimeter.

The design process considered impacts on residential properties and modifications have been made to reduce impacts, particularly the location of the new roads in relation to near neighbours. Impacts on recreation and tourism are likely to be positive, particularly in the longterm

As part of the development of the design, an assessment was carried out of the likely impacts of this proposed land use change in respect to agriculture and social infrastructure. This assessment concluded that the change was not likely to be considered significant in its impacts.

Given the information in the Environmental Statement together with the various elements of mitigation incorporated into the final proposal and the conditions placed on the consent, we are satisfied that the proposal is not likely to have significant environmental impact on social and economic interests.

### Natural Heritage

A number of key potential sensitivities and issues were identified within the site.

- Effective avoidance and protection of any deep peat areas was considered essential.
- The opportunity to expand the small ancient semi-natural Nut Wood (SSSI) through the planting of appropriate areas of new native woodland was seen as important. Wider maintenance of habitat networks and linkages was also identified as a matter for consideration within the design.
- It was identified that important semi-natural habitats (such as heathland) should be effectively protected from planting, and where possible maintained and enhanced.

Areas of deep peat were identified as part of a full soil survey on the site. The resultant design has excluded all significant areas of deep peat from the planting area.

Areas of existing broadleaved trees have been identified in the design and will be maintained. In addition most of these areas have been reinforced by the addition of new broadleaved woodland in adjacent areas of the new planting works.

Extensive new broadleaved woodland has been incorporated within the design which will enhance the habitat value particularly around the lower slopes and up all the main watercourses. The wider design provides a high degree of broadleaved woodland habitat linkage and networking.

The most significant areas of important open ground habitats have been excluded from the planting design.

Given the information in the Environmental Statement together with the various elements of mitigation incorporated into the final proposal and the associated conditions placed on that consent, we are satisfied that the proposal is not likely to have significant environmental impact on the natural heritage.

# Archaeology

- The site contains a number of assets and features of value which required to be effectively considered in any design.
- Additionally an appropriate approach to implementation of works to ensure identified features were adequately protected.

A full archaeological survey was undertaken and assets and features of value were identified. These have, where appropriate, been excluded from the planting area and suitable buffers put in place to protect them from operational work.

An appropriate approach to protecting archaeological features during establishment works has also been made a condition of the consent.

Given the information in the Environmental Statement together with the various elements of mitigation incorporated into the final proposal and the associated conditions placed on the consent, we are satisfied that the proposal is not likely to have significant environmental impact on the historic environment.

### Soils and Water (including PWS)

- Minimising adverse impacts from ground preparation was seen as important.
- Consideration of any potential increase in flood risk required to be assessed.
- The site includes two private water supplies and appropriate identification and protection of those supplies was essential

The design process considered the relevant soils on the site and the species of trees being established. As a result of that process an appropriate approach to ground preparation has been identified that avoids ploughing.

An assessment of potential impacts on flood risk has been undertaken as part of the site assessment and it has been concluded that the impacts (if any) would not be significant.

The private water supply catchments and associated infrastructure has been identified and appropriately considered within the design development. Conditions have been placed on the consent to ensure its protection.

Given the information in the Environmental Statement together with the various elements of mitigation incorporated into the final proposal and the conditions placed on that consent, we are satisfied that the proposal is not likely to have significant environmental impact on the soil and water environment

#### Summary and Conclusions

In considering whether to grant consent for the proposed project, Forestry Commission Scotland's concern has been to establish whether the project would result in any significant environmental impact in relation to all of the reasons identified for the project requiring consent. The information contained in the Environmental Statement has been examined in detail, consultees' responses have been investigated and further information and advice sought to determine whether the evidence presented by the applicant in the Environmental Statement was fit for purpose.

The conclusion of this process was that the evidence presented in the Environmental Statement was sound and of an adequate standard on which to base consideration of the impacts of the project.

Taking into account all of the information provided by the applicant and stakeholders and on the basis of our assessment as set out above, we are satisfied that the final woodland creation and forest roading proposal at Nether Horsburgh is not likely to have a significant environmental impact in relation to any of the matters identified as reasons for requiring consent.

### Forestry Commission Scotland Determination

Having considered the Environmental Statement, national and regional policy contexts, the advice received from statutory and other bodies and the views of consultees, Forestry Commission Scotland grants consent for the project subject to the conditions below.

John Dougan

Conservator for Forestry Commission Scotland

22<sup>nd</sup> June 2016

# Conditions of consent

### <u>General</u>

- 1. Work in relation to the project shall commence within five years of the date of this consent.
- 2. No work shall be carried out in relation to the project after the expiry of ten years from the date of this consent.

## Landscape & Amenity

3. The woodland creation scheme at Nether Horsburgh will be planted in accordance with the Environmental Statement, Forest Design/Land Management Plan and related documents dated as set out in the Statement of Reasons and to conform to the design shown in 'Nether Horsburgh Proposal map date 9<sup>th</sup> May 2016' (with SP/Bi/OG to top of High Wood) or to some other, similar design subsequently approved by Forestry Commission Scotland.

Reason: To ensure that the planting follows the final design for the site which contains important elements of mitigation.

## Roading & Ground Preparation

4. Precise location and design of forest road junction with A72 to be agreed with Scottish Borders Council in accordance with the Planning Permission granted.

Reason: To ensure that the new road junction meets road safety standards.

5. The drainage plan and detailed design for roads crossing watercourses to be supplied to SEPA before drainage or roading commences.

Reason: To ensure drains and roads are designed to minimise impacts on the water environment, soils and flooding.

### Public Access

6. The deer fence to be sited so that the Right of Way remains outside the deer fence and at least the gates shown on 'Fencing Map with BG Date: 12<sup>th</sup> April 2016' to be included in the deer fence.

Reason: To avoid obstruction of the Right of Way and allow reasonable public access within the deer fence including routes from the Right of Way to avoid walking on the A72 around Dirtpot Corner.

### Wildlife

7. The deer fence is to be located as per 'Fencing map with BG Date 12<sup>th</sup> April 2016' with Black Grouse markers. It will be monitored for bird strike twice annually and, if necessary, adjustments will be made to the fence to avoid further collisions.

Reason: To reduce the risk of Black Grouse being injured as a result of collisions with the new deer fence.

## Archaeology

8. Prior to the commencement of works in the vicinity, all agreed buffers associated with archaeological assets identified for protection within the ES/FDP/LMP (and subsequent discussions with SBC Archaeologist) are to be clearly marked by a competent person.

Reason: To ensure protection of these features.

9. Strip, map and record survey to be carried out at site 46 (on Proposal Map) as agreed before forest road construction commences in the vicinity.

Reason: To ensure better understanding and recording of this feature before the site is disturbed by road construction.

10. No ground preparation to take place within 20m of the A72 at location of suspected line of Roman road as per 'Ground Prep and Drainage Date: June 2014' map (revised version with line of Roman road labelled).

Reason: To ensure protection of this feature.

### Private Water Supplies

11. The quality and quantity of the PWS to be protected during all operations in the vicinity of the PWS catchments and infrastructure including during spur road construction, ground preparation and planting.

Reason: To ensure appropriate protection of the private water supplies derived from the site.