

**ANGUS COUNCIL**

**COMMUNITIES COMMITTEE – 21 NOVEMBER 2023**

**LOCAL NATURE CONSERVATION SITES IN ANGUS - INITIAL PHASE OF LOCAL BIODIVERSITY SITES**

**REPORT BY ALISON SMITH, DIRECTOR OF VIBRANT COMMUNITIES AND SUSTAINABLE GROWTH**

**ABSTRACT**

This report seeks approval for the designation of an initial phase of 28 sites as Local Nature Conservation Sites within Angus to help to protect these important biodiversity sites from inappropriate development and to ensure sympathetic land management by landowners through partnership working.

**1. RECOMMENDATIONS**

It is recommended that the Committee:

- (i) Approves the designation of the 28 sites listed in this report as Local Nature Conservation Sites;
- (ii) Notes that further sites will be brought forward to committee for approval in due course; and
- (iii) Notes that the sites designated will be considered material in the determination of planning applications.

**2. ALIGNMENT TO THE COUNCIL PLAN**

- 2.1 Commitment to delivery of this project contributes to the following priorities in the Angus Council Plan 2023-2028.

**Caring for our Place**

- Take action to mitigate against climate change by delivering our Transition to Net Zero Action Plan: 2022 to 2030 and leading on the delivery of a Sustainable Energy Climate Action Plan (SECAP) for Angus to reduce area wide emissions.
- produce a Local Development Plan for Angus.
- Enhance and restore Angus Biodiversity, corporately and with a range of stakeholders.

**3. BACKGROUND**

- 3.1 The twin climate and biodiversity crises make it more important than ever that we protect and manage our locally important biodiversity and geodiversity sites in Angus. Peatland, wetland and woodland, store and sequester carbon which assists in addressing the climate crisis. They are also uncommon and valuable habitats which contain locally and sometimes nationally rare species. Well managed and where possible connected habitats are more resilient to changes which result from climate change, able to adapt to the changing environment.
- 3.2 Local Nature Conservation Sites (LNCSs) identify local important natural heritage. Types of sites can include listed wildlife sites, sites of importance for nature conservation and local geodiversity sites. They can help local authorities and other public bodies to identify and prioritise action for habitats and species, in support of the biodiversity duty. They can also provide opportunities for people to find out about and enjoy what is special about the biodiversity or geodiversity of their local area. NatureScot has published guidance on establishing and managing LNCS.

- 3.3 In recognition of the value of these site Policies PV4 - Sites Designated for Natural Heritage & Biodiversity Value and PV5 - Protected Species reflect this position and in recognition of the lack of designated sites in Angus an action was included within the Local Development Plan Action Programme to progress this work. [National Planning Framework](#) (NPF4) sets out the Scottish Government's long-term spatial strategy and includes national planning policies which form part of the statutory development plan. Policy 4 – Natural Places, advises that Local Development Plans are to identify and protect locally, regionally, nationally and internationally important natural assets, on land and along coasts. This policy includes Local Nature Conservation Sites. The designation of Local Nature Conservation Sites will therefore also support this position and form an important part of the evidence report.

#### **4. CURRENT POSITION**

- 4.1 Local Nature Conservation Sites comprise Local Biodiversity Sites and Local Geodiversity Sites. Currently, there are currently no Local Biodiversity Sites in Angus. However, there are two Local Geodiversity Sites, which were designated during the 1990s, and at that time were called Regionally Important Geological Sites. These sites are Seaton Cliffs and Baluderon Hill in the Sidlaws.
- 4.2 This study concerns the identification of Local Biodiversity Sites in Angus. The identification of Local Geodiversity Sites also forms part of this work however is not included at this time and will be reported to Committee at a future date.
- 4.3 The overall methodology was agreed in partnership with NatureScot and Perth & Kinross Council who are undertaking a similar exercise. The process was commenced prior to lockdown with the development of a methodology and gaining access to potential site records. To assist in the identification and assessment of potential Local Biodiversity Sites within Angus, an expert assessment panel was established. This included Council officers, officers from NatureScot and local nature conservation experts including county recorders. The panel was chaired by the current county recorder for the Botanical Society of Britain & Ireland.
- 4.4 This initial phase of sites were selected from a combination of records from a previous Scottish Wildlife Survey in the 1990s and expert panel knowledge. The COVID lockdown impacted on timescales of the project as no site visits possible and the assessment panel only able to meet online. The sites were therefore surveyed on site by an ecologist during 2021 and subsequently assessed by the panel during 2022 and 2023. The process has been systematically carried out to ensure that the assessment process is robust, and this has necessitated time to check and verify previous records. The assessment involved scoring all the proposed sites against 6 criteria: species diversity, species rarity, habitat rarity, naturalness, extent in local context and connectivity.
- 4.5 Following assessment of this initial phase of sites, a total of 28 are considered suitable for designation as Local Nature Conservation Sites. These are listed and mapped in the Appendix 1 and Appendix 2 to this report. The sites cover a full range of habitats including species rich grasslands, native woodlands, heath, marsh, bogs, fens and coastal habitats. These habitats are often UK Priority Habitats and locally rare and commonly host both nationally and locally rare plant species. Survey and assessment is currently underway for a second phase of candidate sites and will be reported to committee in due course. Whilst carrying out the initial phase, it became apparent that sites adjacent to the sites being surveyed had nature conservation value. These have formed the basis of the second phase of survey and assessment currently underway.
- 4.6 During the assessment attempts to identify landowners and advise them of the proposed designation of sites known to be on their land have been made and where identified landowners provided a summary sheet, which includes a map and a description of the nature conservation interest. Landowners have been given opportunity to discuss the proposed designation should they wish to do so.
- 4.7 It is often the case that the high nature conservation value of these types of sites are a result of how the land has been managed. The Council are keen to work with landowners to protect and manage the conservation interest. The designation as Local Nature Conservation Sites can sometimes assist land managers access funding to pro-actively manage the sites.

## 5. PROPOSALS

5.1 Following completion of the assessment process for this initial phase of sites as detailed above, a total of 28 are considered suitable for designation as Local Nature Conservation Sites. These sites and their main habitats are summarised below for the information of Members. Further detail is provided within Appendix 1 to this report including the location and maps of the proposed Local Nature Conservation Sites. A general location plan for all the sites is contained within Appendix 2.

Site	Area (ha)	Main Habitats
Auchleuchrie	41.90	Lowland birch woodland
Backmuir Wood	53.13	Semi-natural woodland
Balmadies Wood	27.29	Lowland wet woodland   wetland   marshy grassland
Barrelwell Bog	16.80	Wet woodland   neutral grassland   marshy grassland
Braes of Airlie	6.85	Lowland birch woodland   grassland
Captain's Pond	29.83	Basin bog   Semi-natural broadleaved woodland   open water   swamp   marshy grassland   unimproved acid grassland
Den of Ogil Reservoir	60.77	Wetland   Lowland broadleaved woodland   mixed grassland
Deuchar Hill	43.47	Semi-improved acid grassland   marshy grassland   dry heath   valley mire
Egno Moss	76.54	Wetland   broadleaved woodland   grassland
Eskhill	59.21	Lowland birch woodland   acid grassland
Glamis Disused Sand Pit	11.99	Basin bog   Semi-natural broadleaved woodland   open water   swamp   marshy grassland   unimproved acid grassland
Inzion	24.13	Lowland acid grassland   wet woodland   marshy grassland
Leys of Lindertis	2.96	Semi-natural broadleaved wet woodland   Marshy grassland   Swamp
Lunan Bay	163.79	Coniferous Plantation   Mixed plantation   Dense scrub   Unimproved neutral grassland   Tall ruderal   Swamp   Running water   Saltmarsh   Dune grassland   Open dune   Maritime cliff   Inter-tidal zone
Lundie Bog	5.37	Semi-natural broadleaved woodland   Conifer plantation   Scattered scrub   Scattered broadleaves   Scattered conifers   Unimproved acid grassland   Marshy grassland   Dense Bracken   Acid dry dwarf shrub heath   Acid flush   Fen (Basin mire)   Swamp   Standing water
Mains of Aldbar	22.08	Semi-natural broadleaved woodland   Plantation woodland   Marshy grassland
Market of Muir, Westmuir	31.60	Lowland birch woodland   heathland   grassland
Melgam Water	21.20	Lowland broadleaved woodland   grassland   open running water

Newton Moss	20.64	Lowland marshy grassland   blanket bog
Oak Wood	16.80	Semi-natural broadleaved woodland   unimproved acid grassland
Pitnappie Moss	19.24	Marshy grassland   basin mire   woodland
Powmyre	14.70	Low-lying basin mire   marshy grassland   fen   swamp   woodland
Red Loch	38.93	Wetland   acid grassland
Redmire Wood	19.28	Wet birch woodland   lowland basin mire
Reekie Linn	24.95	Semi-natural broadleaved woodland   plantation woodland   neutral grassland
River South Esk KIntrockat	18.41	Semi-natural broadleaved woodland   marshy grassland   neutral grassland
The Thorn	18.38	Semi-natural broadleaved woodland   semi-improved grassland
Woodside	6.81	Birch woodland   Semi-improved acid grassland

5.2 Further general information on these sites is also summarised below for the information of Members.

- The sites vary dramatically in size from as small as 2.96 hectares at Leys of Lindertis LNCS around 1.2km southeast of Craigton of Airlie to 163.79 hectares at Lunan Bay.
- There are a number of woodland sites, particularly along the Highland Boundary Fault line southwards towards the A90. These are often along rivers, in gorges, and also on less productive land. Similarly, there are sites along the River South Esk at Kintrockat and along the Lunan valley.
- Some of the sites contain other types of habitat networks, including lowland heath, unimproved grassland, marshy grassland, and birch woodland mosaics
- Newton Moss and Inzion Local Nature Conservation Sites in Glen Isla contain lowland blanket bog, basin mire, valley mire, swamp and marshy grassland. Similar habitats are also at Lundie Bog which also contains fen and at Powmyre LNCS between Glamis and Kirriemuir which contains basin mire, marshy grassland fen swamp and woodland.
- Captain's Pond north of Glamis is a mosaic of open water, basin bog and marshy grassland and the Glamis Sand Pit which contains unusual plant flora and the small blue butterfly.
- Both Backmuir Wood at Muirhead and Market of Muir at Westmuir are both well used by the local communities. Lunan Bay and the waterfall at Reekie Linn are tourism and recreational attractions.
- Many of the sites store or sequester carbon, which is important in addressing the climate crisis. This is particularly true of woodland, peatland and wetland habitats. These sites often form part of wider habitat networks sometimes connecting to nationally designated sites and are important in addressing the nature crisis.

5.3 Section A159 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that woodland of high nature conservation value to be identified within Forestry & Woodland Strategies prepared by local authorities. It is anticipated that some of these woodlands may also merit being included as Local Nature Conservation Sites, where nature conservation value is considered to meet the criteria, and these will be considered in the next phase of assessment for further Local Nature Conservation Sites. For the information of Members, the Forestry & Woodland Strategy is under preparation.

5.4 It is proposed that the 28 sites detailed in paragraph 5.1 and contained within Appendix 1 of this Report are designated as Local Nature Conservation Sites within Angus to help to protect these important biodiversity sites from inappropriate development and to ensure sympathetic land management by landowners through partnership working. The designation of a site as an as Local Nature Conservation Site will be a material consideration in terms of determination of

planning applications where a development proposal is located within or adjacent to a Local Nature Conservation Site.

- 5.5 Survey and assessment is currently underway for a second phase of candidate sites and will be reported to committee in due course. Whilst carrying out the initial phase, it became apparent that sites adjacent to the sites being surveyed had nature conservation value. These have formed the basis of the second phase of survey and assessment currently underway. Site surveys are being undertaken and these sites will be assessed by the assessment panel, with the results being reported to Committee when the process has been completed. There are other sites across Angus which would likely be suitable for consideration as candidate local biodiversity sites. Any further phases of survey and assessment would be dependant upon funding being available and may provide opportunity for the public to suggest sites for consideration.

## **6. FINANCIAL IMPLICATIONS**

Phase 1 ecological surveys carried out during 2021/22 had a total cost of £17,200 of which 50% was grant aided by NatureScot. Phase 2 of ecological surveys is underway with a total budget of £10,000 of which 50% was grant aided by NatureScot. Angus Council contributions have from the biodiversity budget.

## **7. OTHER IMPLICATIONS**

### **Risk**

Without designation as LNCS, it would be more difficult to protect sites from inappropriate development through the development management process and also to ensure sympathetic land management by landowners through partnership working. The identification of Local Nature Conservation Sites is also required as part of the Evidence Report for the forthcoming Local Development Plan. Failure to complete the process of designating Local Landscape Areas would not comply with the requirements of NPF4.

### **Strategic Environment Assessment**

A screening process was recently undertaken in relation to the identification of Local Nature Conservation Sites, and it was determined, in consultation with Nature Scot, SEPA and Historic Environment Scotland, to be unlikely to have significant environmental impacts and therefore no further SEA process is required.

## **8. EQUALITY IMPACT ASSESSMENT**

- 8.1 A screening Equality Impact Assessment has been prepared and accompanies this report.

## **9. CONSULTATION**

- 9.1 Consultation has taken place with NatureScot as part of the assessment panel undertaking the study. The Planning and Sustainable Growth Service have also attempted to identify landowners and have advised them of the proposed designation of sites known to be on their land.

**NOTE:** No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

**REPORT AUTHOR: STEWART ROBERTS**  
**EMAIL DETAILS: [RobertsS@angus.gov.uk](mailto:RobertsS@angus.gov.uk)**

List of Appendices:

1. Local Nature Conservation Sites in Angus (Local Biodiversity Sites - Phase 1 Report)
2. Location Plan of Local Nature Conservation Sites (Local Biodiversity Sites – Initial Phase)



## Equality Impact/Fairer Scotland Duty Assessment Form

(To be completed with reference to Guidance Notes)

### Step 1

**Name of Proposal** (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions):

Committee report: **LOCAL NATURE CONSERVATION SITES IN ANGUS -LOCAL BIODIVERSITY SITES - PHASE 1 REPORT**

### Step 2

Is this only a **screening** Equality Impact Assessment

Yes

**(A)** If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

(i) It does not impact on people

Yes

(ii) It is a percentage increase in fees which has no differential impact on protected characteristics

No

(iii) It is for information only

No

(iv) It is reflective e.g. of budget spend over a financial year

No

(v) It is technical

No

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

**Step 16: Sign off and Authorisation.** Please state name, post, and date for each:

Prepared by: Stewart Roberts, Countryside Officer 25.08.23

Reviewed by: Doreen Phillips, Senior Practitioner – Equalities 25.08.23

Approved by: Kelly Ann Dempsey, Team Leader – Environment & Climate Change 25.08.23

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.