



# Angus Forestry & Woodland Strategy 2024-2034

**Habitats Regulations Appraisal**  
January 2024



# Introduction

The Habitats Regulations Appraisal form below assesses the Angus Forestry & Woodland Strategy 2024 – 2034 in relation to regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (Habitats Regulations Appraisal). The assessment has used a NatureScot online proforma.

The details of Special Protection Areas and Special Areas of Conservation, collectively known as Natura 2000 sites, has been gathered from NatureScot SiteLink website which is understood to be up to date.

The appraisal concludes that Appropriate Assessment is not required.

## Habitats Regulations Appraisal Proforma

### **Appraisal in relation to regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (Habitats Regulations Appraisal)**

(Or, where relevant, under regulation 61 of The Conservation of Habitats and Species Regulations 2010 as amended, or regulation 25 of The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 as amended)

#### **EUROPEAN SITE DETAILS**

**Name of European site(s) potentially affected:**

Cairngorms Massif SPA  
Loch of Lintrathen SPA  
Loch of Kinnordy SPA  
Montrose Basin SPA  
Outer Firth of Forth & St Andrews Bay Complex SPA  
River Tay SAC  
River South Esk SAC  
Firth of Tay & Eden Estuary SAC

**Name of component SSSI if relevant:**

Loch of Lintrathen SSSI  
Loch of Kinnordy SSSI  
Barry Links SSSI  
Montrose Basin SSSI  
Dun's Dish SSSI  
Den of Airlie SSSI

## European site qualifying interest(s) & whether priority/non-priority:

### Cairngorms Massif

The Cairngorms Massif SPA qualifies under Article 4.1 by regularly supporting a breeding population of European importance of the Annex 1 species Golden Eagle (*Aquila chrysaetos*) (26 active territories in 2003, representing approximately 5.8 % of the GB population).

### Loch of Lintrathen SPA

- The site qualifies under Article 4.2 by regularly supporting, in winter, internationally important numbers of the Icelandic population of Greylag Geese (*Anser*). In the five-winter period 1985/86 to 1989/90 an average peak of 2,100 birds was recorded, representing 2% of the total population, all of which winters in Britain.
- Loch of Lintrathen is also of importance for its assemblage of wintering birds typical of open water and associated wetlands. These include: Whooper Swan (*Cygnus cygnus cygnus*) (an Annex I species), Wigeon (*Anas penelope*), Teal (*Anas crecca*), mallard (*Anas platyrhynchos*), and Goosander (*Mergus merganser*).

### Loch of Kinordy SPA

- Loch of Kinnordy SPA qualifies under Article 4.2 by regularly supporting populations of European importance of the migratory species: Greylag Goose (*Anser anser*) (1986/87 to 1990/91 average winter peak count of 910 individuals, 1% of the Iceland/UK/Ireland biogeographic population)
- in addition Pink-footed Goose (*Anser brachyrhynchus*) (1986/87 to 1990/91 average winter peak count of 3,960 individuals, 3% of the Eastern Greenland/Iceland/UK biogeographic population).

### Montrose Basin SPA

- Montrose Basin SPA qualifies under Article 4.2 by regularly supporting populations of European importance of the migratory species: Pink-footed Goose (*Anser brachyrhynchus*) (1987/88 to 1991/92, winter peak mean of 21,800 individuals, 9% of the Eastern Greenland/Iceland/UK biogeographic population);
- Also Greylag Goose (*Anser anser*) (1987/88 to 1991/92, winter peak mean of 1,080 individuals, 1% of the Iceland/UK/Ireland biogeographic population);
- and Redshank (*Tringa totanustetanus*) (1987/88 to 1991/92, winter peak mean of 2,240 individuals, 2% of the East Atlantic biogeographic population).
- Montrose Basin SPA also qualifies under Article 4.2 by regularly supporting in excess of 20,000 individual waterfowl. In the five-year period 1987/88 to 1991/92, a winter peak mean of 47,640 individual waterfowl was recorded, comprising 33,450 wildfowl and 14,190 waders, including nationally important populations of the following species:
  - Oystercatcher (*Haematopus ostralegus*) (3,100 individuals, 1% of the GB population);
  - Eider (*Somateria mollissima*) (2,240 individuals, 5% of the GB population);
  - Wigeon (*Anas penelope*) (5,270 individuals, 2% of the GB population);
  - Redshank (2,240 individuals, 3% of the GB population),
  - Knot (*Calidris canutus*) (2,790 individuals, 1% of the GB population),
  - Greylag Goose (1,080 individuals, 1% of the GB population);
  - and Pink-footed Goose (21,800 individuals, 9% of the GB population).

- In the five-year period 1991/92 to 1995/96, a winter peak mean of 54,917 individual waterfowl was recorded with the assemblage additionally including a nationally important population greater than 2,000 individuals of Dunlin (*Calidris alpina alpina*) (2,244 individuals, 0.4% of the GB population). The assemblage additionally includes a nationally important population of Shelduck (*Tadorna tadorna*) (2005/06 to 2009/10, 1,069 wintering individuals, 1.8% of the GB population).

### **Outer Firth of Forth & St Andres Bay Complex SPA**

The Outer Firth of Forth and St Andrews Bay Complex Special Protection Area (SPA) qualifies under Article 4.1 by regularly supporting a non-breeding population of European importance of the following Annex 1 species:

- Red-throated Diver (*Gavia stellata*) during the period 2001/02 to 2004/05 (a mean peak estimate of 851 individuals; 5.0% of the Great Britain population);
  - Slavonian Grebe (*Podiceps auritus*) during the period 2006/07 to 2010/11 (an average of 30 individuals (2.7% of the Great Britain population);
  - Little Gull (*Larus minutus*) during the period 2001/02 to 2004/05 (126 individuals; more than 50 individuals)
  - and feeding Common Tern *Sterna hirundo* and Arctic Tern (*Sterna paradisaea*) from the adjacent breeding colonies.
- The Outer Firth of Forth and St Andrews Bay Complex Special Protection Area (SPA) further qualifies under Article 4.2 by regularly supporting populations of European importance of the following migratory waterfowl species:
    - Common Eider (*Somateria mollissima*) average peak counts recorded during the five year period 2001/02 to 2004/05 (21,546 individuals 2.1% of the biogeographic population and 35.9% of the Great Britain population) and by regularly supporting in excess of 20,000 individual waterfowl including nationally important populations of the following species during the five year period 2001/02 to 2004/05:
    - Long Tailed Duck (*Clangula hyemalis*) (1,948 individuals, 17.7% of the Great Britain population),
    - Common Scoter (*Melanitta nigra*) (4,677 individuals, 4.7% of the Great Britain population) and during the period 2006/07-2010/11:
    - Velvet Scoter (*Melanitta fusca*) (775 individuals, 31% of the Great Britain population), common goldeneye (*Bucephala clangula*) (589 individuals, 2.9% of the Great Britain population)
    - and Red-breasted Merganser (*Mergus serrator*) (431 individuals, 5.1% of the Great Britain population).
  - The Outer Firth of Forth and St Andrews Bay Complex Special Protection Area (SPA) further qualifies under Article 4.2 by regularly supporting populations of European importance of the 2 following migratory species of seabird:
    - foraging European Shag (*Phalacrocorax aristotelis*) from the nearby colonies,
    - and Northern Gannet (*Morus bassanus*) during the period 1980-2006 (10,945 individuals, 1.4% of biogeographical population and 2.7% of the Great Britain population).

- The Outer Firth of Forth and St Andrews Bay Complex Special Protection Area (SPA) further qualifies under Article 4.2 by regularly supporting in excess of 20,000 individual seabirds during the breeding season including nationally important populations of the following species during the period 1980-2006:
  - Atlantic puffin (*Fratercula arctica*) (61,086 individuals, 5.3% of the Great Britain population),
  - Black-legged Kittiwake (*Rissa tridactyla*) (12,020 individuals, 1.6% of the Great Britain population)
  - Manx shearwater (*Puffinus puffinus*) (2,885 individuals, more than 2,000 individuals), common guillemot (*Uria aalge*) (28,123 individuals, more than 2,000 individuals)
  - and herring gull (*Larus argentatus*) (3,044 individuals, 1.1% of the Great Britain population).
  
- The Outer Firth of Forth and St Andrews Bay Complex Special Protection Area (SPA) further qualifies under Article 4.2 by regularly supporting in excess of 20,000 individual seabirds during the non-breeding season including nationally important populations of the following species during the period 2003/04-2005/06:
  - Black-headed Gull (*Chroicocephalus ridibundus*) (26,835 individuals, 1.2% of the Great Britain population),
  - Common Gull (*Larus canus*) (14,647 individuals, 2.1% of the Great Britain population), and Herring Gull (*Larus argentatus*) (12,313 individuals, 1.7% of the Great Britain population)
  - and, during the period 1980-2006: Common Guillemot (*Uria aalge*) (21,968 individuals, more than 2,000 individuals),
  - European Shag (*Phalacrocorax aristotelis*) (2,426 individuals, 2.2% of the Great Britain population),
  - Blacklegged Kittiwake (*Rissa tridactyla*) (3,191 individuals, more than 2,000 individuals)
  - and Razorbill (*Alca torda*) (5,481 individuals, more than 2,000 individuals).

### **River Tay SAC**

#### Designating features include:

- River lamprey, (*Lampetra fluviatilis*)
- Brook lamprey, (*Lampetra planeri*)
- Sea lamprey, (*Petromyzon marinus*)
- Atlantic salmon (*Salmo salar*)
- Otter (*Lutra lutra*)
- Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto Nanojuncetea*. Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels

### **River South Esk**

#### Designating features include:

- Freshwater pearl mussel (*Margaritifera margaritifera*)

Atlantic salmon (*Salmo salar*)

### **Firth of Tay & Eden Estuary SAC**

Estuaries, Mudflats and sandflats not covered by seawater at low tide Intertidal mudflats and sandflats Common seal (*Phoca vitulina*) Sandbanks which are slightly covered by sea

water all the time Subtidal sandbanks.

## **Conservation objectives for qualifying interests:**

### **Cairngorms Massif SPA**

To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and To ensure for the qualifying species that the following are maintained in the long term:

- Population of the species as a viable component of the site
- Distribution of the species within site Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species

### **Loch of Lintrathen SPA**

To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and To ensure for the qualifying species that the following are maintained in the long term:

- Population of the species as a viable component of the site
- Distribution of the species within site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species

### **Loch of Kinnordy SPA**

To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and To ensure for the qualifying species that the following are maintained in the long term:

- Population of the species as a viable component of the site
- Distribution of the species within site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species

### **Outer Firth of Forth & St Andrews Bay Complex SPA**

1. To ensure that the qualifying features of the Outer Firth of Forth and St Andrews Bay Complex SPA are in favourable condition and make an appropriate contribution to achieving Favourable Conservation Status.
2. To ensure that the integrity of the Outer Firth of Forth and St Andrews Bay Complex SPA is restored in the context of environmental changes by meeting objectives 2a, 2b and 2c for each qualifying feature:
  - 2a. The populations of qualifying features are viable components of the site.
  - 2b. The distributions of the qualifying features throughout the site are maintained by avoiding significant disturbance of the species.
  - 2c. The supporting habitats and processes relevant to the qualifying features and their prey/food resources are maintained, or where appropriate restored, at the Outer Firth of Forth and St Andrews Bay Complex SPA.

### **River Tay SAC**

1. To ensure that the qualifying feature of the River Tay SAC is in favourable condition and makes an appropriate contribution to achieving favourable conservation status
2. To ensure that the integrity of the River Tay is maintained by meeting objectives 2a, 2b and 2c for the qualifying feature.
  - 2a. Maintain the extent and distribution of clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels within the site
  - 2b. Maintain the structure, function and supporting processes of clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels
  - 2c. Maintain the distribution and viability of typical species of clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels
1. To ensure that the qualifying features of River Tay SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.
2. To ensure that the integrity of the River Tay is maintained by meeting objectives 2a, 2b and 2c for each qualifying feature
  - 2a. Maintain the population of the lamprey species' as viable components of the site
  - 2b. Maintain the distribution of the lamprey species' throughout the site
  - 2c. Maintain the habitats supporting the lamprey species' within the site, and availability of food
- 2a. Maintain the population of Atlantic salmon, including range of genetic types, as a viable component of the site
- 2b. Maintain the distribution of Atlantic salmon throughout the site
- 2c. Maintain the habitats supporting Atlantic salmon within the site and availability of food
- 2a. Maintain the population of otter as a viable component of the site
- 2b. Maintain the distribution of otter throughout the site
- 2c. Maintain the habitats supporting otter within the site and availability of food

### **River South Esk SAC**

1. To ensure that the qualifying features of the River South Esk SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status
2. To ensure that the integrity of the River South Esk SAC is restored by meeting objectives 2a, 2b, 2c for each qualifying feature (and 2d for freshwater pearl mussel)
  - 2a. Restore the population of freshwater pearl mussel as a viable component of the site
  - 2b. Restore the distribution of freshwater pearl mussel throughout the site
  - 2c. Restore the habitats supporting freshwater pearl mussel within the site and availability

of food

2d. Restore the distribution and viability of freshwater pearl mussel host species and their supporting habitats

2a. Restore the population of Atlantic salmon, including range of genetic types, as a viable component of the site

2b. Restore the distribution of Atlantic salmon throughout the site

2c. Restore the habitats supporting Atlantic salmon within the site and availability of food

### **Firth of Tay & Eden Estuary SAC**

To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying species that the following are maintained in the long term:

- Population of the species as a viable component of the site
- Distribution of the species within site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species

2. No significant disturbance of the species

### **STAGE 1: WHAT IS THE PLAN OR PROJECT?**

**Proposal title:** Angus Forestry & Woodland Strategy 2024-2034

**Name of competent authority:** Angus Council

**Details of proposal (inc. location, timing, methods):**

Section A159 of the Town and Country Planning (Scotland) Act 1997 (as amended) introduces a requirement for Local Authorities to prepare a Forestry & Woodland Strategy and indicates the scope of the strategy. It is a requirement that the strategy identifies Woodland of High Nature Conservation Value. The Angus Forestry & Woodland Strategy 2024-2034 has 9 key objectives for the Strategy:

1. Protect and encourage the natural regeneration and significant expansion of woodland of high nature conservation value.
2. Ensure restoration of condition of existing native woodland, increase its biodiversity value and resilience to climate change.
3. Promote the increase in riparian woodland and the establishment of natural treelines.
4. Promote the creation of woodland habitat networks as part of an Angus-wide nature network.
5. Increase the contribution of forests and woodland to mitigate the effects of climate change.
6. Significantly increase the area of productive forestry to provide quality timber as a sustainable building material.
7. Ensure that where deer fencing is necessary, paths, promoted routes and access to landscape features including hills and riverbanks are not obstructed.
8. Increase opportunities for forest and woodland recreation close to where people live.



9. Encourage the integration of forestry and woodland management with other land uses as part of sustainable diversification of rural business.

The Strategy includes 10 policies and 2 proposals relating to forestry and woodland. It is intended that this Strategy provides the Council's policy in relation to forestry and woodlands for the period 2024 – 2034 and how Angus can contribute towards delivery of Scotland's Forestry Strategy.

## **STAGE 2: IS THE PLAN OR PROJECT DIRECTLY CONNECTED WITH OR NECESSARY TO SITE MANAGEMENT FOR NATURE CONSERVATION?**

This test is to identify and remove from further assessment those proposals which are clearly necessary to, or of value to, or inevitable as part of, management of the site for its qualifying interests. For the majority of proposals competent authorities deal with the answer to stage 2 will be 'no'. However where it is thought this could be applicable the following points should be considered:

- i) Has the effect on all qualifying interests been considered?
- ii) Is the proposal part of a fully assessed and agreed management plan? If not, then further consideration or supporting information will be required.
- iii) Is there a clear rationale to justify the connection with the conservation objectives?
- iv) If there is a clear connection with the conservation objectives will any benefits arising from the proposal outweigh any negative effects?
- v) Have any alternative methods of implementing the proposal been explored, including building in any relevant mitigation, to demonstrate that this is the least damaging option?
- vi) Give a YES/NO conclusion in terms of whether the plan or project is considered directly connected with or necessary to site management for nature conservation.

- If **YES** for all elements of a plan or project, for all the European site qualifying interests (preferably as part of a fully assessed and agreed management plan), then consent can be issued. The rationale should be detailed below and no further appraisal is required (no need to proceed to stage 3 or 4).

- If **No** for one or more European site qualifying interests then proceed to stage 3.

- **If a plan has multiple elements (e.g. a range of policies or management objectives)**, elements of the plan considered directly connected with or necessary to site management for nature conservation should be discussed below and a rationale given for this conclusion. No further appraisal is then required for those elements. All other elements of the plan must proceed to stage 3.

**No – the Strategy is not directly connected with or necessary to site management for nature conservation.**

## **STAGE 3: IS THE PLAN OR PROJECT (EITHER ALONE OR IN COMBINATION WITH OTHER PLANS OR PROJECTS) LIKELY TO HAVE A SIGNIFICANT EFFECT ON THE SITE?**

The test of Likely Significant Effect (LSE) is a simple screening stage to determine whether or not an appropriate assessment is required. Each qualifying interest must be considered in relation to their conservation objectives. The following points should be considered:

- i) Briefly indicate which qualifying interest could be affected by the proposal and how; if none, provide a brief justification for this decision, and then proceed to v), otherwise continue:
- ii) consider whether there is connectivity between the proposal and each of the qualifying interests i.e. are there processes or pathways by which the proposal may influence the site's interests? Conclude no LSE only if there is no connection, or it is obvious that the proposal will not undermine the conservation objectives despite a connection. The potential for negative effects on the qualifying interests may be immediately obvious, in which case conclude likely significant effect and move straight to the next step.
- iii) consider the nature, scale, location, longevity, and reversibility of effects;
- iv) consider whether the proposal contributes to cumulative or incremental impacts in combination with other plans or projects completed, underway or proposed;
- v) Where the impacts of a proposal are the same for different qualifying interests these can be

considered together however a clear conclusion should be given for each interest.

vi) give Yes/No conclusion for each interest.

- **If yes, or** in cases of **doubt**, continue to stage 4.

- **If no** for **all** features, a consent can be given and recorded below. There is no need to then proceed to stage 4.

**Remember** if mitigation is required to prevent there being an effect on qualifying interests then LSE must be concluded and an appropriate assessment (stage 4) must be conducted. Further guidance on the handling of mitigation can be found as part of the [European site Casework Guidance](#).

**No - The Strategy does not specifically propose forestry or woodland in any specific area. The Strategy provides general support for forestry, native woodland, montane woodland and riparian native woodland. The Strategy is structured to be considered as a whole and a range of specific policies provide the safeguards against adverse impacts. Scottish Forestry in consultation with NatureScot, will assess any specific site proposals. These will be required to comply with the UK Forestry Standard.**

**No impacts are considered likely in respect of coastal designations.**

**It terms of watercourses, the UK Forestry Standard provides detailed guidance on good practice to for example, protect watercourses from pollution or siltation. Whilst the Strategy does not support any specific proposals, riparian native woodland is generally considered to have positive impacts and increase biodiversity, reduce siltation of watercourses during storm events and help regulate water temperature in the context of climate change. These positive impacts will be positive for the designated interests. Each proposal would be assessed by Scottish Forestry and NatureScot.**

**The Strategy specifically requires an Eagle Impact Assessment where proposals may affect the Cairngorms Massif SPA. Again, this would be assessed by Scottish Forestry and NatureScot. It should be worthwhile noting that the Strategy supports native woodland and montane woodland in upland areas, rather than non-native conifer plantations. Whilst there is strong evidence that native woodland and montane woodland can have less impact upon eagle populations, it is never the less complex and requires a case by case assessment, with each proposal being assessed by Scottish Forestry and NatureScot.**

**Given the above, the Strategy does not have impact on any of the sites. Each proposal would need to be assessed by Scottish Forestry and NatureScot.**

Policies & Proposals	PPS likely to have significant effects individually or in combination	General policy statements	Projects not generated by this PPS	Protective, enhancement and conservation policies	Does not generate development and change	Provision of change with no link or pathway to qualifying features	Provision of changed with no or minimal effects	Too general nature of PPS with no information on where, how, or when of implementation	Screen in / Screen out
Policy 1: Woodland of High Nature Conservation Value		X		X				X	out
Proposal 1: Woodland of High Nature Conservation Value		X		X					out
Policy 2: Productive Forestry		X		X				X	out
Policy 3: Climate Resilient Landscapes		X							out
Policy 4: Biodiversity		X							out
Policy 5: Montane Woodland		X							out
Policy 6: Riparian Woodland		X							out
Policy 7: Landscape, Wild Land Areas & Wildness		X		X					out
Policy 8: Historic Environment		X		X					out
Policy 9: Deer Management & Fencing		X							out
Policy 10: Forests, Woodland & People		X							out
Proposal 2: Forests, Woodland & People		X							out

#### **STAGE 4: UNDERTAKE AN APPROPRIATE ASSESSMENT OF THE IMPLICATIONS FOR THE SITE IN VIEW OF ITS CONSERVATION OBJECTIVES**

(It is the responsibility of the competent authority to carry out the appropriate assessment. The competent authority must consult NatureScot on the appropriate assessment. NatureScot can provide advice on what issues should be considered in the appropriate assessment, what information is required to carry out the assessment, in some circumstances carry out an appraisal to inform an appropriate assessment and/or provide comments on an assessment carried out.)

An 'appropriate assessment' consists of two parts: a scientific, reasoned appraisal (stage 4) and a conclusion (stage 5). Consider the proposed plan/project, its impact on the qualifying interests assessed against their conservation objectives, and take account of any possible in combination effects with other plans or projects.

The following points should be considered:

- i) Describe for each qualifying interest the potential impacts of the proposal detailing which aspects or effects of the proposal could impact upon them and their conservation objectives.
- ii) Evaluate the potential impacts, e.g. whether short/long term, reversible or irreversible, and in relation to the proportion/importance of the interest affected, and the overall effect on the site's conservation objectives. This should be in sufficient detail to ensure all impacts have been considered and sufficiently appraised. Record if additional survey information or specialist advice has been obtained.
- iii) Each conservation objective should be considered and a decision reached as to whether the proposal will affect achievement of this objective i.e. whether the conservation objective will be undermined if the proposal is consented to. Restore objectives may have been set where qualifying features of a site are in an unfavourable condition. In such cases the appropriate assessment should consider whether the plan or project would prevent the qualifying feature from being able to be restored.

N/A

- For each impact assess the probability of it undermining the conservation objectives.
- For each impact assess the magnitude, duration & reversibility of the effects.
- Consider mitigation proposed and its potential to be effective in removing or reducing impacts.
- Record any assumptions made and evidence or advice used.

You should give sufficient detail to allow you to conclude whether the plan or project will not adversely affect site integrity for the qualifying interests of the European site – or otherwise. It need not be complex, particularly where the impacts are clear. It is essential, however, that the assessment should be fully reasoned, and any decisions arrived at clearly recorded along with reference to any advice obtained.

Where an EIA or SEA has been undertaken under other legislation, it can inform the appraisal component of appropriate assessment. It is however a Competent Authority (CA) that must always reach a formal conclusion as to whether there are no adverse effects from the proposal on site integrity, for an appropriate assessment to be complete.

## **STAGE 5: CAN IT BE ASCERTAINED THAT THE PROPOSAL WILL NOT ADVERSELY AFFECT THE INTEGRITY OF THE SITE?**

In the light of the appraisal, ascertain whether the proposal will not adversely affect the integrity of the site. Conclusions should be reached beyond reasonable scientific doubt. If more than one SAC and/or SPA is involved, give separate conclusions. If mitigation or modifications are required, detail these below. Mitigation must be deliverable and enforceable, and there should be certainty that this should work. Further details on what should be considered when assessing potential mitigation options are outlined in section 4.3 of the [European site casework guidance](#).

N/A

The integrity of the site only applies to the qualifying interests and is directly linked to the conservation objectives for the site. If a plan or project does not undermine the conservation objectives, then the integrity of the site should be maintained or, where relevant, have the

ability to be restored. Conversely, if any of the conservation objectives could be undermined, it would not normally be possible to ascertain that the integrity of the site would not be adversely affected.

**Modifications required to ensure adverse effects are avoided and reasons for these**

Only list those modifications (i.e. further mitigation) that have been identified as being required to prevent there being an adverse effect on site integrity.

Do not include mitigation that has already been planned in the plan/project or best practice that is already being followed unless you believe these should be added as conditions to the permission given. As noted above, further details on what should be considered when assessing potential mitigation options are outlined in section 4.3 of the [European site casework guidance](#).

N/A

**ADVICE SOUGHT**

Include here details of, or clear reference to, any advice sought. If an appropriate assessment has been carried out NatureScot must be consulted.

N/A

## **CONCLUSION IN RELATION TO PLAN OR PROJECT**

In view of the appraisal above select the appropriate response position and whether the plan or project can be consented/approved/undertaken. Note: this conclusion is just in relation to effects on a European site. There may be impacts to other natural heritage interests that also need to be considered.

N/A Choose an item.

**Comments:** None.

**Appraised by:** Stewart Roberts, Countryside Officer

**Date:** 30/11/2023 (amended June 2024 following NatureScot comments and approval by Communities Committee 11 June 2024)

