

# Habitats Regulations Appraisal of the Proposed Highland wide Local Development Plan

Finalised Record  
February 2012



## **Foreword**

This document has been prepared under the requirements of the EU Habitats Directive and has applied the requirements set out by Scottish Government Policy in the Conservation (Natural Habitats, &c.) Regulations 1994 as amended.

It is the Highland Council's responsibility to consider whether the policies and proposals within the Highland wide Local Development Plan are likely to have any significant effect on Special Protection Areas (including potential SPAs), Special Areas of Conservation (including possible and candidate SACs) and Ramsar sites, having regard to the qualifying interests and conservation objectives of those sites.

Where a likely significant effect has been identified, either individually or in combination with other plans or projects, appropriate assessment has been undertaken and mitigation measures provided to reduce the likely significant effect and avoid adversely affecting the integrity of the site. This has involved making changes to the Highland wide Local Development Plan where necessary.

During the preparation of this document and the consideration of relevant representations on the Highland wide Local Development Plan the Highland Council has had early engagement and discussions with and input from Scottish Natural Heritage (SNH) and the Scottish Environment Protection Agency (SEPA) in particular which have helped identify and address any potential effects. In addition, data provided by SNH has been referred to in order to identify the need for and inform the definition of mitigation measures. Mitigation measures and relevant changes have been developed in conjunction with SNH or SEPA where appropriate.

At present the Highland wide Local Development Plan has been subject to examination by Scottish Ministers and the Report of Examination was received by The Highland Council on 20<sup>th</sup> December 2011. The Highland Council is moving towards adoption of the plan on the 5<sup>th</sup> April 2012.

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## 1. Introduction and Context

In October 2005 the European Court of Justice<sup>1</sup> ruled that all land use plans in the United Kingdom likely to have a significant effect on European sites (Natura sites), either Special Protection Areas (including proposed SPAs) or Special Areas of Conservation (including possible and candidate SACs), can only be approved after an appropriate assessment of the policies and proposals has been undertaken under the provision of Article 6(3) of the Habitats Directive 1992<sup>2</sup>. The Directive states that 'any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives'. The directive goes on to say that the plan shall only be agreed if there is no adverse effect on the integrity of any European site after mitigation is considered.

Scottish Ministers have extended the requirement for appropriate assessment to Ramsar sites, listed under the International Convention on the Conservation of Wetlands of International Importance, and proposed SPAs and candidate SACs, before they are fully classified. Hereafter in this appraisal, the term 'Natura site' should be taken as not only referring to SPAs and SACs but also to proposed SPAs, candidate SACs and Ramsar sites.

The purpose of this Habitats Regulations Appraisal (HRA) record is to consider whether the policies and proposals within the Highland wide Local Development Plan are likely to have a significant effect on any Natura site, either individually or in combination with other plans or projects. For those policies and proposals that would have a likely significant effect, an appropriate assessment has been carried out to ascertain whether the Plan would not adversely affect the integrity of these sites. Where it is not possible to ascertain that no adverse effects will occur, the plan cannot be adopted except in the most exceptional of circumstances.

The HRA record includes mitigation identified as necessary to include in the plan. The assessment concludes that with appropriate safeguarding and mitigation added to the plan, the Highland wide Local Development Plan will not adversely affect the integrity of any Natura site.

This finalised HRA Record will be placed on the Council's website alongside the Adopted Highland wide Local Development Plan. The Action Programme for the plan's policies and proposals as necessary will include cross-references to requirements in this HRA record.

It must be advised that this HRA record including appropriate assessment has been compiled using the best available information, and any subsequent planning applications will require further assessment to ensure that the integrity of Natura sites will not be adversely affected.

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<sup>1</sup> Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland, Case C. 6/04 in the second chamber of the European Court of Justice, judgment 20th October 2005

<sup>2</sup> Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora.

## Update of HRA following receipt of Report of Examination from DPEA

The Highland Council received the Report of Examination from the Directorate for Planning and Environmental Appeals on 20<sup>th</sup> December 2011. A number of modifications to the plan have been made by the Reporters, whose recommendations are binding except in the following circumstances:

- Would have the effect of making the LDP inconsistent with the National Planning Framework, or with any SDP or National Park Plan for the same area;
- Are incompatible with Part IVA of The Conservation (Natural Habitats, &c.) Regulations 1994 (As Amended) ; or
- Are based on conclusions that could not reasonably have been reached based on the evidence considered at the examination.

Paragraph 13 of Planning Circular 1/2009: Development Planning: Appendix 1– The Habitats Regulations states:

*“Where, having considered the proposed recommendation, the authority considers it likely to have a significant effect on a European Site, that authority must undertake an appropriate assessment of the plan as if modified by the recommendation. Where that assessment cannot conclude that the plan, were it modified by the recommendation, would not adversely affect the integrity of the site, the recommendation should not usually be adopted.”*

The modifications made by the DPEA are mainly minor in nature and it is not expected that these will have a significant effect on Natura sites either alone or in combination. There are three more major modifications, these are:

- Map 6 – East Inverness – The allocation for bulky good to the south west of Inverness Retail and Business Park to be expanded to cover the whole of the retail park area except that covered by Tesco.
- Policy 21 (Culloden Moor) and Map 11 to be deleted.
- A further allocation to the east of Milton of Connage, Ardersier has been included.

While these changes are considered to be more major it is not anticipated that these will lead to any additional effects on the Natura sites of the area above the already allocated sites in the plan, given the mitigation already included.

Of a more minor nature given the above changes the policy/mapping numbering has changed and this is reflected through this HRA Record.

During the Examination period Scottish Natural Heritage were asked to reply to a request for information on their outstanding representations as they relate to the Habitats Regulations Appraisal. The response received on 3<sup>rd</sup> October 2011 has guided the Report of Examination and the update of this HRA Record.

You can view the Report of Examination online at:

<http://www.highland.gov.uk/yourenvironment/planning/developmentplans/localplans/HWLDPEExamination.htm>

## 2. Aims and Objectives of the Highland wide Local Development Plan

The Highland wide Local Development Plan (HwLDP) will cover the period from 2011 – 2031 and will replace the Highland Structure Plan which was adopted in 2001. The plan will be reviewed within a 5 year cycle.

The Plan area extends to 26,484km<sup>2</sup> and is an area of high quality natural environment and diverse historic background. It has a population of 217,440 and at 8.2 persons per square kilometre, is sparsely populated compared with other regions in Scotland. A large proportion of the land area is identified as “fragile” in terms of remoteness and scarcity of population, and the Highland area contains 12 Ramsar sites, 90 Special Areas of Conservation (SACs) and 51 Special Protection Areas (SPAs).

The HwLDP will update and replace parts of the Highland Structure Plan as well as parts of existing Local Plans which cover strategic policy issues.

This LDP will also set the context for three Local Development Plans which will follow – one for the Inner Moray Firth area, one for the Caithness and Sutherland area and one for the West Highland and Islands area. Ultimately the aim is to create and retain up-to-date plan coverage on a five year cycle.

The HwLDP sets out:

- The spatial strategy and vision for the area;
- Clear policy guidance for all types of development (including reference to Supplementary Guidance where appropriate);
- The development principles of key action areas (including the A96 corridor).

This Habitats Regulations Appraisal (HRA) considers all the policies, proposals and vision statements set out in the LDP. Where a planning application for development gives rise to likely significant effects on a Natura site beyond the scope of that considered in this HRA, an appropriate assessment will be required to be undertaken as set out in Policy 57 of the Local Development Plan. This could include development proposals on sites allocated in the LDP (giving rise to potential effects that were not foreseen in this HRA) and development proposals on sites not allocated in the LDP (giving rise to potential effects beyond those considered for the policy framework in this appropriate assessment).

The over-arching aim of the HwLDP is for the Highlands to grow its population, compete in the global economy and sustain the highest standard of services while maintaining and enhancing the outstanding quality of the natural, built and cultural heritage of the area.

Highland wide Local Development Plan can be viewed online at:

<http://www.highland.gov.uk/developmentplans>.

### 3. Natura sites within/close to HwLDP Sites

The following is a list of the Natura sites which are close to (or encroached upon by) development sites contained within the HwLDP. This list has been limited to those likely to be directly or indirectly affected by development sites specifically identified within the HwLDP rather than a comprehensive list of all Natura sites contained within the HwLDP area. Maps of the Natura sites listed in Table 1 (below) are provided in Section 8. For a complete list of Natura sites located within the HwLDP area, please see SNH's 'Sitelink' web application and interactive map:

<http://gateway.snh.gov.uk/sitelink/index.jsp>

<http://www.snh.org.uk/snhi/>

**Table 1: Natura sites considered as part of the Habitats Regulations Appraisal in respect of development sites**

<b><i>(i) Encroached upon or close to Nigg</i></b>	
<b><u>Special Areas of Conservation (SAC)</u></b>	
Moray Firth	
<b><u>Ramsar Sites</u></b>	
Cromarty Firth	
<b><u>Special Protection Areas (SPA)</u></b>	
Cromarty Firth	

<b><i>(ii) Encroached upon or close to Inverness &amp; the A96 Corridor</i></b>	
<b><u>Special Areas of Conservation (SAC)</u></b>	
Moray Firth	River Moriston
Urquhart Bay Wood	Cawdor Wood
Culbin Bar	
<b><u>Ramsar Sites</u></b>	
Inner Moray Firth	Moray & Nairn Coast
<b><u>Special Protection Areas (SPA)</u></b>	
Loch Ashie	Loch Flemington
Inner Moray Firth	Darnaway and Lethen Forest
Moray & Nairn Coast	

<b><u>(iii) Encroached upon or close to Dounreay, Castletown and John O’Groats</u></b>	
<b><u>Special Areas of Conservation (SAC)</u></b>	
Broubster Leans	Strathy Point
Caithness & Sutherland Peatlands	River Thurso
<b><u>Ramsar Sites</u></b>	
Caithness Lochs	Caithness & Sutherland Peatlands
<b><u>Special Protection Areas (SPA)</u></b>	
Caithness Lochs	North Caithness Cliffs
Caithness & Sutherland Peatlands	

NB: Overview maps of the Natura sites for Nigg, Inverness and A96 Corridor and the Caithness sites can be found in Appendix 1.



#### **4. Methodology for Assessment**

After consulting the Habitats Regulations Appraisal of Plans – Guidance for Plan-making Bodies in Scotland (Aug 2010) provided by Scottish Natural Heritage (SNH), the following methodology was established.

Highland Council worked closely with SNH to carry out this appraisal, gaining the background information regarding qualifying interests and conservation objectives of Natura sites required to conduct an effective appropriate assessment. SNH have also been consulted regarding the wording of policies and proposals and the mitigation measures for any potential adverse effects on site integrity to ensure that the mitigation measures provided are tailored to the conservation objectives and qualifying interests.

All Natura sites potentially affected by the HwLDP have been identified and mapped. The mapping is included within the HwLDP Proposals Map. All policies in the plan have been screened both individually and cumulatively to determine the possible effects that may arise due to their implementation. Policies which have been identified as having no effect or are unlikely to have a significant effect have been detailed and reasons for this have been given. Where it was possible to identify straightforward mitigation measures to policies screened in as likely to have a significant effect, these were applied and then the policy was screened out. Remaining policies likely to have a significant effect have been identified as requiring an appropriate assessment.

Likely significant effect is defined as any effect that may reasonably be predicted as a consequence of a plan or project that may undermine the conservation objectives of the features for which the site was designated.

Paragraph 136 of the Scottish Planning Policy notes that Ramsar sites are also Natura sites and are therefore protected under the relevant legislation. Ramsar interests have thus been considered alongside their equivalent SPA for the purposes of this assessment and also documented together within this report. As a result, the Ramsar interests should be adequately protected by consideration of the effects on their 'partner' SPA site in line with the advice given in paragraph 1.11 of the "Habitats Regulations Appraisal of Plans: Guidance for Plan-making Bodies in Scotland" (2010).

## 5. Screening Process

Extensive discussions with SNH took place in order to screen out the elements of the Highland wide Local Development Plan which were considered to have no or minimal effects on Natura sites including those listed in Table 1 (above). As a result, the policies detailed in Table 2 were screened out for the reasons detailed in the final column.

**Table 2. Elements of the Highland wide Local Development Plan screened out individually as having no, or minimal, effect on Natura sites**

Policy	Title	Reason(s) for 'screening out'
1	Completing the Unconstrained City Expansion Areas	Policy in the main reiterates support for existing proposals from Inverness Local Plan. Where new allocations have been identified, these are dealt with under later Policies in the HwLDP and assessed individually, for example Ness-side and Charleston.
2	Inverness City Vision	Vision does not contain any new proposals as such. Its findings will be utilised to help develop the City Centre Development Brief which itself will be screened for HRA.
3	City Centre Development	Sufficiently distant from any Natura site, therefore no connectivity has been identified.
4	Longman Core Development	Sufficiently distant from any Natura site, therefore no connectivity has been identified.
7	Inshes and Raigmore	Sufficiently distant from any Natura site, therefore no connectivity has been identified.
11	Inverness Retail and Business Park	Land-use type proposed is non-residential and it is sufficiently distant from Natura sites.
15	Lochloy	Policy is restricted to support for existing approved residential developments only.
18	Nairn South	No likely significant effect (LSE) from this scale of development on its own.
19	Smaller Settlements in the A96 Corridor	Policy in the main reiterates support for existing proposals from Inverness Local Plan. Where new allocations have been identified, these are dealt with under later Policies in the HwLDP and assessed individually and in combination.
21	Ardersier Expansion	No LSE from this scale of development on its own.
24	Dounreay	No revised Framework Plan has been produced to date. Therefore an appropriate assessment if necessary will have to be undertaken prior to adopting any new Framework Plan.
25	John O'Groats	Scale of development and limited connectivity with Natura sites would result in no LSE.
26	Castletown	Scale of development and limited connectivity with Natura sites would result in no LSE.
27	Masterplanned Proposals in Caithness	General support for masterplanning new developments. No specific proposals to review.
28	Sustainable Design	Too general, non-spatial and protective
29	Design Quality and Place-Making	Too general and non-spatial

<b>Policy</b>	<b>Title</b>	<b>Reason(s) for 'screening out'</b>
30	Physical Constraints	Too general, non-spatial and protective
31	Developer Contributions	Too general and non-spatial
32	Affordable Housing	Too general and non-spatial
33	Houses in Multiple Occupation	Too general and non-spatial
34	Settlement Development Areas	Too general, mitigation wording in place; HRA to be considered in lower-level LDPs on a site-by-site basis
35	Housing in the Countryside	Too general and mitigation wording in place
36	Accommodation for an Ageing Population	Too general; HRA to be considered in lower-level LDPs on a site-by-site basis
37	New Settlements	Too general; HRA to be considered in lower-level LDPs which will identify any supported new settlements
39	Gypsies/Travellers	Too general and non-spatial
40	Retail Development	Too general, non-spatial; HRA to be considered in lower-level LDPs on a site-by-site basis
41	Business and Industrial Land	Too general; HRA to be considered in lower-level LDPs on a site-by-site basis for new allocations; the sites listed are already in existing development plans.
42	Previously Used Land	Too general, non-spatial; HRA to be considered in lower-level LDPs on a site-by-site basis for new allocations
45	Communications Infrastructure	Too general and non-spatial
48	New/Extended Crofting Townships	Too general, wording requires consideration of impact on natural heritage
51	Trees and Development	Too general, non-spatial and protective
54	Mineral Wastes	Too general, non-spatial and protective
56	Travel	Too general, non-spatial, secondary concern of primary development proposals which will be required to deal with natural heritage concerns as part of primary development
57	Natural, Built and Cultural Heritage	Too general, non-spatial and protective
58	Protected Species	Too general, non-spatial and protective
59	Other Important Species	Too general, non-spatial and protective
60	Other Important Habitats	Too general, non-spatial and protective
61	Landscape	Too general, non-spatial and protective
63	Water Environment	Too general, non-spatial and protective
64	Flood Risk	Too general, non-spatial and protective
65	Waste Water Treatment	Too general, mitigation wording in place; HRA to be considered in lower-level LDPs on a site-by-site basis
66	Surface Water Drainage	Too general, non-spatial, secondary concern of primary development proposals which will be required to deal with natural heritage concerns as part of primary development

Policy	Title	Reason(s) for 'screening out'
67	Renewable Energy Developments	Too general, non-spatial, protective wording in place
68	"Community" Renewable Energy Developments	Too general, non-spatial, limited to amenity impact
71	Safeguarding of waste management sites	Too general, protective
73	Air Quality	Too general, non-spatial and protective
74	Green Networks	Too general, non-spatial and protective
75	Open Space	Too general, non-spatial and protective
76	Playing Fields and Sports Pitches	Too general, non-spatial and protective

**Table 3. Screening of Natura Sites potentially affected by HwLDP policies and proposals**

Natura Site	Likely Significant Effect?	Notes
<b>Special Areas of Conservation (SAC)</b>		
<i>Broubster Leans</i>	N	Appropriate assessment will be required for updated Dounreay Framework Plan.
<i>Caithness and Sutherland Peatlands</i>	N	Appropriate assessment will be required for updated Dounreay Framework Plan.
<b>Cawdor Wood</b>	Y	Recreational impacts from the potential creation of new infrastructure or the physical damage of the woodland, with reference to Policy 22 - Cawdor Expansion, and Policy 9 in-combination assessment
<i>Culbin Bar</i>	N	Screened out under Appropriate Assessment of Green Networks SG (See Section 9).
<b>Moray Firth</b>	Y	Waste water infrastructure impacts from the A96 Corridor Developments; impact from increased marine traffic both commercial and recreational including potential renewables developments at Whiteness (Policy 14) and Nigg (Policy 23), and development at Muirtown/S Kessock (Policy 6).
<b>River Moriston</b>	Y	Water supply infrastructure impacts from the A96 Corridor Developments leading to potential drawdown in water levels within the Ness catchment and the River Moriston itself; connectivity via River Ness and Loch Ness to proposed West Link Road Bridge at Ness-side/Charleston (Policy 8)
<i>River Thurso</i>	N	Appropriate assessment will be required for updated Dounreay Framework Plan.
<i>Strathy Point</i>	N	Appropriate assessment will be required for updated Dounreay Framework Plan.
<b>Urquhart Bay Wood</b>	Y	Water infrastructure impacts from the A96 Corridor Developments leading to potential drawdown in water levels within the Ness catchment and at Urquhart Bay Wood itself

<b>Natura Site</b>	<b>Likely Significant Effect?</b>	<b>Notes</b>
<b>Ramsar Sites</b>		
<i>Caithness Lochs</i>	<i>N</i>	Appropriate assessment will be required for updated Dounreay Framework Plan.
<i>Caithness &amp; Sutherland Peatlands</i>	<i>N</i>	Appropriate assessment will be required for updated Dounreay Framework Plan.
<b>Cromarty Firth</b>	<b>Y</b>	Renewables related development proposed for Nigg (Policy 23) – dealt with under Appropriate Assessment of Nigg Masterplan (see Section 8)
<b>Inner Moray Firth</b>	<b>Y</b>	Recreational impacts arising from A96 corridor developments - dealt with under Appropriate Assessment of Green Networks SG – see Section 9.
<b>Moray &amp; Nairn Coast</b>	<b>Y</b>	Recreational impacts arising from A96 Corridor developments - dealt with under Appropriate Assessment of Green Networks SG – see Section 9
<b>Special Protection Areas (SPA)</b>		
<i>Caithness Lochs</i>	<i>N</i>	Appropriate assessment will be required for updated Dounreay Framework Plan.
<i>Caithness &amp; Sutherland Peatlands</i>	<i>N</i>	Appropriate assessment will be required for updated Dounreay Framework Plan.
<b>Cromarty Firth</b>	<b>Y</b>	Renewables related development proposed for Nigg (Policy 23) – dealt with under Appropriate Assessment of Nigg Masterplan – see Section 8.
<i>Darnaway and Lethen Forest</i>	<i>N</i>	Sufficiently distant from A96 Corridor Developments and with little recreational use or demand for site. HwLDP does not seek to provide any facilities or promote recreation.
<b>Inner Moray Firth</b>	<b>Y</b>	Recreational impacts arising from A96 Corridor developments - dealt with under Appropriate Assessment of Green Networks SG – see Section 9
<b>Loch Ashie</b>	<b>Y</b>	Water supply infrastructure impacts from the A96 Corridor Developments
<b>Loch Flemington</b>	<b>Y</b>	Recreational impacts from Policy 13 – Tornagrain; potential impact on supporting hydrology as well as on water quality from Policy 20 Croy Expansion. Recreational impacts arising from wider A96 Corridor developments are dealt with under Appropriate Assessment of Green Networks SG – see Section 7
<b>Moray &amp; Nairn Coast</b>	<b>Y</b>	Recreational impacts arising from A96 Corridor developments - dealt with under Appropriate Assessment of Green Networks SG – see Section 9
<i>North Caithness Cliffs</i>	<i>N</i>	Appropriate assessment will be required for updated Dounreay Framework Plan.

## 6. In-Combination Effects

During the preparation of this document, the Highland Council has been mindful of the potential for a cumulative impact of the Plan's policies and proposals. In particular the Council, along with SNH, has looked at the developments proposed for the A96 Corridor and their potential cumulative impacts on nearby Natura sites due to **recreational and water/sewerage infrastructure pressures**. Although many of the A96 Corridor sites were deemed to not have a likely significant effect individually, their in-combination effects may well be significant.

The approach agreed with SNH was that the cumulative effects of the development sites within the A96 Corridor would be captured and dealt with accordingly under Policy 9 "A96 Corridor - Phasing and Infrastructure". The sites dealt with 'in combination' under Policy 9 are Policies 10-22, namely: Beechwood Campus, Inverness Retail and Business Park, Stratton, Tornagrain, Whiteness, Lochloy, Sandown, Delnies, Nairn South, Croy, Ardersier and Cawdor.

Of the policies screened out as having no likely significant effects individually (Table 2 above), it was anticipated that a number of them would be likely to have in-combination and cumulative effects on the areas' Natura sites. The results of this assessment is summarised in Table 4 below.

**Table 4. In-combination assessment of HwLDP Site Development Policies screened-out individually**

Policy	1	2	3	4	7	11	15	18	19	21	24	25	26	27
1	Grey	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
2	White	Grey	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
3	White	White	Grey	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
4	White	White	White	Grey	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
7	White	White	White	White	Grey	Green	Green	Green	Green	Green	Green	Green	Green	Green
11	White	White	White	White	White	Grey	Red	Red	Red	Red	Green	Green	Green	Green
15	White	White	White	White	White	White	Grey	Red	Red	Red	Green	Green	Green	Green
18	White	White	White	White	White	White	White	Grey	Red	Red	Green	Green	Green	Green
19	White	White	White	White	White	White	White	White	Grey	Red	Green	Green	Green	Green
21	White	White	White	White	White	White	White	White	White	Grey	Green	Green	Green	Green
24	White	White	White	White	White	White	White	White	White	White	Grey	Green	Green	Green
25	White	White	White	White	White	White	White	White	White	White	White	Grey	Green	Green
26	White	White	White	White	White	White	White	White	White	White	White	White	Grey	Green
27	White	White	White	White	White	White	White	White	White	White	White	White	White	Grey

Key:

 No in combination effects       Potential In combination effects

NB: The General Policies (policy 28 onwards in Table 2) which were 'screened out' individually (see Table 2) have not been recorded in the above table, as no likely significant in-combination effects are predicted from these topic-type policies.

The in-combination assessment of policies and proposals within HwLDP in Table 4 (above) concludes that there will be likely significant in-combination effects from

Policies 11, 15, 18, 19 and 21 (all within the A96 Corridor). This will be considered in the appropriate assessment as part of *Policy 9 - A96 Corridor - Phasing and Infrastructure* with regard to the impacts of water-abstraction and sewerage treatment/disposal, and with regard to recreational disturbance impacts under the *Green Networks Supplementary Guidance* which deals with the recreational impacts of these sites. The approach taken with Policy 9 and the Green Networks SG is to take account of these 'screened-out' sites in-combination not only with themselves, but also with the other proposed development sites within the A96 Corridor which are subject to an Appropriate Assessment later in this document.

**Table 5. In-combination assessment of HwLDP with other plans and projects**

Other Plan/Project	LSE in combination with HwLDP (Y/N)?	Comment
Green Networks SG	Y	This SG promotes a number of recreational and tourism trails, particularly a Coastal Trail, which could be used by the current and increased population allowed for by HwLDP. The Appropriate Assessment of the Green Networks SG has included an in-combination assessment with HwLDP.
Inverness and Nairn Core Path Plans	Y	The implications of these Plans with respect to their impact on Natura sites within the scope of the HwLDP (i.e. the A96 Corridor) have been taken into account within the Green Networks SG and its related Appropriate Assessment, which identifies the sections of the Core Paths being utilised within the A96 Corridor and provides for appropriate mitigation.
Strategy for the West Link Road	Y	The implications of this strategy in combination with the HwLDP have been accounted for in the Appropriate Assessment for Policy 8 Ness-side and Charleston.
National Renewables Infrastructure Plan (NRIP)	Y	The implications of this Plan in combination with the HwLDP have been accounted for in the Appropriate Assessment for Policies 14 and 23 Whiteness and Nigg.

Local Transport Strategy	Y	The HwLDP takes its principal policy direction on transport matters from the LTS (see Policy 56), and although there are transportation elements contained within the Vision/Spatial Strategy, any projects or proposals identified will be dealt within the site specific policies or within the relevant forthcoming Local Development Plans which will promote them. The transportation elements within the Vision/Spatial Strategy have also been accounted for within this HRA, and have been subject to straightforward mitigation measures (see Table 6).
Inner Moray Firth Ports and Sites Strategy	N	The HwLDP takes account of the proposals for Nigg and Ardersier (aka Whiteness) from this document and does not propose anything over and above that which is contained within this Strategy. Therefore there will be no cumulative, in-combination effects.
Moray Firth SAC Management Scheme	N	This Management Scheme proposes a number of actions relating to the protection and management of the qualifying interests within the SAC, and as such, this will not have any likely significant effect which needs to be considered in combination between the HwLDP policies.
Highland and Moray Council Waste Strategy	N	This Strategy does not refer to the former Longman Landfill site, and therefore there will be no cumulative, in-combination effects.



## 7. Elements of the Plan screened out through straightforward mitigation

After further rounds of discussions with SNH, revised wording for elements of the Vision and General Policies of the Plan were agreed to allow these aspects to be mitigated and then screened out. The results of these discussions, including the proposed wording changes to the HwLDP are summarised in Tables 6 and 7.

**Table 6. Elements of the Vision and Spatial Strategy to which straightforward mitigation measures were applied and were then screened out**

Doc't Section	Title	Proposed Mitigation	Reasoning
3	Introduction & Context	<p>Insert new paragraphs:</p> <p>3.8.3 The following sections outline the Highland Council's Vision for the Highland area as a whole and for the three areas which will be the subject of future Local Development Plans. These Visions are not policies <i>per se</i>; rather they are an expression of what the Highland area could be like in 2030. Where reference has been made to individual projects, these are either dealt with in more detail within the body of this plan, or will be considered within the forthcoming Local Development Plan for the relevant area. In all cases, these projects will be subject to the necessary assessments, including Habitats Regulations Appraisals where appropriate.</p> <p>3.8.4 Planning applications will be assessed against all the policies and legislation relevant to the particular proposal and location. Conformity with a single policy or element of the Vision and Spatial Strategy does not necessarily indicate that a proposed development would be acceptable.</p>	Paragraph 3.8.4 clarifies that conformance with one policy or element of the Vision or Spatial Strategy does not necessarily indicate conformance with the Development Plan, to ensure that protective policies such as Policy 57 are properly taken cognisance of.
5	Caithness & Sutherland Vision and Spatial Strategy	Inclusions of new paragraphs 3.8.3 and 3.8.4 above	New paragraphs 3.8.3 and 3.8.4 provide additional safeguarding for Natura sites.
6	West Highland and Islands Vision and Spatial Strategy	Inclusions of new paragraphs 3.8.3 and 3.8.4 above	New paragraphs 3.8.3 and 3.8.4 provide additional safeguarding for Natura sites.
7	Inner Moray Firth Vision and Spatial Strategy	Inclusions of new paragraphs 3.8.3 and 3.8.4 above	New paragraphs 3.8.3 and 3.8.4 provide additional safeguarding for Natura sites.

**Table 7. Policies to which straightforward mitigation measures were applied and were then screened out**

Policy	Policy Title	Proposed Mitigation	Reasoning
36	Wider Countryside	ADD additional sentence: "All proposals should still accord with the other general policies of the Plan."	Provides additional safeguarding (similar to Policy 35) through reference to other policies, including Policy 57 which provides protection for Natural heritage.
43	Tourism	REPLACE 'the proposal will promote responsible access to, interpretation, effective management or enhancement of natural, built and cultural heritage' WITH "the proposal will safeguard, promote responsible access, interpretation and effective management or enhancement of Natural, Built and Cultural Heritage features"	Revised wording highlights requirement for Tourist developments to safeguard the "Natural heritage" of the area, which under Policy 57 incorporates Natura sites.
44	Tourist Accommodation	REPLACE "...that it can be achieved without adversely affecting the landscape character of the area." WITH "...that it can be achieved without adversely affecting the landscape character or the Natural, Built and Cultural Heritage features of the area."	Revised wording highlights requirement for proposal for Tourist Accommodation to consider the impact on the "Natural heritage" of the area, which under Policy 57 incorporates Natura sites.
46	Siting and Design of Communications Infrastructure	REPLACE first bullet point with: <ul style="list-style-type: none"> <li>Equipment and any associated access are sited and designed sensitively to avoid adverse impacts on Natural, Built and Cultural Heritage features including landscape character and views.</li> </ul>	Ensures that Natura concerns are dealt with as well as the (implied) visual impact.
47	Safeguarding Inbye/Apportioned Croftland	AMEND bullet point 4 with the following wording: <ul style="list-style-type: none"> <li>in terms of other policy considerations, such as accordance with settlement pattern or impact on a Natural, Built or Cultural Heritage feature, they can be considered acceptable</li> </ul>	The revised wording requires development to consider the effects on the Natural heritage features which, as defined by Policy 57, includes Natura sites.
49	Coastal Development	REPLACE 'conservation' in second sentence with 'Natural, Built or Cultural Heritage'.	The revised wording assesses the impact on the Natural heritage rather than generic 'conservation' concerns, and so in line with Policy 57, which includes Natura sites.
50	Aquaculture	ADD bullet point under 'the natural, built and cultural heritage, taking into consideration': <ul style="list-style-type: none"> <li>Habitats and species, including designated sites and protected species.</li> </ul>	Revised wording ensures that when Natural heritage is being considered, the need to assess the impact on habitats and species is highlighted.

Policy	Policy Title	Proposed Mitigation	Reasoning
52	Principle of Development in Woodland	ADD a new sentence to the policy: "All proposals affecting woodland will be assessed against conformity with The Scottish Government's Policy on Control of Woodland Removal".	Incorporates check against conformity with the Scottish Government's Policy on Control of Woodland Removal. This Policy explicitly states that there is a statutory requirement to prevent deterioration of Natura sites and to take measures to maintain or restore relevant Natural habitats.
53	Minerals	Amend sentence in last paragraph: "The Council will expect all minerals developments to avoid or satisfactorily mitigate any impacts on residential amenity, the Natural, Built and Cultural Heritage, and infrastructure capacities."	Ensures that avoidance of any impacts is the primary consideration rather than adequate mitigation.
55	Peat and Soils	ADD a new sentence at the end: "Proposals must also demonstrate to the Council's satisfaction that extraction would not adversely affect the integrity of nearby Natura sites containing areas of peatland".	Ensures that the hydrological connections between areas subject to consideration for peat extraction under this policy and nearby areas of peat within Natura sites are explicitly considered.
62	Geodiversity	AMEND last sentence to read: "The Council will also support improvement of accessibility and interpretation as an educational or geotourism resource, where it is possible to sympathetically integrate development, geodiversity and other existing interests."	Captures need to address Natura and other existing interests as well.
69	Electricity Transmission Infrastructure	AMEND first sentence to read: "...will be supported if assessed as not having a significantly detrimental impact on the environment, including Natural, Built or Cultural Heritage features". AMEND third sentence to read: "... where they would not have a significantly detrimental impact on the environment, including Natural, Built or Cultural Heritage features"	Clarifies that "Environment" will also include "Natural, Built or Cultural Heritage" features from Policy 57.
70	Waste Management Facilities	AMEND bullet point 1 to cross-reference Longman waste management site with Policy 5: <ul style="list-style-type: none"> <li>Former Longman landfill site, Inverness [also see Policy 5]</li> </ul>	Because the Longman Site is adjacent to a Natura site, explicitly cross-referencing with [the revised] Policy 5 Former Longman Landfill Site will ensure Natura interests are considered.
72	Pollution	AMEND first paragraph of policy to read '...appropriately avoided and if necessary mitigated.'	Revised wording requires the pollution to be avoided and appropriately mitigated rather than simply being assumed to be 'appropriate' by the developer.

Policy	Policy Title	Proposed Mitigation	Reasoning
77	Public Access	AMEND bullet point to read: <ul style="list-style-type: none"> <li>ensure alternative access provision that is no less attractive, is safe and convenient for public use, and does not damage or disturb species or habitats.</li> </ul>	Ensures Natura sites and their qualifying interests are also considered.
78	Long Distance Routes	ADD to the last sentence: ', with due regard to the impact on the Natural Heritage features along these routes.'	Revised wording ensures that proposals for routes take cognisance of impacts on Natural heritage, including Natura interests.
	Glossary	ADD Natura: The term given to Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). These internationally important sites are designated under two of the most influential pieces of European legislation relating to nature conservation, the Habitats and Birds Directives.	Clarification purposes.

Having screened out the majority of the Highland wide Local Development Plan policies either at the initial screening stage, or through further discussions with SNH and the subsequent application of straightforward mitigation, thirteen policies remain which the Council considers to have likely significant effects on the area's Natura sites, and thus will need to be subject to an Appropriate Assessment. These policies are detailed in Table 8 below.

**Table 8. HwLDP Policies remaining 'screened in' for Likely Significant Effects**

Policy	Policy Title
5	Former Longman Landfill Site
6	Muirtown and South Kessock
8	Ness-side and Charleston
9	A96 Corridor - Phasing and Infrastructure
10	Beechwood Campus
12	Stratton
13	Tornagrain
14	Whiteness
16	Sandown
17	Delnies
20	Croy Expansion
22	Cawdor Expansion
23	Nigg

## 8. Appropriate Assessment of the HwLDP

Table 8 (above) lists the HwLDP Policies which remain ‘screened in’ for Likely Significant Effects and thus will require an Appropriate Assessment of their implications for European sites in view of their conservation objectives. These policies require to be assessed both alone and in combination, given the proposed level of development across the A96 Corridor and around the Moray Firth.

The approach taken to assess these impacts is to consider each of the Natura sites remaining screened in (see Table 3) in turn and identify where there are implications for the qualifying interests from HwLDP policies both alone and in combination, and set out the proposed mitigation to be applied to address these issues.

### 8.1 Cumulative Impacts

The Council’s response to the potential cumulative impacts of the additional **water and sewerage** provision for these developments on the Natura sites within and connected to the A96 Corridor is reflected in the proposed alterations to Policy 9 and the associated text. The cumulative effects in terms of the **recreational impacts** of the A96 Corridor developments on Natura sites have been assessed and mitigated separately through the Habitats Regulations Appraisal of the Council’s Green Networks Supplementary Guidance. The results of the Appropriate Assessment of the Green Networks Supplementary Guidance with particular reference to the proposed Coastal Trail and the mitigation subsequently included in the guidance is summarised in Section 9 for cross-referencing purposes.

A copy of the Green Networks Supplementary Guidance can be downloaded from [http://www.highland.gov.uk/NR/rdonlyres/744F86B0-7D44-4EA7-A0DE-2E29C74D4129/0/GreenNetworksISG\\_FINALV2.pdf](http://www.highland.gov.uk/NR/rdonlyres/744F86B0-7D44-4EA7-A0DE-2E29C74D4129/0/GreenNetworksISG_FINALV2.pdf)

A copy of the Appropriate Assessment of the Green Network Supplementary Guidance can be found at

<http://www.highland.gov.uk/yourenvironment/planning/developmentplans/localplans/GNSPGotherassessments.htm>

**Table 9. Possible in-combination effects of elements of the Plan remaining screened in**

Natura Site	Policies	Potential in-combination effects
Inner Moray Firth SPA and Ramsar	Policy 5 (Longman Landfill) and Policy 9 (A96 Corridor developments)	<i>Recreational disturbance</i>
Moray Firth SAC	Policy 6 (Muirtown/South Kessock), Policy 14 (Whiteness) and Policy 23 (Nigg)	<i>Marine traffic</i>
River Moriston SAC	Policy 8 (Charleston/Ness-side) and Policy 9 (A96 Corridor developments)	<i>Disturbance to qualifying species during construction and impacts on water quality; impacts on the habitat of qualifying species through water abstraction and</i>

		<i>construction.</i>
<b>Loch Flemington SPA</b>	Policy 13 (Tornagrain) and Policy 20 (Croy Expansion)	<i>Recreational disturbance and impact on qualifying species through water quality</i>

The above potential in-combination effects are assessed in the following Section along with individual effects.

## 8.2 Natura Sites and HwLDP Policies – Impacts and Mitigation

Summarised below are the results from discussions with SNH regarding the required mitigation - in the form of changes to the Policies - in order to ensure that there will be no adverse effects on the integrity of Natura sites from the implementation of this Plan.

Paragraph 136 of the Scottish Planning Policy notes that Ramsar sites are also Natura sites and are therefore protected under the relevant legislation. Ramsar interests have thus been considered alongside their equivalent SPA for the purposes of this assessment and also documented together. As a result, the Ramsar interests should be adequately protected by consideration of the effects on their 'partner' SPA site in line with the advice given in paragraph 1.11 of the "Habitats Regulations Appraisal of Plans: Guidance for Plan-making Bodies in Scotland" (2010).

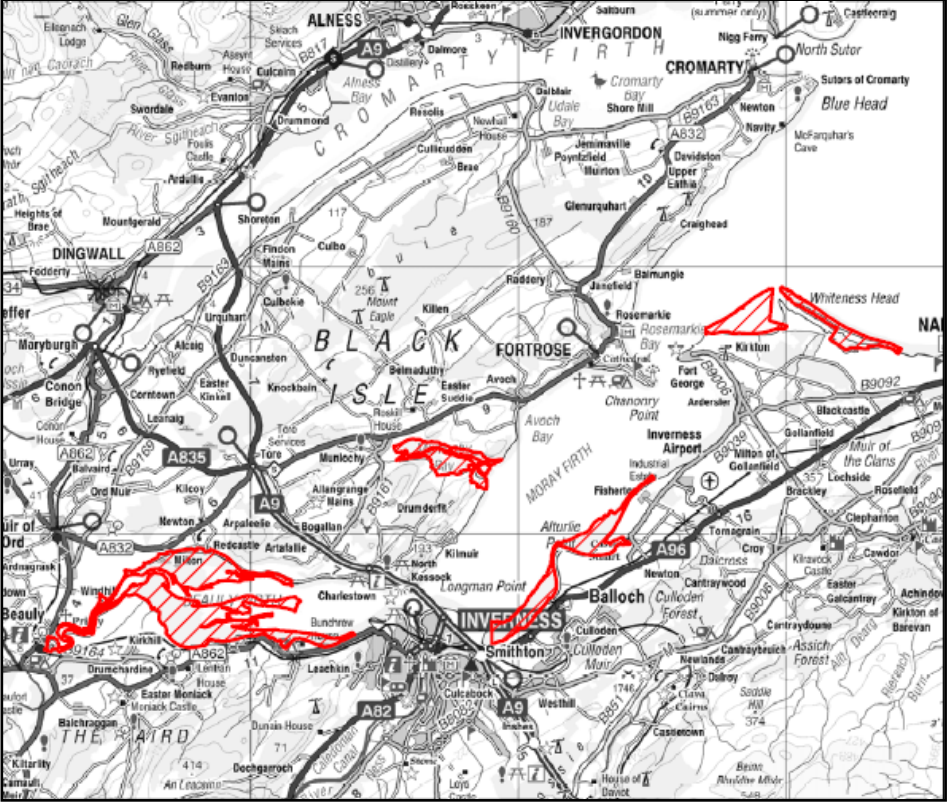
Note: The following data was retrieved from SNH's "Sitelink" Database:

<http://gateway.snh.gov.uk/sitelink/index.jsp>

<b>Reference</b>	<b>8.2.1</b>
<b>Site Name</b>	<b>Inner Moray Firth</b>
<b>Designation</b>	<b>SPA and Ramsar</b>
Date of Designation	22 March 1999
Qualifying Interests	<ul style="list-style-type: none"> <li>• Common Tern (breeding)</li> <li>• Osprey (breeding)</li> <li>• Bar-tailed Godwit (wintering, non breeding)</li> <li>• Greylag goose (wintering, non breeding)</li> <li>• Red-breasted merganser (wintering, non breeding)</li> <li>• Redshank (wintering, non breeding)</li> <li>• Scaup (wintering, non breeding)</li> <li>• Curlew (wintering, non breeding)*</li> <li>• Oystercatcher (wintering, non breeding)*</li> <li>• Goosander (wintering, non breeding)*</li> <li>• Goldeneye (wintering, non breeding)*</li> <li>• Teal (wintering, non breeding)*</li> <li>• Wigeon (wintering, non breeding)*</li> <li>• Cormorant (wintering, non breeding)*</li> <li>• Waterfowl assemblage</li> </ul> <p>* Indicates assemblage qualifier only</p> <p>The Inner Moray Firth SPA is located to the north of Inverness in Scotland and is one of the major arms of the Moray Firth. It comprises the Beaully Firth and Inverness Firth (including Munloch Bay) which together form the easternmost estuarine component of the Moray Basin ecosystem. The site contains extensive intertidal flats and smaller areas of saltmarsh. The rich invertebrate fauna of the intertidal flats, with beds of eelgrass <i>Zostera</i> spp., Glasswort <i>Salicornia</i> spp., and Enteromorpha algae, all provide important food sources for large numbers of wintering and migrating waterbirds (geese, ducks and waders). With adjacent estuarine areas elsewhere in the Moray Firth, this site is the most northerly major</p>

	<p>wintering area for wildfowl and waders in Europe. The Firth is also of importance as a feeding area for locally breeding Osprey <i>Pandion haliaetus</i> as well as for breeding terns.</p> <p>The Inner Moray Firth SPA forms an integral ecological component of Moray Basin Firths and Bays.</p> <p>The <b>Ramsar</b> site qualifies under Criterion 1b by supporting outstanding examples of wetland habitats. Saltmarsh and intertidal flats are well represented in the Inner Moray Firth. Whiteness Head is a good example of a sand and shingle spit enclosing an accreting intertidal system of saltings, sand and mud flats, with associated saltmarsh and carseland.</p> <p>The Ramsar site qualifies under Criterion 3a by regularly supporting over 20,000 waterfowl with a 1992/93-96/97 winter peak mean of 26,800 waterfowl, comprising 16,800 wildfowl and 10,000 waders.</p> <p>The Ramsar site qualifies under Criterion 3c by regularly supporting internationally important wintering populations (1992/93-96/97 winter peak means) of greylag goose <i>Anser anser</i> (2651, 3% of total Icelandic population, all of which winters in GB), red-breasted merganser <i>Mergus serrator</i> (1,184, 1% of NW Europe, 12% of GB), bar-tailed godwit <i>Limosa lapponica</i> (1992/3-96/97 winter peak mean of 1090, 2% of GB and 1% of West European population) and redshank <i>Tringa totanus</i> (1,621, 1% of British &amp; East Atlantic Flyway).</p>
<p>Conservation Objectives</p>	<p>To avoid deterioration of the habitats of the qualifying species or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained.</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> <li>• No significant disturbance of the species</li> </ul>
<p>Condition of the qualifying interests</p>	<ul style="list-style-type: none"> <li>• Common Tern (breeding) – Unfavourable, No change</li> <li>• Osprey (breeding) – Favourable, Maintained</li> <li>• Bar-tailed Godwit (wintering, non breeding) – Favourable, Maintained</li> <li>• Greylag goose (wintering, non breeding) – Favourable, Maintained</li> <li>• Red-breasted merganser (wintering, non breeding) – Unfavourable, No change</li> <li>• Redshank (wintering, non breeding) – Favourable, Maintained</li> <li>• Scaup (wintering, non breeding) – Favourable, Maintained</li> <li>• Curlew (wintering, non breeding) – Favourable, Maintained</li> <li>• Oystercatcher (wintering, non breeding) – Favourable, Maintained</li> <li>• Goosander (wintering, non breeding) – Unfavourable, No change</li> <li>• Goldeneye (wintering, non breeding) – Favourable, Maintained</li> <li>• Teal (wintering, non breeding) – Favourable, Maintained</li> <li>• Wigeon (wintering, non breeding) – Favourable, Maintained</li> <li>• Cormorant (wintering, non breeding) – Unfavourable, No change</li> <li>• Waterfowl assemblage – Favourable, Maintained</li> </ul>
<p>Factors currently influencing the</p>	<p>Disturbance is the main limiting factor to wader and wildfowl population size. Food supply is not believed to be a limiting factor, although further research is required. Climate change may limit populations and result in shifts into less well monitored</p>



<p>site</p>	<p>areas (see Austin &amp; Rehfisch 2005<sup>1</sup>) and more research work is needed to determine the effects of climatic changes on wader and wildfowl distributions. It is suspected that the tern interest of the site is being influenced by predator numbers and climate change impacting food availability.</p> <p><sup>1</sup> Austin, G E &amp; Rehfisch, M M (2005). Shifting non-breeding distributions of migratory fauna in relation to climatic change. <i>Global Change Biology</i> 11, 31–38.</p>	
<p>Vulnerabilities to change through the potential effects of the plan</p>	<p>Disturbance to qualifying species through increased recreational activity.</p>	
<p>Extent of Natura Site</p>		
<p>Policy</p>	<p>Policy Title</p>	<p>Impacts and Mitigation</p>

5	Former Longman Landfill Site	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise, disturbance and physical damage from recreational activities, and potential for pollution from possible commercial, industrial, waste management and energy-from-waste uses.</p> <p><b>Mitigation:</b> AMEND text – last sentence to read: “The potential for other uses including retail and residential will also be examined as well as the potential environmental impact of proposals, particularly to ensure that there would be no adverse effects on the integrity of the Inner Moray Firth SPA/Ramsar site.”</p> <p><b>Comment:</b> The revised wording ensures that the SPA/Ramsar is considered in advance and offered the appropriate level of protection.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
9	A96 Corridor - Phasing and Infrastructure	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise, disturbance and physical damage from recreational activities.</p> <p><b>Mitigation:</b> Modification to relevant individual policies as per mitigation detailed within this table and to associated Green Networks Supplementary Guidance (See Section 9).</p> <p><b>Comment:</b> This policy deals with the cumulative effects of the A96 Corridor developments.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
10	Beechwood Campus	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise, disturbance and physical damage from recreational activities.</p> <p><b>Mitigation:</b> ADD new bullet point under Natural, Built and Cultural Heritage:</p> <ul style="list-style-type: none"> <li>• Avoidance of any adverse effects on the integrity of the Inner Moray Firth SPA and Ramsar site.</li> </ul> <p><b>Comment:</b> Ensures that the SPA/Ramsar is offered the appropriate level of protection with regard to the developer requirements for the Campus.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

12	Stratton	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise, disturbance and physical damage from recreational activities.</p> <p><b>Mitigation:</b> REPLACE 'impacts on the' with 'avoidance of any adverse effects on the Inner Moray Firth SPA/Ramsar, the' in bullet point 3 of Natural, Built &amp; Cultural Heritage.</p> <p><b>Comment:</b> Ensures that the SPA/Ramsar is offered the appropriate level of protection with regard to the developer requirements for Stratton.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
14	Whiteness	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise, disturbance and physical damage from recreational activities.</p> <p><b>Mitigation:</b> ADDITIONAL sentence at end: "Renewables-related developments will be subject to the production of a masterplan which should ensure that there are no adverse effects on the integrity of the Moray Firth SAC and Inner Moray Firth SPA/Ramsar."</p> <p><b>Comment:</b> The National Renewables Infrastructure Plan [NRIP] considers HRA but only suggests that: "It is likely that Habitats Regulations Appraisal will be required at the project level". The revised wording reflects this.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
16	Sandown	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise, disturbance and physical damage from recreational activities.</p> <p><b>Mitigation:</b> New wording to the policy was proposed by the Council in response to a request for information from the DPEA. As a result a bullet point based policy is now proposed setting out the principles of the masterplan. The policy includes the requirement for a Recreational Access Management Plan. The Policy will be revised as follows:</p> <p>"The Council will support development at Sandown (as shown on Map 9) in the short term. A masterplan will be prepared and adopted as supplementary guidance. A recreational management plan will also be prepared....  ...The recreational access management plan will contain provisions that ensure that there is no adverse effect on the integrity of the Inner Moray Firth SPA/RAMSAR site..."</p> <p><b>Comment:</b> The requirement for a Recreational Access Management Plan (RAMP) will mean that the recreational impacts of the development on the nearby Natura sites are considered and dealt with accordingly. This approach is in line with SNH's advice of Feb 2010 regarding the development at Delnies (Policy 17).</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

17	Delnies	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise, disturbance and physical damage from recreational activities.</p> <p><b>Mitigation:</b> REVISE policy wording of bullet point 3 of Natural, Built &amp; Cultural Heritage:</p> <ul style="list-style-type: none"> <li>• Protection of the nearby Inner Moray Firth SPA/Ramsar and Whiteness Head SSSI, including through the approval of a Recreational Access Management Plan;</li> </ul> <p><b>Comment:</b> Word 'design' could be misinterpreted. Revised wording is stronger as a result. SNH's response to the Delnies proposal dated 5 February 2010 (B487458) advised Likely Significant Effects but given inclusion of RAMP, no adverse impact on the integrity of the site.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
5+9	In combination effects	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise, disturbance and physical damage from recreational activities at both the former Longman Landfill Site and from the A96 Corridor developments.</p> <p><b>Mitigation:</b> As per mitigation for the individual polices, but also through a further HRA on the proposed Longman Landfill Development Brief which <b>must</b> consider the in-combination effects with the Coastal Trail, particularly should the proposed uses for the site include community/public open space(s).</p> <p><b>Comment:</b> The likely in-combination significant effects on the Inner Moray Firth SPA/Ramsar of development at the former Longman Landfill site and within the A96 Corridor from recreational disturbance are dealt with under this entry,</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

<b>Reference</b>	8.2.2
<b>Site Name</b>	Moray Firth
<b>Designation</b>	SAC
Date of Designation	17 March 2005
Qualifying Interests	Subtidal Sandbanks (Screened Out) and Bottlenose Dolphin ( <i>Tursiops Truncatus</i> )
Conservation Objectives	<p>To avoid deterioration of the habitats of the qualifying species 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</p> <p>To ensure for the qualifying species that the following are established then maintained in the long term:</p>

	<ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site;</li> <li>• Distribution of the species within site;</li> <li>• Distribution and extent of habitats supporting the species;</li> <li>• Structure, function and supporting processes of habitats supporting the species;</li> <li>• No significant disturbance of the species.</li> </ul>
Condition of the qualifying interests	Bottlenose Dolphin: Unfavourable Recovering Subtidal sandbanks; Favourable Maintained
Factors currently influencing the site	<p>Impact of boat traffic on dolphins.</p> <p>Under the auspices of the Moray Firth Partnership, a SAC management group was set up in October 1999 with EC LIFE Project funding. The group has developed management measures to restore and maintain the bottlenose dolphin population at a viable level. The condition of the dolphin population is monitored by the University of Aberdeen under contract to SNH.</p> <p>Revision 2 of the SAC Management Scheme defines a series of actions on the ground that put in place management to deliver the site's conservation objectives for both the qualifying bottlenose dolphin and subtidal sandbank features. Furthermore a computer model is currently being developed by the University of Aberdeen under contract to the public bodies to understand the consequences of disturbance events (from marine traffic in the first instance) to the population of dolphins.</p>
Vulnerabilities to change through the potential effects of the plan	<p>Disturbance to qualifying species through increased commercial and recreational marine activity.</p> <p>Deterioration of water quality through waste water discharge</p>

Extent of Natura Site	
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Policy	Policy Title	Impacts and Mitigation
6	Muirtown and South Kessock	<p><b>Potential Impact:</b> Development may result in the loss of species due to the creation of additional noise and disturbance from commercial and/or recreational marine activities.</p> <p><b>Mitigation:</b> New wording to the policy was proposed by the Council in response to a request for information from the DPEA. As a result a bullet point based policy is now proposed setting out the principles of the masterplan. This will include:</p> <p>“safeguarding and if possible enhancement of navigation, heritage features and public pedestrian access, including the avoidance of any adverse effect on the integrity of the Moray Firth SAC.”</p> <p>[NB: Local Nature Reserve to be added to map and identified as being within the allocation to ensure it is taken in to account]</p> <p><b>Comment:</b> The revised wording ensures that the impact of any proposed developments contained within a future masterplan must take cognisance of the effects on the Moray Firth SAC.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

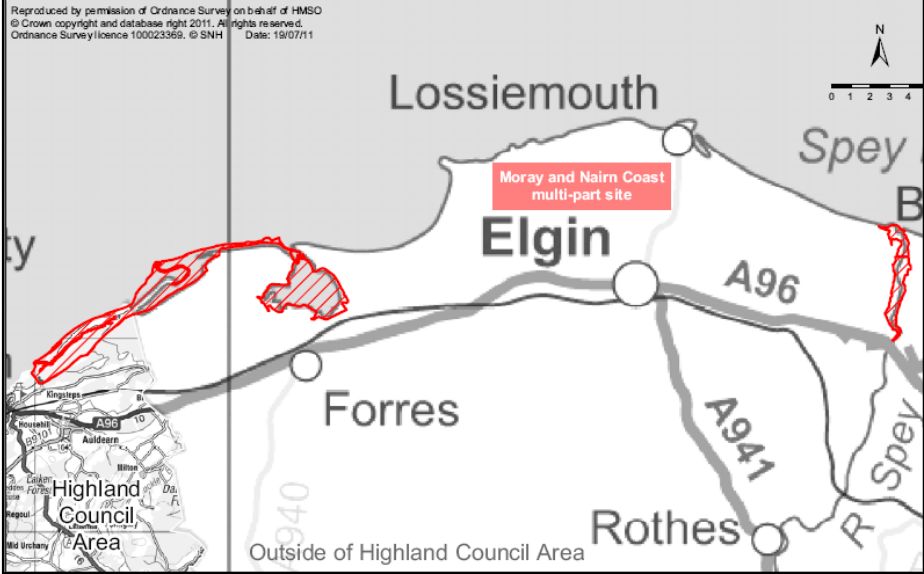
9	A9 Corridor – Phasing and Infrastructure	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the requirement for additional waste water discharge for developments along the A96 Corridor.</p> <p><b>Mitigation:</b> AMEND text in 10.5 to read:  “...The strategy must also ensure that designated sites for the natural, built and cultural heritage and protected species are safeguarded and enhanced. In particular, the impacts on Loch Ashie SPA, <b>Moray Firth SAC</b>, River Moriston SAC and Urquhart Bay Wood SAC will need to be assessed by Scottish Water as part of an appropriate assessment for the provision of additional water supply and waste-water treatment facilities for the A96 Corridor. A green network...”.</p> <p>AMEND policy text to read:  “Developments set out in the early period of this Local Development Plan (2011-2016) will only be supported subject to the provision of interim infrastructure improvements as set out in the Plan. In respect of water supply and waste water treatment, the infrastructure improvements for development provided for in this plan should not adversely affect the integrity of the <b>Moray Firth SAC</b>, Loch Ashie SPA, River Moriston SAC and Urquhart Bay Wood SAC either alone or in combination with other plans or projects. When planning applications are being determined for these early phases...”</p> <p><b>Comment:</b> The revised text in 10.5 and within the Policy itself highlight the need for Scottish Water to consider these Natura sites with respect to abstraction for the Corridor’s water supply requirements and with regard to the required quality from the additional waste water treatment facilities.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
14	Whiteness	<p><b>Potential Impact:</b> Development may result in impacts on habitats and species due to the creation of additional noise and physical disturbance from commercial and/or recreational marine activities.</p> <p><b>Mitigation:</b> ADDITIONAL sentence at end: “Renewables-related developments will be subject to the production of a masterplan which should ensure that there are no adverse effects on the integrity of the Moray Firth SAC and Inner Moray Firth SPA/Ramsar.”</p> <p><b>Comment:</b> The National Renewables Infrastructure Plan [NRIP] considers HRA but only suggests that: “It is likely that Habitats Regulations Appraisal will be required at the project level”. The revised wording reflects this.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

23	Nigg	<p><b>Potential Impact:</b> Development may result in impacts on habitats and species due to the creation of additional noise and physical disturbance from commercial marine activities.</p> <p><b>Mitigation:</b> As per the mitigation proposed in the <b>Nigg Development Masterplan: Appropriate Assessment (October 2009)</b>, which includes the following:</p> <ul style="list-style-type: none"> <li>• Construction Environment Management Plan (including pollution prevention)</li> <li>• Operational Environment Management Plan (including pollution prevention)</li> <li>• Boat Traffic Management Plan</li> <li>• Noise and Vibration Mitigation Plan</li> <li>• full compliance with appropriate regulatory frameworks for ballast water discharge, dredging and disposal (including specific mitigation measures as set out in Section 7 of the masterplan AA), and ship-to-ship transfers</li> <li>• Oil Spill Contingency Plan</li> </ul> <p>The Nigg Masterplan Appropriate Assessment can be found at –  <a href="http://www.highland.gov.uk/yourenvironment/planning/nigg.htm">http://www.highland.gov.uk/yourenvironment/planning/nigg.htm</a></p> <p><b>Comment:</b> The HwLDP does not propose any development forms or locations over and above that proposed in the Nigg masterplan which has already been subject to its own Appropriate Assessment.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
6,14,23	In combination effects	<p><b>Potential Impact:</b> Development may result in impacts on habitats and species due to the creation of additional noise and physical disturbance from commercial marine activities., in particular the cumulative effects of boat traffic in the Moray Firth from potential developments at Nigg, Whiteness and South Kessock, taking also into consideration other existing marinas and harbours.</p> <p><b>Mitigation:</b> As per mitigation proposed above for the individual sites, and also through the implementation of the Moray Firth SAC Management Scheme (available online here: <a href="http://www.morayfirth-partnership.org/sac-publications.html">http://www.morayfirth-partnership.org/sac-publications.html</a> )and the Commissioned Report on 'Dolphins and Development' (due early 2012) also known as "The development of a framework to understand and predict the population consequences of disturbance for the Moray Firth Bottlenose Dolphin population". The Council will have regard to this document and it will be a strong material consideration in the in-combination assessment of these proposals. In addition, should renewables proposals come forward at Whiteness (Policy 14), the HRA of the required masterplan <b>must</b> take into account the in-combination effects with Policies 6 and 23 of the HwLDP.</p> <p><b>Comment:</b> The likely in-combination significant effects on the Moray Firth SAC of development at Nigg, Whiteness and Muirtown &amp; South Kessock from recreational and commercial marine traffic on the dolphin feature of the SAC are dealt with under this entry, A key document for the assessment of this will be 'Dolphins and Development' (due early 2012).</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

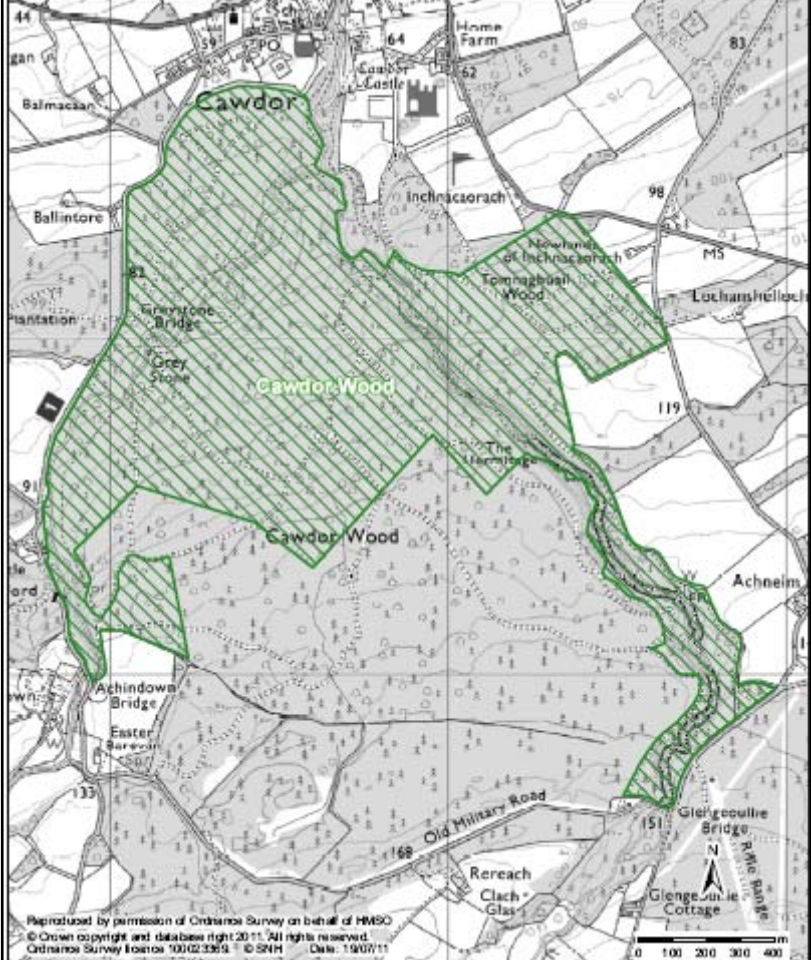


<b>Reference</b>	<b>8.2.3</b>
<b>Site Name</b>	<b>Moray and Nairn Coast</b>
<b>Designation</b>	<b>SPA and Ramsar</b>
Date of Designation	02 February 1997
Qualifying Interests	<ul style="list-style-type: none"> <li>• Osprey (<i>Pandion haliaetus</i>), breeding</li> <li>• Bar-tailed godwit (<i>Limosa lapponica</i>), non-breeding</li> <li>• Common scoter (<i>Melanitta nigra</i>), non-breeding</li> <li>• Dunlin (<i>Calidris alpina alpina</i>), non-breeding</li> <li>• Greylag goose (<i>Anser anser</i>), non-breeding</li> <li>• Long-tailed duck (<i>Clangula hyemalis</i>), non-breeding</li> <li>• Oystercatcher (<i>Haematopus ostralegus</i>), non-breeding</li> <li>• Pink-footed goose (<i>Anser brachyrhynchus</i>), non-breeding</li> <li>• Red-breasted merganser (<i>Mergus serrator</i>), non-breeding</li> <li>• Redshank (<i>Tringa totanus</i>), non-breeding</li> <li>• Velvet scoter (<i>Melanitta fusca</i>), non-breeding</li> <li>• Waterfowl assemblage, non-breeding</li> <li>• Wigeon (<i>Anas penelope</i>), non-breeding</li> </ul> <p>The Moray and Nairn Coast <b>SPA</b> is located on the south coast of the Moray Firth in north-east Scotland. The site comprises the intertidal flats, saltmarsh and sand dunes of Findhorn Bay and Culbin Bar, and the alluvial deposits and associated woodland of the Lower River Spey and Spey Bay. It is of outstanding nature conservation and scientific importance for coastal and riverine habitats and supports a range of wetland birds throughout the year. In summer it supports nesting Osprey <i>Pandion haliaetus</i>, whilst in winter it supports large numbers of Iceland/Greenland Pink-footed Goose <i>Anser brachyrhynchus</i>, Icelandic Greylag Goose <i>Anser anser</i> and other waterbirds, especially ducks, sea-ducks and waders. The geese feed away from the SPA on surrounding agricultural land during the day. . The sea-ducks feed, loaf and roost over inundated intertidal areas within the site, but also away from the SPA in the open waters of the Moray Firth.</p> <p>Moray and Nairn Coast SPA forms an integral ecological component of the Moray Basin Firths and Bays, of which it is the easternmost unit.</p> <p>The Moray and Nairn Coast <b>Ramsar</b> site qualifies under <b>Criterion 1</b> by virtue of supporting a variety of important wetland features. The dunes and shingle at Culbin Sands are of outstanding importance for their vegetation. The large areas of mudflat and saltmarsh at the Culbin Bars and Findhorn Bay are relatively undisturbed and are unaffected by reclamation or industrial development. The mosaic of habitats at Spey Bay/Lower River Spey is the nearest equivalent in Britain to a natural floodplain forest.</p> <p>The site qualifies under <b>Criterion 2a</b> by regularly supporting rare plants and animals. It supports at least 4 Nationally Scarce aquatic plants: sea centaury <i>Centaureum littorale</i> and the eelgrasses <i>Zostera noltii</i>, <i>Z. angustifolia</i> and <i>Z. marina</i>. The invertebrate fauna has at least five aquatic Red Data Book species including <i>Octhebius lenensis</i> (a small waterbeetle) and <i>Tetanocera freyi</i> (a snail-killing fly). The mammal fauna includes common seal <i>Phoca vitulina</i> and otter <i>Lutra lutra</i>, and the fish fauna includes salmon <i>Salmo salar</i> and sea lamprey <i>Petromyzon marinus</i> (all Annex II of the EC Habitats &amp; Species Directive).</p>

	<p>The site qualifies under <b>Criterion 3a</b> by regularly supporting over 20,000 wintering waterfowl with a 1989/90-93/94 winter peak mean of 24,000 waterfowl, comprising 9,500 waders and 14,500 wildfowl.</p> <p>The site qualifies under <b>Criterion 3c</b> by regularly supporting internationally important wintering populations (1988/89-92/93 winter peak means) of Icelandic/Greenlandic pink-footed goose <i>Anser brachyrhynchus</i> (7,538, 4% of total population, all of which winters in Great Britain), Icelandic greylag goose <i>Anser anser</i> (3,023, 3% of total population, all of which winters in Britain) and redshank <i>Tringa totanus</i> (1989/90-93/94 wpm of 1,690, 2% of British, 1% of East Atlantic Flyway).</p> <p>The diverse assemblage of wintering birds also includes nationally important wintering populations of velvet scoter <i>Melanitta nigra</i>, red-breasted merganser <i>Mergus merganser</i> and bar-tailed godwit <i>Limosa lapponica</i>. Findhorn Bay and Spey Bay are very important feeding areas for ospreys <i>Pandion haliaetu</i></p>
Conservation Objectives	<p>To avoid deterioration of the habitats of the qualifying species or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained.</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site;</li> <li>• Distribution of the species within site;</li> <li>• Distribution and extent of habitats supporting the species;</li> <li>• Structure, function and supporting processes of habitats supporting the species;</li> <li>• No significant disturbance of the species.</li> </ul>
Condition of the qualifying interests	<p>Favourable Maintained</p> <p>Apart from Redshank: Favourable Recovered</p> <p>Bar-tailed godwit: Favourable Declining</p>
Factors currently influencing the site	Disturbance and damage to habitats by walkers and motorised transport
Vulnerabilities to change through the potential effects of the plan	Disturbance to qualifying species through increased recreational activity and damage to habitat.

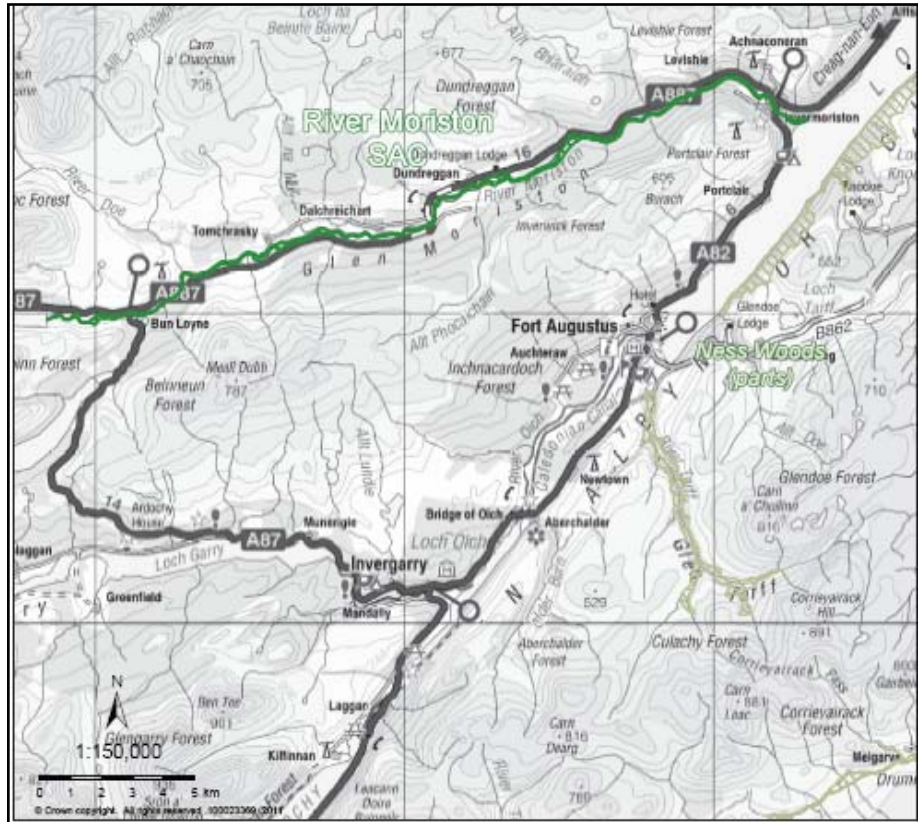
Extent of Natura Site		
Policy	Policy Title	Impacts and Mitigation
9	A96 Corridor - Phasing and Infrastructure	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise, disturbance and physical damage from recreational activities.</p> <p><b>Mitigation:</b> The Appropriate Assessment for the Green Networks Supplementary Guidance assessed the in-combination effects with the HwLDP with regard to the Moray and Nairn Coast SPA/Ramsar and proposes appropriate mitigation for these effects within the Green Networks SG. See <a href="http://www.highland.gov.uk/yourenvironment/planning/developmentplans/localplans/GNSPGotherassessments.htm">http://www.highland.gov.uk/yourenvironment/planning/developmentplans/localplans/GNSPGotherassessments.htm</a></p> <p><b>Comment:</b> This entry deals with recreational impacts which have been dealt with separately within the AA for the Green Networks SG.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

<b>Reference</b>	<b>8.2.4</b>
<b>Site Name</b>	<b>Cawdor Wood</b>
<b>Designation</b>	<b>SAC</b>
Date of Designation	17 March 2005
Qualifying Interests	Western acidic oak woodland
Conservation Objectives	<p>To avoid deterioration of the qualifying habitat 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 species ; and</p> <p>To ensure for the qualifying habitat that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Extent of the habitat on site;</li> <li>• Distribution of the habitat within site;</li> <li>• Structure and function of the habitat;</li> <li>• Processes supporting the habitat;</li> <li>• Distribution of typical species of the habitat;</li> <li>• Viability of typical species as components of the habitat;</li> <li>• No significant disturbance of species typical of the habitat.</li> </ul>
Condition of the qualifying interests	Unfavourable, no change
Factors currently influencing the site	The concern would be damage or removal of habitat potentially through creation of new paths.
Vulnerabilities to change through the potential effects of the plan	Physical damage to qualifying interests from access and recreation.

<p>Extent of Natura Site</p>		
Policy	Policy Title	Impacts and Mitigation
<p>22</p>	<p>Cawdor Expansion</p>	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise, disturbance and physical damage from recreational activities.</p> <p><b>Mitigation:</b> Amend bullet point to read:</p> <ul style="list-style-type: none"> <li>• Recreational Access Management Plan to be prepared in order that any adverse effects on the integrity of the Cawdor Wood SAC are avoided.</li> </ul> <p><b>Comment:</b> Amended bullet point clarifies the scope of the Recreational Access Management Plan to offer protection to the SAC.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

<b>Reference</b>	<b>8.2.5</b>
<b>Site Name</b>	<b>River Moriston</b>
<b>Designation</b>	<b>SAC</b>
Date of Designation	17 March 2005
Qualifying Interests	<i>Margaritifera margaritifera</i> - Freshwater pearl mussel <i>Salmo salar</i> - Atlantic salmon
Conservation Objectives	<p>To avoid deterioration of the habitats of the qualifying species (listed above) 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</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species, including range of genetic types for salmon, as a viable component of the site;</li> <li>• Distribution of the species within site;</li> <li>• Distribution and extent of habitats supporting the species;</li> <li>• Structure, function and supporting processes of habitats supporting the species;</li> <li>• No significant disturbance of the species;</li> <li>• Distribution and viability of freshwater pearl mussel host species;</li> <li>• Structure, function and supporting processes of habitats supporting freshwater pearl mussel host species.</li> </ul>
Condition of the qualifying interests	<p>Unfavourable. Recovering (Atlantic Salmon)</p> <p>Unfavourable. No change (Freshwater pearl mussel)</p>
Factors currently influencing the site	The river is affected by hydropower schemes with rapid changes in water flow-rates. The long-term wellbeing of the river, including the riparian woodland and the catchment area, will be encouraged through discussion of site management with land managers and the local Fishery Board. An old weir impedes salmonid migration in the upper reaches of the river, and its removal is under consideration.
Vulnerabilities to change through the potential effects of the plan	Loss of habitats and/or species due to the requirement for additional water abstraction for developments along the A96 Corridor and/or the proposed construction of a river and canal crossing over the River Ness downstream of the SAC.

Extent of Natura Site



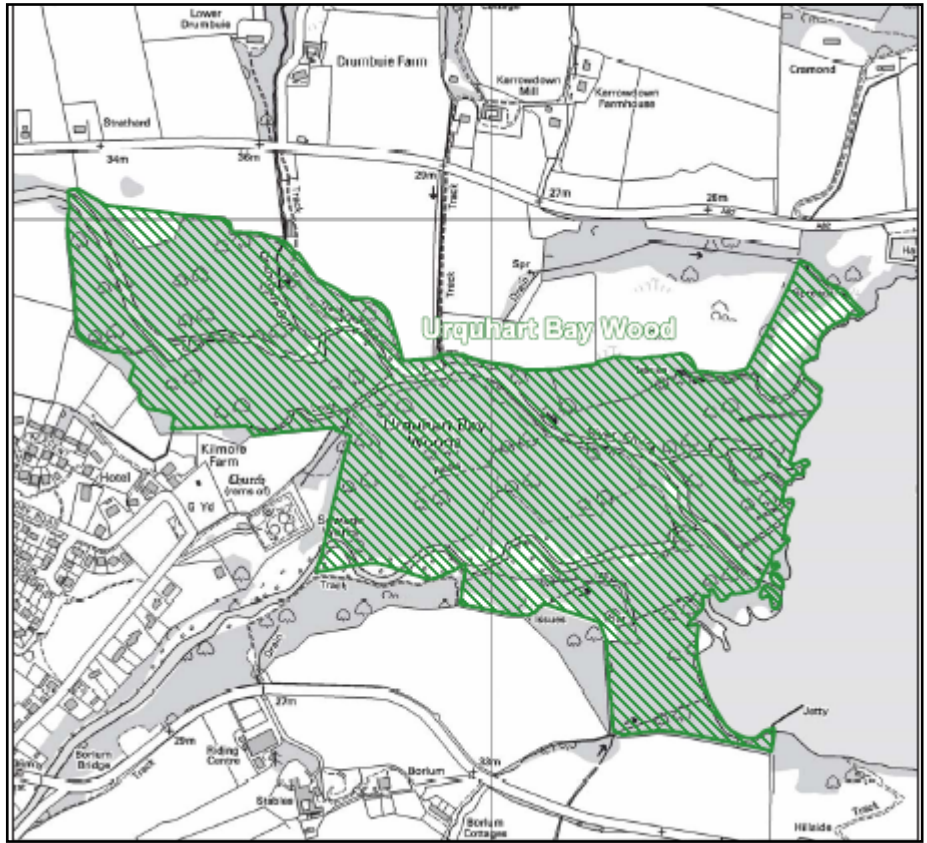
Policy	Policy Title	Impacts and Mitigation
8	Ness-side and Charleston	<p><b>Potential Impact:</b> The proposed construction of a river and canal crossing over the River Ness downstream of the SAC may result in the loss of habitats and species due to pollution and disturbance during construction and operation of the crossing.</p> <p><b>Mitigation:</b> AMEND 1ST SENTENCE: "The Council will support the masterplanning of land allocated at Ness-side and Charleston in tandem with the work being carried out to identify options for the river and canal crossing that do not adversely affect the integrity of the River Moriston SAC."</p> <p>[Additional text will be added to 9.21.1 to explain link to River Moriston is via salmon using River Ness to access: "As part of the environmental considerations of this project, the passage of salmon along the river to and from the River Moriston Special Area of Conservation must be safeguarded."]</p> <p><b>Comment:</b> Ensures that the SAC is offered the appropriate level of protection within the proposed masterplan with regard to the [as yet undefined] river and canal crossing.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

<p>9</p>	<p>A96 Corridor - Phasing and Infrastructure</p>	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the requirement for additional water abstraction for developments along the A96 Corridor. Draw down of water in Loch Ness could affect salmon habitat around the margins of the loch and in the lower reaches of the River Moriston. In turn this could affect fresh water pearl mussels.</p> <p><b>Mitigation:</b> AMEND text in 10.5 to read: “...The strategy must also ensure that designated sites for the natural, built and cultural heritage and protected species are safeguarded and enhanced. In particular, the impacts on Loch Ashie SPA, Moray Firth SAC, <b>River Moriston SAC</b> and Urquhart Bay Wood SAC will need to be assessed by Scottish Water as part of an appropriate assessment for the provision of additional water supply and waste-water treatment facilities for the A96 Corridor. A green network...”.</p> <p>AMEND policy text to read: Developments set out in the early period of this Local Development Plan (2011-2016) will only be supported subject to the provision of interim infrastructure improvements as set out in the Plan. In respect of water supply and waste water treatment, the infrastructure improvements for development provided for in this plan should not adversely affect the integrity of the Moray Firth SAC, Loch Ashie SPA, <b>River Moriston SAC</b> and Urquhart Bay Wood SAC either alone or in combination with other plans or projects. When planning applications are being determined for these early phases...</p> <p><b>Comment:</b> The revised text in 10.5 and within the Policy itself highlight the need for Scottish Water to consider these Natura sites with respect to abstraction for the Corridor’s water supply requirements and with regard to the required quality from the additional waste water treatment facilities.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
<p>8+9</p>	<p>In- combination effects</p>	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the requirement for additional water abstraction for developments along the A96 Corridor. Draw down of water in Loch Ness could affect salmon habitat around the margins of the loch and in the lower reaches of the River Moriston. In turn this could affect fresh water pearl mussels. In-combination effects possible from pollution/disturbance during construction and operation phases of new river/canal crossing associated with Ness-Side/Charleston developments</p> <p><b>Mitigation:</b> As per mitigation for the individual policies. In addition, these in-combination effects <b>must</b> be considered by Scottish Water under the HRA required for the A96 Corridor water supply and waste-water treatment infrastructure project, and by the Highland Council TEC Services under the HRA required for the Inverness West link road project.</p> <p><b>Comment:</b> The likely in-combination significant effects on the River Moriston SAC of construction-based pollution and disturbance from the developments at the Ness-side/Charleston site and within the A96 Corridor from water quality and abstraction concerns are dealt with under this entry,</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>



<b>Reference</b>	<b>8.2.6</b>
<b>Site Name</b>	<b>Urquhart Bay Wood</b>
<b>Designation</b>	<b>SAC</b>
Date of Designation	17 March 2005
Qualifying Interests	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> ( <i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion alvae</i> ) - Alder woodland on floodplains
Conservation Objectives	<p>To avoid deterioration of the qualifying habitat (listed above) 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</p> <p>To ensure for the qualifying habitat that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Extent of the habitat on site;</li> <li>• Distribution of the habitat within site;</li> <li>• Structure and function of the habitat;</li> <li>• Processes supporting the habitat;</li> <li>• Distribution of typical species of the habitat;</li> <li>• Viability of typical species as components of the habitat;</li> <li>• No significant disturbance of typical species of the habitat.</li> </ul>
Condition of the qualifying interests	Unfavourable, no change.
Factors currently influencing the site	The residual alder woodland habitat is extensive here, forming an alluvial fan as the Rivers Enrick and Coiltie flow into Loch Ness. Part of the woodland is owned by the Woodland Trust and managed to benefit the native woodland interest. The local requirements for river engineering to extract gravel to redefine main river channels following flood events, will be assessed to ensure that flood processes continue to underpin the woodland development of the site. Invasion of the floodplain by alien species such as sycamore and Japanese knotweed is an ongoing concern that is being addressed by land managers. Recreational access is managed via established paths.
Vulnerabilities to change through the potential effects of the plan	Loss of habitats and/or species due to the requirement for additional water abstraction for developments along the A96 Corridor.

Extent of  
Natura Site

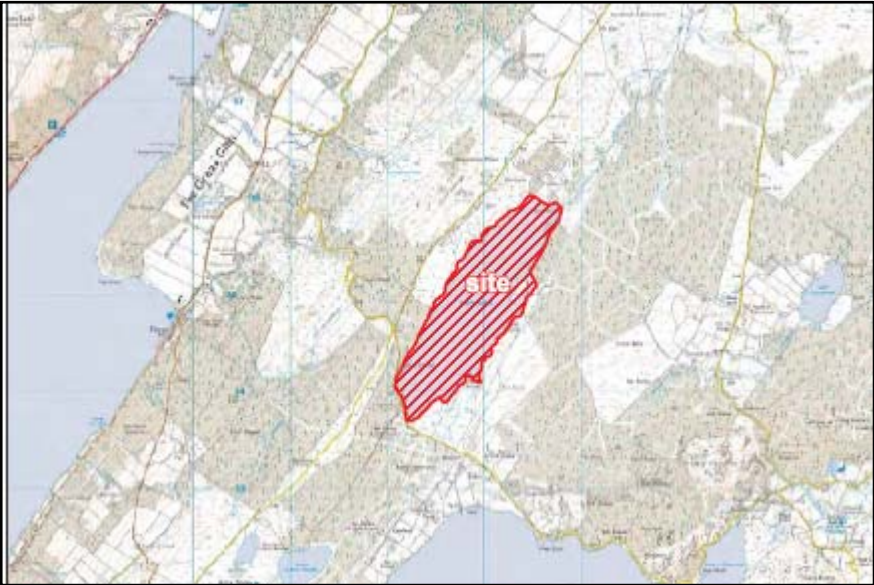


Policy

Policy Title

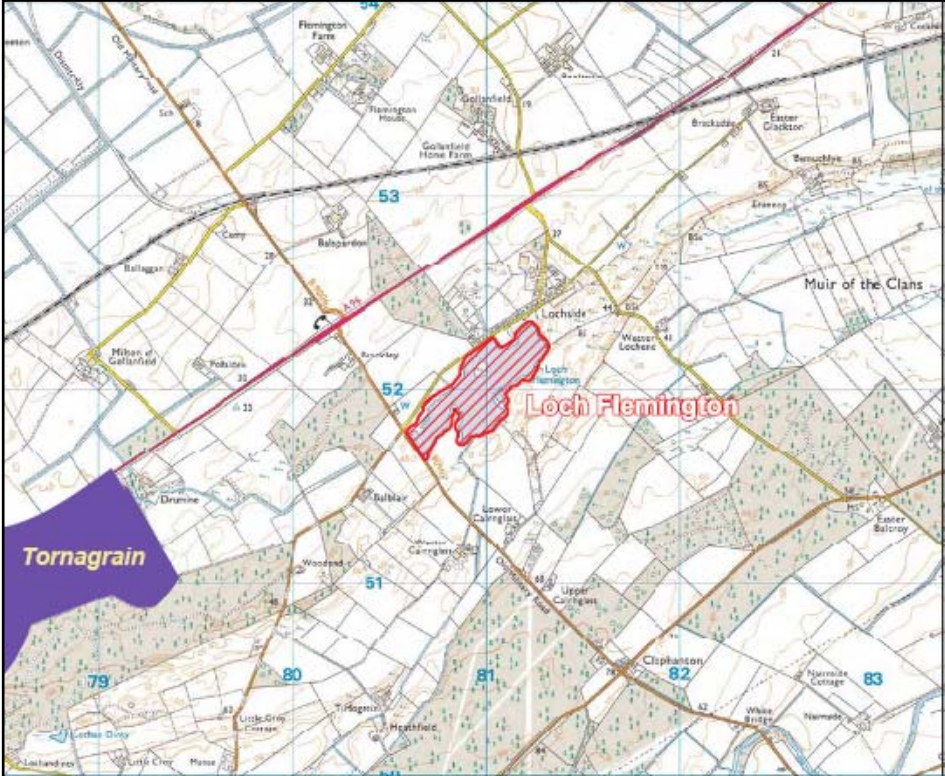
Impacts and Mitigation

<p style="text-align: center;"><b>9</b></p>	<p>A96 Corridor - Phasing and Infrastructure</p>	<p><b>Potential Impact:</b> Development may result in the loss of alluvial woodland habitats due to the requirement for additional water abstraction for developments along the A96 Corridor and subsequent draw down of water in Loch Ness.</p> <p><b>Mitigation:</b> AMEND text in 10.5 to read:</p> <p>“...The strategy must also ensure that designated sites for the natural, built and cultural heritage and protected species are safeguarded and enhanced. In particular, the impacts on Loch Ashie SPA, Moray Firth SAC, River Moriston SAC and <b>Urquhart Bay Wood SAC</b> will need to be assessed by Scottish Water as part of an appropriate assessment for the provision of additional water supply and waste-water treatment facilities for the A96 Corridor. A green network...”.</p> <p>AMEND policy text to read:</p> <p>Developments set out in the early period of this Local Development Plan (2011-2016) will only be supported subject to the provision of interim infrastructure improvements as set out in the Plan. In respect of water supply and waste water treatment, the infrastructure improvements for development provided for in this plan should not adversely affect the integrity of the Moray Firth SAC, Loch Ashie SPA, River Moriston SAC and <b>Urquhart Bay Wood SAC</b> either alone or in combination with other plans or projects. When planning applications are being determined for these early phases...</p> <p><b>Comment:</b> The revised text in 10.5 and within the Policy itself highlight the need for Scottish Water to consider these Natura sites with respect to abstraction for the Corridor’s water supply requirements and with regard to the required quality from the additional waste water treatment facilities.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
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<b>Reference</b>	<b>8.2.7</b>
<b>Site Name</b>	<b>Loch Ashie</b>
<b>Designation</b>	<b>SPA</b>
Date of Designation	11 August 1997
Qualifying Interests	Slavonian grebe ( <i>Podiceps auritus</i> )
Conservation Objectives	<p>To avoid deterioration of the habitats of the qualifying species (listed above) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site;</li> <li>• Distribution of the species within site;</li> <li>• Distribution and extent of habitats supporting the species;</li> <li>• Structure, function and supporting processes of habitats supporting the species;</li> <li>• No significant disturbance of the species.</li> </ul>
Condition of the qualifying interests	<p>Slavonian grebe (breeding): Unfavourable. No change.</p> <p>Slavonian grebe (non-breeding): Favourable. Maintained.</p>
Factors currently influencing the site	Fluctuating water levels.
Vulnerabilities to change through the potential effects of the plan	Loss of habitats and/or species due to the requirement for additional water abstraction for developments along the A96 Corridor.
Extent of Natura Site	

Policy	Policy Title	Impacts and Mitigation
9	A96 Corridor - Phasing and Infrastructure	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the requirement for additional water abstraction for developments along the A96 Corridor. In particular potential bigger swings in water levels at the site which have the potential to affect the grebes supporting habitat (sedge beds)</p> <p><b>Mitigation:</b> AMEND text in 10.5 to read:  “...The strategy must also ensure that designated sites for the natural, built and cultural heritage and protected species are safeguarded and enhanced. In particular, the impacts on <b>Loch Ashie SPA</b>, Moray Firth SAC, River Moriston SAC and Urquhart Bay Wood SAC will need to be assessed by Scottish Water as part of an appropriate assessment for the provision of additional water supply and waste-water treatment facilities for the A96 Corridor. A green network...”.</p> <p>AMEND policy text to read:  Developments set out in the early period of this Local Development Plan (2011-2016) will only be supported subject to the provision of interim infrastructure improvements as set out in the Plan. In respect of water supply and waste water treatment, the infrastructure improvements for development provided for in this plan should not adversely affect the integrity of the Moray Firth SAC, <b>Loch Ashie SPA</b>, River Moriston SAC and Urquhart Bay Wood SAC either alone or in combination with other plans or projects. When planning applications are being determined for these early phases...</p> <p><b>Comment:</b> The revised text in 10.5 and within the Policy itself highlight the need for Scottish Water to consider these Natura sites with respect to abstraction for the Corridor’s water supply requirements and with regard to the required quality from the additional waste water treatment facilities.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

<b>Reference</b>	<b>8.2.8</b>
<b>Site Name</b>	<b>Loch Flemington</b>
<b>Designation</b>	<b>SPA</b>
Date of Designation	14 March 1997
Qualifying Interests	Slavonian Grebe (breeding)
Conservation Objectives	<p>To avoid deterioration of the habitats of the qualifying species or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained.</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> <li>• No significant disturbance of the species</li> </ul>
Condition of the qualifying interests	Unfavourable
Factors currently influencing the site	Pollution, invasive non native plant species, unconfirmed/unknown factors affecting Slavonian grebe distribution across their Scottish range.
Vulnerabilities to change through the potential effects of the plan	<p>Nutrient enrichment</p> <p>Recreational disturbance</p> <p>Effects on water quality and hydrology from development in the catchment</p>

Extent of Natura Site	
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Policy	Policy Title	Impacts and Mitigation
13	Tornagrain	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise and disturbance from recreational activities.</p> <p><b>Mitigation:</b> ADD a new bullet point in Natural, Built &amp; Cultural Heritage:</p> <ul style="list-style-type: none"> <li>• Avoidance of any adverse effects on the integrity of Loch Flemington SPA, including from cumulative recreational disturbance.</li> </ul> <p><b>Comment:</b> Additional text ensures that the SPA is offered the appropriate level of protection with regard to the developer requirements for Tornagrain. NB: There is also an <i>Access Management Plan</i> in existence relating to the Outline Planning Application and this takes cognisance of the need to avoid adverse effects on the qualifying interests of the Loch Flemington SPA.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>

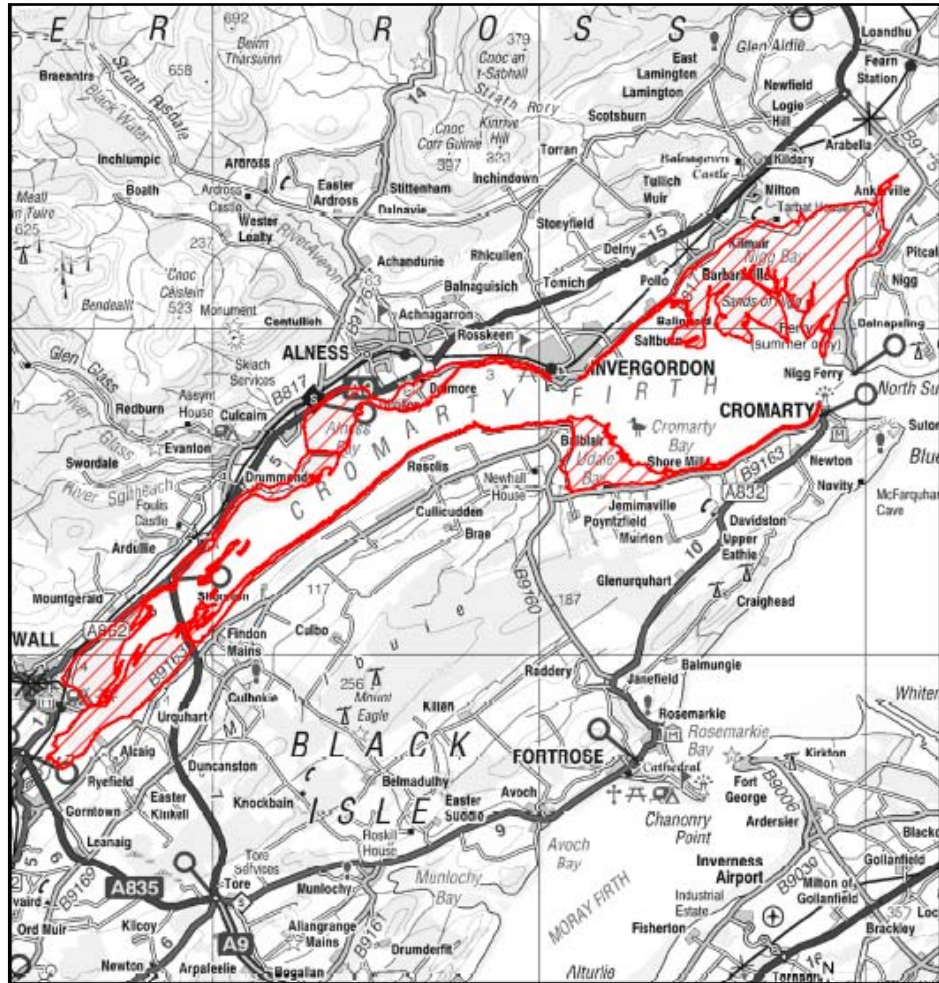
20	Croy Expansion	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to potential impact on supporting hydrology and water quality.</p> <p><b>Mitigation:</b> ADD new bullet point under Natural, Built &amp; Cultural Heritage:</p> <ul style="list-style-type: none"> <li>Avoidance of any adverse effects on the integrity of the Loch Flemington SPA and Kildrummie Kames SSSI.</li> </ul> <p><b>Comment:</b> Ensures that any as yet unidentified potential hydrological links from this allocation to Loch Flemington are considered. This, in conjunction with the regulatory regime administered by SEPA, should result in no adverse effect on the integrity of the SPA.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
13+20	In-combination effects	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to the creation of additional noise and disturbance from recreational activities from the Tornagrain development, in-combination with the loss of habitats and/or species due to potential impact on supporting hydrology and water quality from the Croy development.</p> <p><b>Mitigation:</b> As per mitigation for the individual policies. See comment below.</p> <p><b>Comment:</b> The potential in-combination significant effects on the Loch Flemington SPA of the recreational pressures from Tornagrain and the hydrological impact of the Croy development have been considered under this entry.</p> <p>However, the Council considers that the application of best practice and mitigation for the water environment for the Croy expansion, and the existence of an Access Management Plan for Tornagrain, will together provide sufficient mitigation to ensure no in-combination effects from these separate developments.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>



<b>Reference</b>	<b>8.2.9</b>
<b>Site Name</b>	<b>Cromarty Firth</b>
<b>Designation</b>	<b>SPA and Ramsar</b>
Date of Designation	22 March 1999
Qualifying Interests	<p>SPA:</p> <p>Bar-tailed godwit (<i>Limosa lapponica</i>)  Common tern (<i>Sterna hirundo</i>)  Curlew (<i>Numenius arquata</i>)*  Dunlin (<i>Calidris alpina alpina</i>)*  Greylag goose (<i>Anser anser</i>)  Knot (<i>Calidris canutus</i>)*  Osprey (<i>Pandion haliaetus</i>)  Oystercatcher (<i>Haematopus ostralegus</i>)*  Pintail (<i>Anas acuta</i>)*  Red-breasted merganser (<i>Mergus serrator</i>)*  Redshank (<i>Tringa totanus</i>)*  Scaup (<i>Aythya marila</i>)*  Whooper swan (<i>Cygnus cygnus</i>)  Wigeon (<i>Anas penelope</i>)*  Waterfowl assemblage  *indicates assemblage qualifier only</p> <p>Ramsar:</p> <p>The Cromarty Firth Ramsar site qualifies under Criterion 1b by supporting outstanding examples of wetland habitat. The site holds the largest mudflats in Highland and at the mouth of the River Conon there is a rare surviving example of a transition from woodland, through scrub and freshwater fen, to brackish and finally saltmarsh communities.</p> <p>The site qualifies under Criterion 3a by regularly supporting over 20,000 waterfowl in winter. In the five-year period 1992/93 to 1996/97, a winter peak mean of 30,200 waterfowl was recorded, comprising 14,800 wildfowl and 15,400 waders.</p> <p>The site further qualifies under Criterion 3c by supporting internationally important wintering populations (1992/93-96/97 winter peak means) of greylag goose <i>Anser anser</i> (1,782, 2% of total Icelandic population, all of which winters in GB) and bar-tailed godwit <i>Limosa lapponica</i> (1,355, 3% of GB and 1% of W. European population).</p> <p>Littoral sediment (Marine) - Mudflat  Bar-tailed godwit (<i>Limosa lapponica</i>), non-breeding;  Greylag goose (<i>Anser anser</i>), non-breeding;  Waterfowl assemblage, non-breeding</p>
Conservation Objectives	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

	<p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site</li> <li>• Distribution of the species within site</li> <li>• Distribution and extent of habitats supporting the species</li> <li>• Structure, function and supporting processes of habitats supporting the species</li> <li>• No significant disturbance of the species</li> </ul>
Condition of the qualifying interests	<p><u>SPA:</u> Favourable Maintained with the exception of Common tern (Unfavourable Declining) and Scaup and Whooper swan (Unfavourable No Change)</p> <p><u>Ramsar:</u> Favourable Maintained</p>
Factors currently influencing the site	<p>Recreation (including motorised on the firth and pedestrians using coastal areas) leading to disturbance, industrial development and associated noise, disturbance and pollution including from boat traffic. Pressure associated with shellfish farming. Off site developments (for example wind farms, power transmission projects etc) have the potential to affect birds on route to the SPA including osprey commuting between the firth and nest sites.</p>
Vulnerabilities to change through the potential effects of the plan	<p>Loss of habitats and/or species due to noise/vibration and pollution from commercial marine activities and the redevelopment of the Nigg site (Policy 23).</p>

Extent of Natura Site



Policy

Policy Title

Impacts and Mitigation (over)

23	Nigg	<p><b>Potential Impact:</b> Development may result in the loss of habitats and/or species due to potential pollution and disturbance effects.</p> <p><b>Mitigation:</b> As per mitigation proposed in the <b>Nigg Development Masterplan: Appropriate Assessment (October 2009)</b>, which includes the following:</p> <ul style="list-style-type: none"> <li>• Construction Environment Management Plan (including pollution prevention)</li> <li>• Operational Environment Management Plan (including pollution prevention)</li> <li>• Boat Traffic Management Plan</li> <li>• Noise and Vibration Mitigation Plan</li> <li>• full compliance with appropriate regulatory frameworks for ballast water discharge, dredging and disposal (including specific mitigation measures as set out in Section 7 of the masterplan AA), and ship-to-ship transfers</li> <li>• Oil Spill Contingency Plan</li> </ul> <p>The Nigg Masterplan Appropriate Assessment can be found at – <a href="http://www.highland.gov.uk/yourenvironment/planning/nigg.htm">http://www.highland.gov.uk/yourenvironment/planning/nigg.htm</a></p> <p><b>Comment:</b> The HwLDP does not propose any development forms or locations over and above that proposed in the Nigg masterplan which has already been subject to its own Appropriate Assessment.</p> <p><b>Residual Impact:</b> No residual adverse effect on the integrity of the European site.</p>
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## 9. Summary of the Appropriate Assessment of Green Networks Supplementary Guidance

As part of the appropriate assessment of Policy 9 the cumulative effects in terms of the recreational impacts of the A96 Corridor developments on Natura sites have been considered and mitigated elsewhere through the appropriate assessment of the Green Networks Supplementary Guidance which includes proposals for a Coastal Trail, Landward Trail, North-South Links and a Tourist Trail. This appropriate assessment also considered the HwLDP in combination with the supplementary guidance. The results of this Appropriate Assessment are summarised below for cross-referencing purposes:

The Highland Council concludes in that Appropriate Assessment that subject to mitigation measures and modification to the Green Networks Supplementary Guidance there will be no adverse effects on the integrity of relevant European sites.

Table 1 of The Green Networks Supplementary Guidance now reads:

The coastal trail will follow the line of the coast between Inverness and Nairn and connect with the paths through Culbin Forest to link up with the Moray Coast Trail in Forres. It will be accessible to walkers, cyclists and horse riders.

Section Name	Description	Remarks	Opportunities	Recommendation and Mitigation
Inverness City Centre to Coast (2.7km)	Inverness to Old A96	Potential for linkages between Inverness and City Centre via Proposed Campus at Beechwood.	NCN 1 & 7 to Old A96.  Linkages via proposed Beechwood Campus.	Deliver Coastal Path through planning agreement.  Explore opportunities for route between Inverness City Centre and Beechwood.
Seafield (2.04)	Old A96 to Milton underpass	Existing old tarmac road.  Poor links to Inverness Retail and Business Park.  A96 is a barrier  No links to city	Existing route that is well-used locally.  Develop formal link to IRBP through core paths implementation programme.  UHI Beechwood links may emerge.	Deliver through core paths implementation.  Deliver spurs through planning agreements.  Managing access to the foreshore using a 2km long 1100mm high post and wire fence with rylock between the sea and old road  Planting a dense, mixed species screening hedge along the same line that will screen and help manage access to the foreshore. Planting to be along the length of the route with prickly, wildlife-friendly, native shrubs – gorse, buckthorn, hawthorn, dog rose etc. The shrubs will take 5 to 10 years to grow to a reasonable size so it is of key importance that they are planted as soon as possible. This will involve repairing the sea wall – fence and planting to go on top of this.

				<p>Undertake all works in the summer months – (end April to beginning of October)</p> <p>Directly address negative desire lines, including discouraging access to the shore at Milton of Culloden.</p> <p>Interpretation and strategic education and awareness programme highlighting the issues on this section of coast. This would be co-ordinated by The Highland Council's Planning and Development Service.</p> <p>Local PR campaign to promote responsible access targeted especially at visitors and residents of Milton of Culloden. This would be co-ordinated by The Highland Council's Planning and Development Service in partnership with Scottish Natural Heritage</p> <p>3-sided vandal-resistant hide to encourage wildlife watching</p> <p>All mitigation should be place before the route is promoted and the pedestrian bridge installed over the A96.</p>
Milton (0.53)	Milton underpass to level crossing	Existing adopted road Householders to consider Level crossing use may be resisted by Network Rail	Already used by walkers	Use this section
Works (0.7)	Milton level crossing to Allanfean level crossing	Difficult section; access to shore down past houses, sewage works are a barrier to shoreline access and rail side path.	Railway, A96 and works are barriers Work being done to secure roadside path	Secure roadside path to Allanfean junction via Transport Scotland
Alturlie (3.44)	Allanfean level crossing to Lonnie	Level crossing use may be resisted by Network Rail	Using quarry stone	<p>Leave shore road at approximately NH713484 and follow fence line to NH717487 heading on to NH721490. From there the trail will be set back from the shore by approximately 250m. Exact line will be finalised by THC in consultation with SNH.</p> <p>Fully assess options re parking</p>

				<p>location and size, bin placement and alternative path location here. Act on findings so that there will be no significant effect on SPA birds.</p> <p>Investigate methods for managing access during high tide and implement where practicable.</p> <p>Interpretation and strategic education and awareness programme highlighting the issues on this section of coast. This would be co-ordinated by The Highland Council's Planning and Development Service.</p> <p>Local PR campaign to promote responsible access targeted especially at visitors during high tide co-ordinated by The Highland Council's Planning and Development Service in partnership with Scottish Natural Heritage</p> <p>Before the indicative route (as shown on the map on page 29) is finalised on the ground it should be walked and the exact line agreed by an experienced observer. This should be done at high tide to check that it is far enough from the coast to prevent disturbance. It is likely that birds use these fields during extreme high tides. Ensure route of path is sufficiently far from the roost sites (including lower fields) to ensure roosts are protected from disturbance. The final route should be approved by THC in consultation with SNH.</p> <p>Provide opportunities to see the coast and coastal birds from natural and built hides. Any hide on the shore line will need to be well screened to prevent disturbance.</p> <p>Promote responsible access and provide interpretation about the coast, including birds at the hide.</p> <p>Manage car parking at Alturlie</p>
Castle Stuart (3.58)	Lonnie to Fisherton	Will be delivered as part of planning condition for Castle Stuart Golf Course Date of delivery		<p>Confirm delivery and discharge of conditions</p> <p>Before the indicative route (as shown on the map on page 29) is finalised on the ground it should be</p>

		<p>uncertain</p> <p>Specifications, route and signposting secured</p>		<p>walked and the exact line agreed by an experienced observer. This should be done at high tide to check that it is far enough from the coast to prevent disturbance. It is likely that birds use these fields during extreme high tides. Ensure route of path is sufficiently far from the roost sites (including lower fields) to ensure roosts are protected from disturbance. The final route should be approved by THC in consultation with SNH.</p> <p>Provide opportunities to see the coast and coastal birds from natural and built hides. Any hide on the shore line will need to be well screened to prevent disturbance.</p> <p>Promote responsible access and provide interpretation about the coast, including birds at the hide.</p> <p>Manage car parking at Petty</p>
Fisherton (4.6)	Fisherton to Ardersier	<p>Shoreline path between Fisherton and Wester Kerrowgair only</p> <p>Old link path into Westerton</p> <p>Some good quality grazing.</p> <p>Some whin-covered</p> <p>Short section of roadside may be needed at Ardersier opposite Milton of Connage</p>	<p>Shoreline path possible.</p> <p>Agreement and accommodation works may be required</p> <p>Traffic-free links to airport and business park</p>	<p>Secure path agreement</p> <p>Between Wester Kerrowgair /Dalcross and Ardersier siting path to avoid the coast and foreshore and the fields behind the shoreline, i.e. avoiding all the land at the base of the raised shoreline between these points.</p> <p>Path here to be a shrub screened roadside path on the top of the raised shoreline, on seaward side of the road. Path to cross by Connage dairy to southeast side of road to avoid house with a roadside frontage and well-used field behind.</p> <p>Ensure good quality and quantity of open space provision as part of village expansion</p>
Ardersier (2.1)	Ardersier village	<p>Roadside footway and shoreline path through village</p> <p>Lanes linking back to B9039</p>	<p>Tourism</p> <p>Improved links to Fort George</p> <p>Traffic free access to Fort George</p>	<p>Adopt existing paths as part of Coastal Path</p> <p>Signpost lanes to village centre</p>
Fort George (1.55)	Ardersier village to east end of MoD land	<p>Existing path part way</p> <p>Shingle beach for most</p> <p>Important site for</p>	<p>Community interest in delivering remaining path to</p>	<p>Assist community deliver this section</p> <p>Identify sensitive sites for breeding</p>



		<p>butterfly conservation and water sports</p> <p>Looped shorter path options used by community and visitors</p>	<p>Fort George by Highland Core Path Improvement Project</p> <p>Secure links back to road through planning agreements with Scottish Water</p>	<p>birds within Carse Wood and take into consideration in selecting route</p> <p>Route to be selected using quiet roads and forest tracks away from the coast</p> <p>Avoid Defence Estates property that will be closed from time to time</p> <p>In event of residential development at Whiteness pursue open space provision and delivery of the approved Access Management Plan</p>
<p>Carse of Ardersier (4.43)</p>	<p>MoD land to Carse of Delnies</p>	<p>Limited access when MoD site not in use</p> <p>Attractive but often inaccessible shoreline</p> <p>Conservation interests – over-wintering birds</p> <p>Quiet roads, forest tracks</p>	<p>Secure path through Whiteness Head development</p> <p>Use quiet and forest roads</p>	<p>Planning agreement – Whiteness Head</p> <p>Liaison with MoD and Cawdor re forest tracks</p> <p>TECS for quiet roads.</p>
<p>Carse of Delnies (4.0)</p>	<p>Carse of Delnies to Altonburn Hotel</p>	<p>High conservation interest – breeding birds and SSSI</p> <p>Managing access away from spit</p> <p>Nairn Golf Club</p> <p>Existing path network</p> <p>Mixed use demand will include horses</p>	<p>Delnies development presents planning agreement opportunities</p> <p>Expansion of Nairn Golf Club</p>	<p>Delivered as part of Delnies development</p> <p>Deliver shoreline route with planning agreement with Nairn Golf Club</p> <p>Incorporate the Coastal Trail into a jointly approved Delnies Access Management Plan</p> <p>Identification of route should be at a distance from Saltmarsh, breeding, roosting and feeding sites (distance to be agreed as part of Delnies AMP)</p> <p>Ensure the identification and delivery of a comprehensive network of paths including signage and interpretation as appropriate in the Delnies AMP.</p> <p>Ensure that good quality open space is provided as part of the developments</p> <p>Make sure that good quality open space is provided as part of the developments</p>
<p>Altonburn</p>	<p>Altonburn Hotel to</p>	<p>Existing path network</p>	<p>To secure aspirational</p>	<p>Deliver shoreline route with planning agreement with Nairn</p>

(1.08)	Nairn promenade		shoreline path	Golf Club
Nairn (3.66)	West end of Nairn promenade to Kingsteps	Existing path network		Adopt as part of Coastal Path Not expanding the car parking at Nairn East Beech.
Culbin West (6.5)	Kingsteps to Moray boundary	Existing core path network Conservation concerns about increased use by coast Links to Moray Coastal Path	Use existing paths Develop alternative inland links with Forestry Commission Scotland	Coastal Trail to follow a line inside the forest from Kingsteps  THC in partnership with RSPB, FCS and SNH to build on existing visitor management arrangements including Explore Culbin. This will include promoting responsible access encouraging visitors to use less sensitive areas (with reference to both birds and habitats).  Not expanding the Kingsteps or the Nairn East Beach car parks  Tackling of user specific issues especially re habitat damage caused by mountain bikers and horse riders. Also, work with police re groups not covered by SOAC including quad riders and motocross bikers.

### General Mitigation

- The quality and quantity requirements of the Open Space Supplementary Guidance should be met and assessed for their suitability as Suitable Alternative Natural Greenspace.
- The location, provision and management of SUDS for developments should be considered as possible feeding and roosting sites for waders. This is especially relevant where they are immediately adjacent to the coast (i.e. within 500m).

### Monitoring of Mitigation

To ensure that the mitigation is effective and that there is no significant adverse impact on the qualifying features of the European designated species, a monitoring programme will be required for the coastal trail. This monitoring programme will include the following elements and will be agreed with THC in consultation with SNH.

- Pre- during and post- construction monitoring along the entire length of the route to an agreed methodology between The Highland Council, Scottish Natural Heritage and with advice from the Highland Ringing Group;
- WeBS surveys extended to include September, October, November, December, January, February and March;
- WeBS surveys to incorporate observations on people walking past the sites and bird reactions;
- Research should be done to determine movements of birds around the Firth in relation to disturbance;
- Programme of people counters to establish visitor numbers.

## **10. Conclusion**

All Natura sites potentially affected by the Highland wide Local Development Plan (HwLDP) have been identified and mapped, and all policies (including the vision statements) contained within the Plan have been screened both individually and cumulatively to determine the possible effects on the integrity of these Natura sites that may arise due to their implementation.

Policies which have been identified as having no effect, or are unlikely to have a significant effect, on the integrity of Natura sites have been listed and detailed in Section 5, Table 2, including reasons for the decision to screen them out.

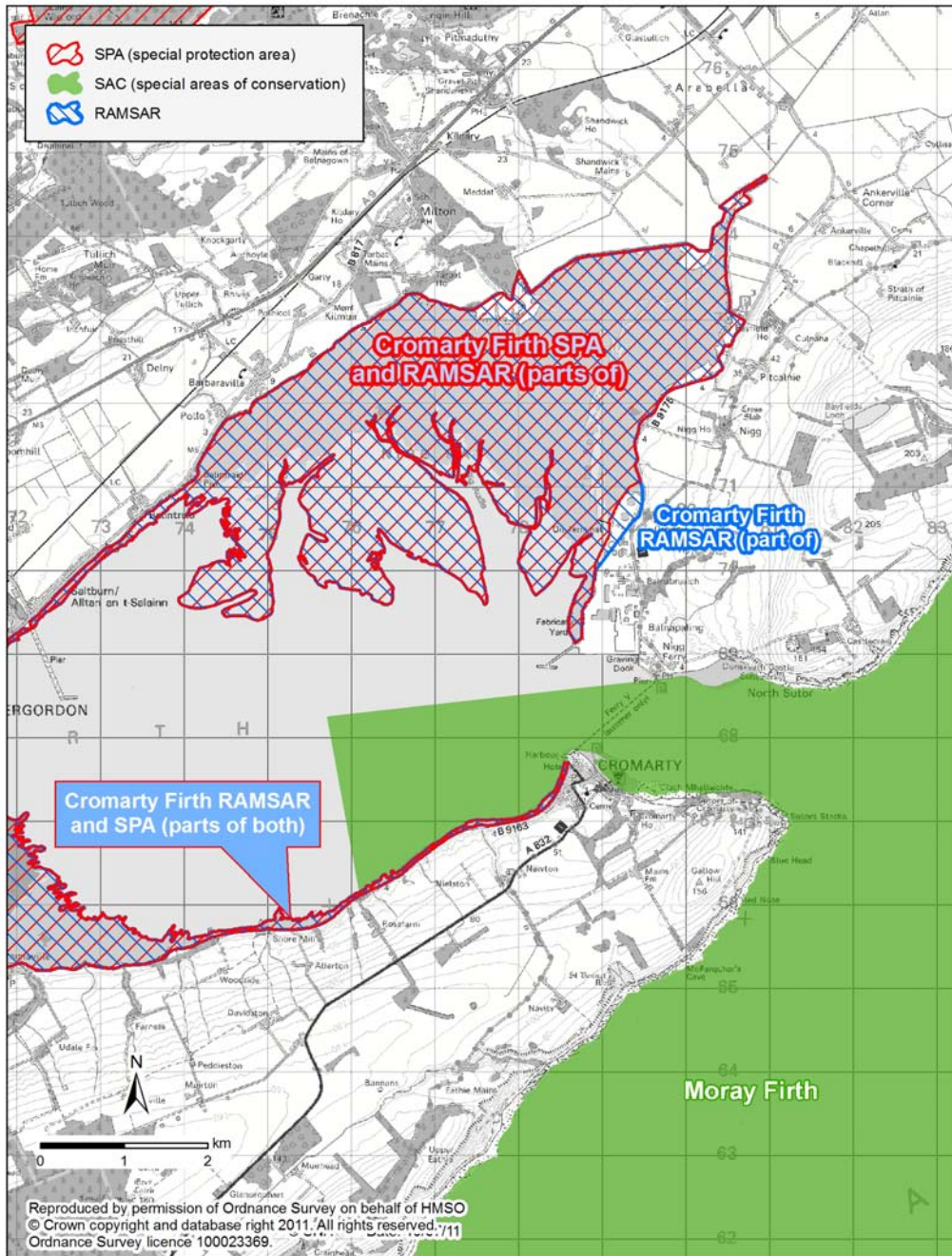
In addition, where it has been possible to identify straightforward mitigation measures to policies remaining screened in after the initial review as likely to have significant effect, mitigations in the form of policy modifications have been proposed and these policies screened out as detailed and reasoned in Section 7, Table 7.

The remaining policies likely to have a significant effect either alone or in combination were identified as requiring an appropriate assessment, and the results of these assessments, including mitigation in the form of proposed changes to the Plan, have been detailed and reasoned in the tables contained in Section 8.

As a result the Highland Council concludes that, with the mitigation set out in this HRA, which will be incorporated into the plan, the visions and spatial strategies, proposals and policies within the Highland wide Local Development Plan will either have no likely significant effects on Natura sites, either individually or in combination with other plans or projects, or will not adversely affect the integrity of Natura sites, again either individually or in combination with other plans or projects.

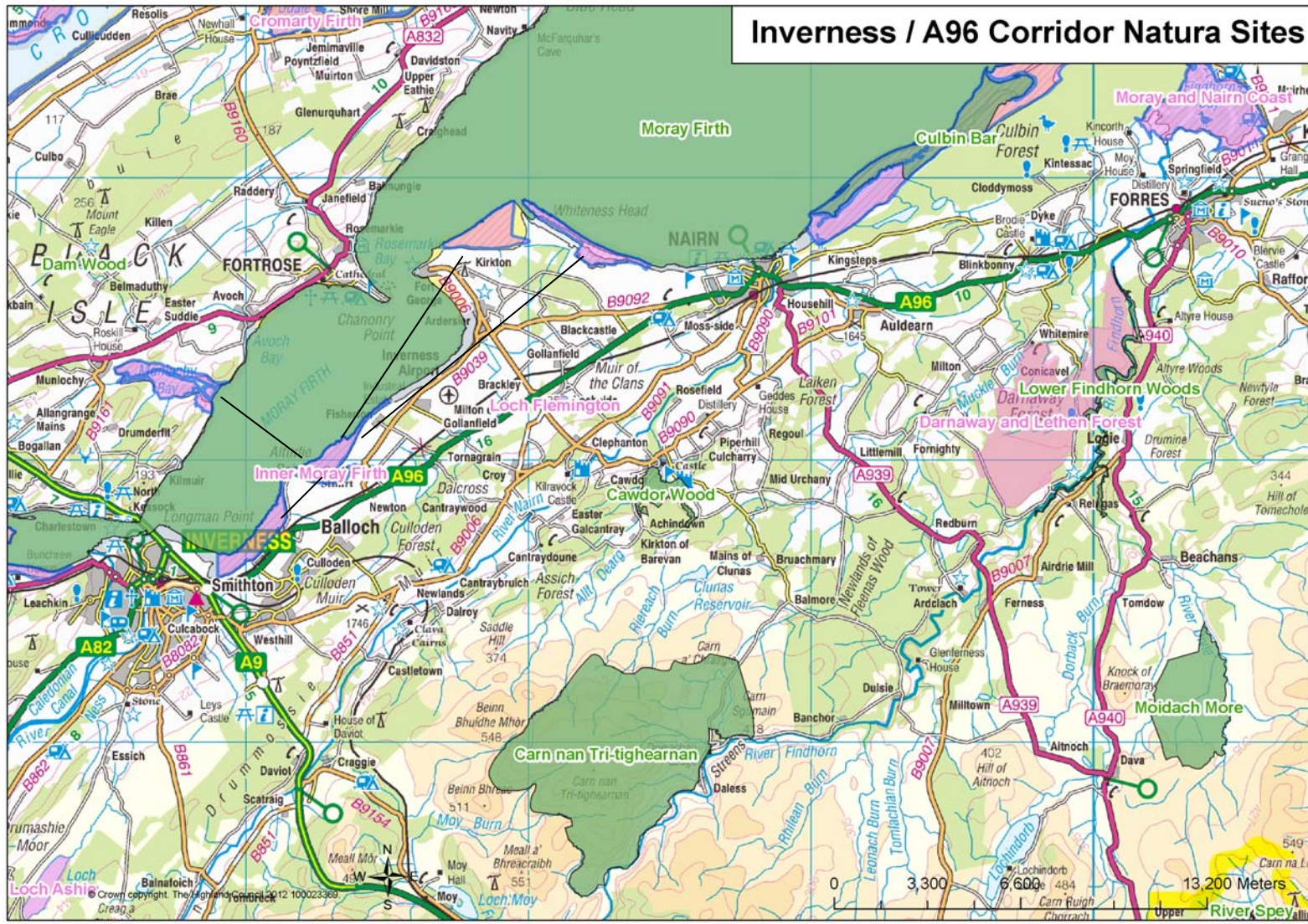
# Appendix 1 – Overview Maps of Natura Sites

## Nigg Natura Sites





# Inverness / A96 Corridor Natura Sites

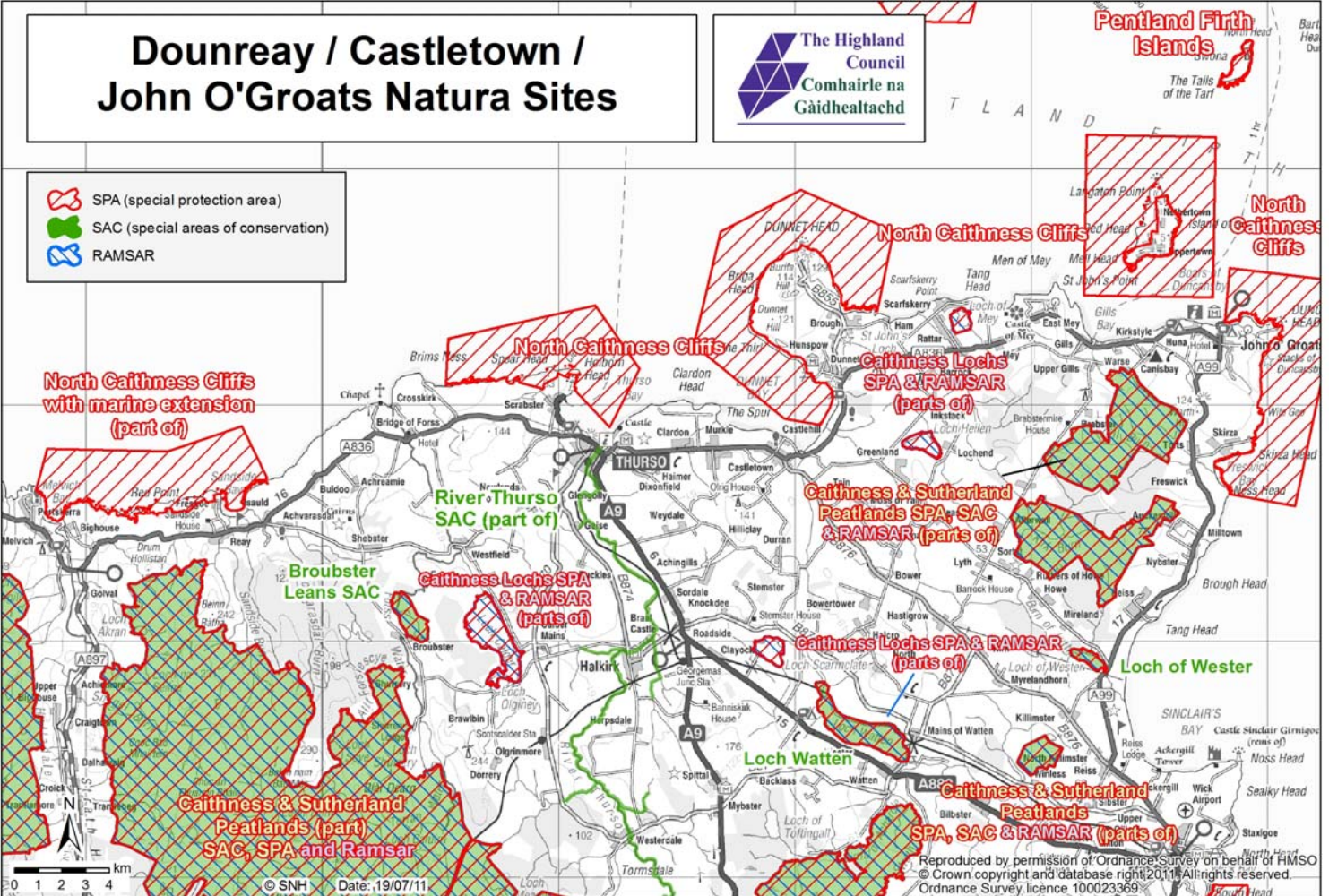




# Dounreay / Castletown / John O'Groats Natura Sites



- SPA (special protection area)
- SAC (special areas of conservation)
- RAMSAR



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