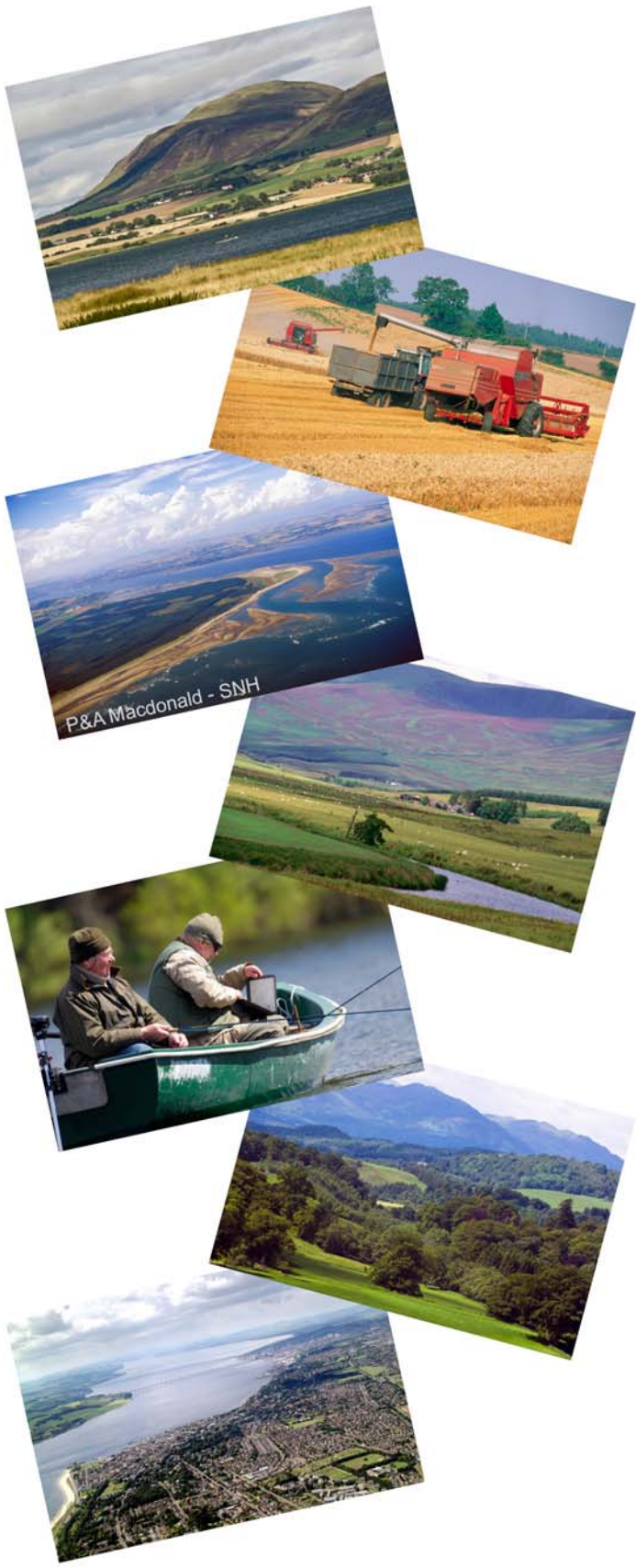


TAYplan Proposed Strategic
Development Plan

Record of Habitats
Regulations
Appraisal
(including Appropriate
Assessment)

June 2011



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Copies of this document are available in larger print. The document can also be viewed online at www.tayplan-sdpa.gov.uk

1. BACKGROUND TO HABITAT REGULATIONS APPRAISAL

1.1 This section of the report identifies the legislative and policy requirements for a Habitats Regulations Appraisal of the TAYplan Proposed Strategic Development Plan.

Legislative Requirement for Habitats Regulations Appraisal (HRA)

1.2 A network of sites across the European Community, known as Natura 2000, comprise of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

1.3 Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds, commonly known as the Birds Directive, gives member states of the European Union the power and responsibility to classify Special Protection Areas (SPAs) to protect birds which are rare or vulnerable in Europe. The Habitats Directive 1992¹ requires member states to designate SACs. Member States are to protect and restore the sites included in this Network.

1.4 On 20th October 2005, the European Court of Justice ruled² that development plans in the United Kingdom should be subject to assessment, in the same way as projects require assessment, under the provisions of Article 6(3) and (4) of the Habitats Directive. The requirement to consider the effect on Natura sites of land use plans is transposed into domestic law by the Conservation (Natural Habitats, &c.) Regulations 1994 as amended. This is commonly referred to as the Habitats Regulations.

1.5 Regulation 85B of the Habitats Regulations requires that before any competent authority submits a plan for approval, that is not directly connected with or necessary to the management of a European Site (either SAC or SPA), it is necessary to consider:

- whether the plan is likely to have a significant effect on such a site; and,
- where this is the case, that an Appropriate Assessment has been carried out of the likely impacts.

1.6 The Habitats Directive applies the precautionary principle to SPAs and SACs. Plans and projects can only be permitted after having ascertained that there will be no adverse effect on the integrity of the site(s) in question. The interest features of the European Sites must be maintained so as to avoid deterioration of habitats and significant disturbance of species. However under the provisions of Article 6(4) of the Habitats Directive, where it cannot be shown that a plan or project will not adversely affect the integrity of a site it can only proceed if there are no alternative solutions and there are imperative reasons of overriding public interest for doing so. In such cases, compensation will be required to ensure the overall coherence of the Natura 2000 network is protected.

1.7 It is also a legal requirement for the appraisal to include consideration of candidate SACs prior to their full classification³. As a matter of policy⁴ proposed SPAs and proposed SACs should be given the same considerations.

¹ Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora

² 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, judgement 20th October 2005

³ Conservation (Natural Habitats, &c.) Regulations 1994, Amendment (Scotland) Regulations 2007

⁴ Scottish Government (2010) Scottish Planning Policy (SPP) paragraph 135

Ramsar sites are designated wetlands of international importance. All Ramsar sites are also Natura sites and/or Sites of Special Scientific Interest and are protected under the relevant statutory regimes.

Policy Requirements for a Habitats Regulations Appraisal (HRA)

- 1.8 The legislative requirements above, are reflected in Government policy. Scottish Planning Policy⁵ provides guidance on how the Government's policies for the conservation and enhancement of Scotland's natural heritage should be reflected in land use planning. The guidance states that development which could have a significant effect on a Natura site can only be permitted where:
- an appropriate assessment has demonstrated that it will not adversely affect the integrity of the site, or,
 - there are no alternative solutions; and,
 - there are imperative reasons of overriding public interest, including those of a social or economic nature.
- 1.9 Where, in the absence of any alternatives, an authority proposes to approve a plan or project which could adversely affect the integrity of a Natura site for reasons of overriding public interest, Scottish Ministers must be notified and compensatory measures necessary to ensure the overall coherence of the Natura network is protected must be provided. For plans or projects affecting a Natura site where a priority habitat or species (as defined in Article 1 of the Habitats Directive) would be affected, prior consultation with the European Commission via Scottish Ministers is required unless the proposal is necessary for public health or safety reasons or will have beneficial consequences of primary importance to the environment.
- 1.10 Scottish Planning Policy also states that development plans should protect the coastal environment. It states that internationally and nationally designated nature conservation sites should be protected from inappropriate development.
- 1.11 An appendix⁶ to Planning Circular 1 2009 was published in August 2010 providing guidance on the application of the Habitats Regulations. It states that when submitting a proposed development plan to Scottish Ministers, a SDPA or planning authority should include a Habitats Regulation Appraisal Record setting out:
- how the authority has determined that there is not likely to be a significant effect on a European site (if that is the case);
 - where a likely significant effect has been determined and an Appropriate Assessment has been undertaken, the conclusions reached and what action is proposed or has been undertaken to comply with the Habitats Regulations; and,
 - a copy of any relevant correspondence from SNH.
- 1.12 The Circular states that further advice on the methodology of carrying out Habitats Regulations Appraisal can be found in Scottish Natural Heritage's Guidance for Plan-Making Bodies in Scotland⁷. The document prepared by David Tyldesley and

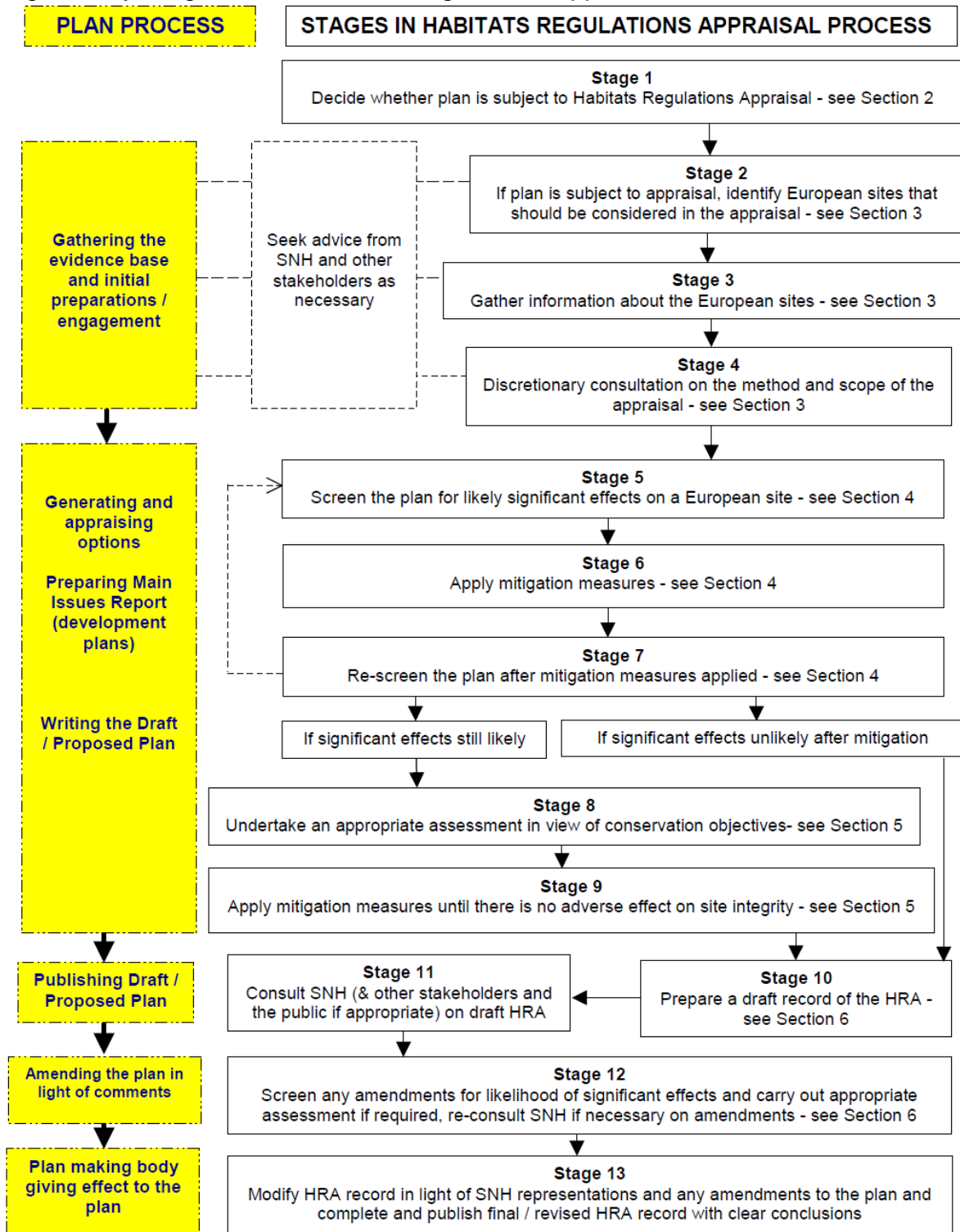
⁵ Scottish Government (2010) Scottish Planning Policy (SPP)

⁶ Scottish Government (2010) Planning Circular 1 2009 Development Planning Appendix 1: The Habitats Regulations

⁷ Scottish Natural Heritage (2010) Habitats Regulation Appraisal of Plans: Guidance for Plan-Making Bodies in Scotland

Associates provides detailed guidance on the separate stages of carrying out an appraisal, and the considerations that will need to be taken into account. Figure 1.1 (below), taken from the guidance shows the key stages of a Habitats Regulations Appraisal.

Fig 1.1 Key Stages in the Habitats Regulations Appraisal Process for Plans



2 ASSESSMENT METHODOLOGY

- 2.1 This section identifies the guidance followed in undertaking this assessment; details the screening process used to identify sites for which an Appropriate Assessment was carried out; and details the methodology employed to identify the potential impacts on those designated sites.
- 2.2 In carrying out the Habitats Regulations Appraisal, the following guidance was used:
- Managing Natura Sites 2000: The Provisions of Article 6 of the Habitats Directive 92/43/EEC;
 - Scottish Government (2010) Planning Circular 1 2009 Development Planning Appendix 1: The Habitats Regulations; and,
 - Scottish Natural Heritage (2010) Habitats Regulation Appraisal of Plans: Guidance for Plan-Making Bodies in Scotland.

Main Issues Report & draft Habitats Regulations Appraisal

- 2.3 A draft Habitats Regulation Appraisal was published alongside the Main Issues Report (April, 2010). This report covered Stages 2 to 4 of the process outlined in Figure 1.1, i.e. identification of sites to be covered by the appraisal (Stage 2), gathering information on sites (Stage 3) and consultation on the method and scope of the appraisal (Stage 4). Scoping carried out beforehand for the report had identified the need to subject the Plan to a Habitats Regulations Appraisal.
- 2.4 The draft Habitats Regulations Appraisal also tackled Stages 5 (screening the plan for likely effects on Natura sites), 8 (assessment of potential impacts) and 9 (identification of potential mitigation). The draft Habitats Regulation Appraisal has informed preparation of the Proposed Plan.
- 2.5 The assessment carried out for the Main Issues Report identified a number of sites that have the potential to be adversely impacted, particularly in coastal regions, and that further assessment would be required to determine impacts on the sites qualifying interests, and to propose adequate mitigation measures.
- 2.6 The Main Issues Report assessment also proposed mitigation measures such as the recommendation of introducing policy when preparing the Proposed Strategic Development Plan to ensure that statutory duties in relation to the Habitats Regulations Appraisal are explicitly stated, or that specific caveats are added to certain policies/proposals to protect Natura sites. The latter approach appears to be the more favoured by recent guidance.
- 2.7 Effects and mitigation were identified in so far as could be done at the Main Issues Report stage. However, certain elements of detail are only dealt with at Proposed Plan stage requiring the need for further Habitats Regulations Appraisal at that stage.

Proposed Plan

Screening

- 2.8 Due to the nature of the Main Issues Report being about issues rather than policies and proposals, all stages of the process from Stage 5 onwards were re-addressed at the Proposed Plan Stage. The screening has identified those aspects of the Plan that are likely to have a significant effect on the qualifying interests of a European site and for which appropriate assessment should be carried out. Meetings were held with Scottish Natural Heritage early in the process for their advice. RSPB, SEPA, Cairngorms and Loch Lomond and Trossachs National Park Authorities were also consulted. The results of the Proposed Plan screening process are contained within Section 6 of this report.

Early Mitigation and Re-screening

- 2.9 Early mitigation measures were identified. Policy 3 was amended to include policy for the protection of Natura 2000 designated sites. It is recognised that this is a precautionary measure which cannot be solely relied upon to ensure that the Plan will not adversely affect the integrity of a Natura site. Given the general nature of the amendment it was considered that this would not significantly alter the results of the screening process. Therefore re-screening was not required.

Appropriate Assessment

- 2.10 Following screening impacts on Natura sites arising from policies and proposals within the plan could not be ruled out. Therefore an Appropriate Assessment has been prepared alongside the Proposed Plan. The Appropriate Assessment forms Section 7 of this Report

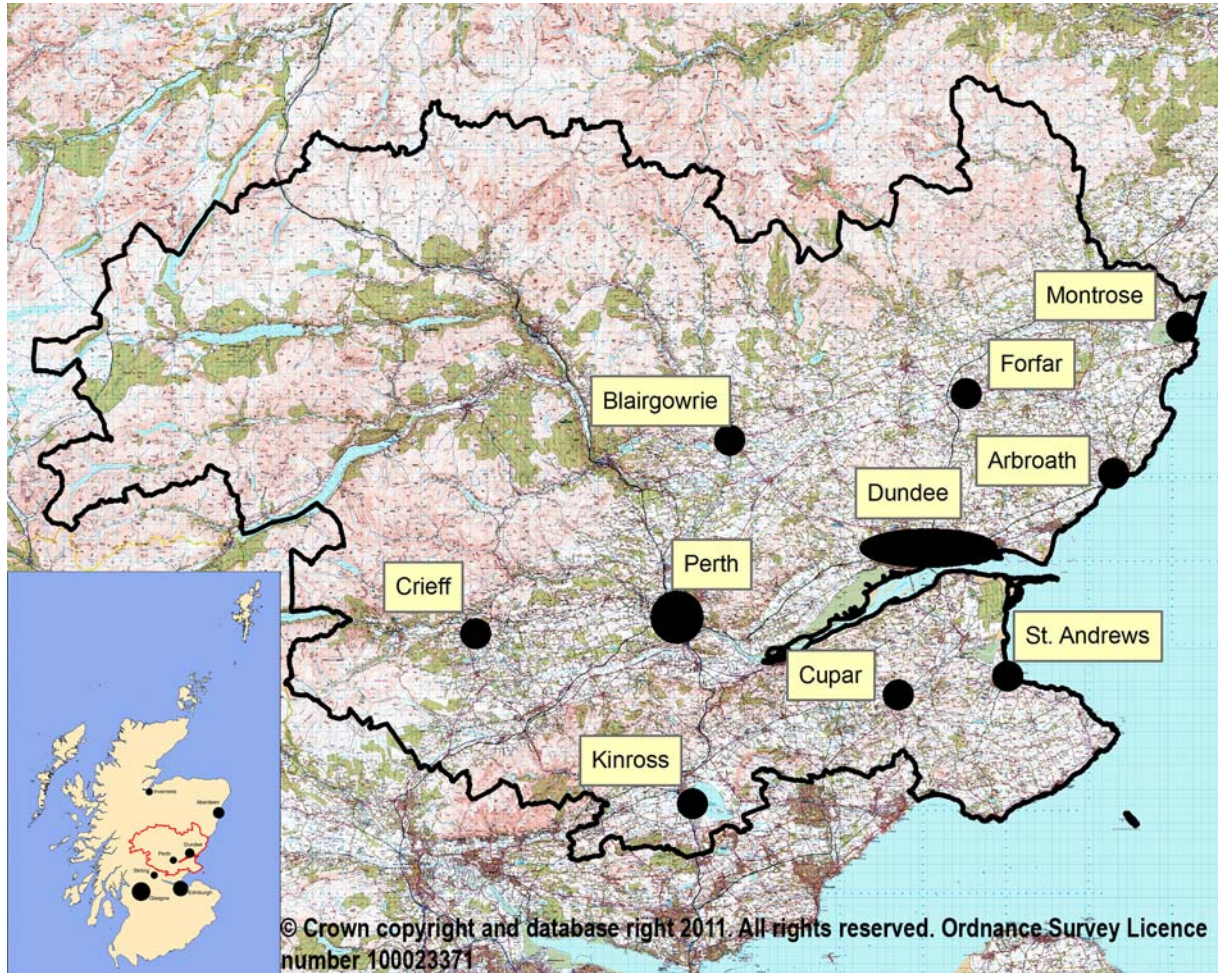
Next Stages

- 2.11 This document which provides a record of the Habitats Regulations Appraisal will be published alongside the Proposed Plan in June 2011. Scottish Natural Heritage and other stakeholders such as SEPA, the National Park Authorities and RSPB will be consulted on the document as it progresses.
- 2.12 If any amendments to the Strategic Development Plan are required following consultation these will require to be screened for likelihood of significant effects. Any such amendments will require Appropriate Assessment. SNH would be consulted at this stage. Following this stage a finalised Habitats Regulations Appraisal will be published with clear conclusions.

3. PLAN CONTEXT

- 3.1 TAYplan is the Strategic Development Planning Authority (SDPA) which covers the areas of Perth and Kinross, Dundee City, Angus and North Fife (see figure 3.1).

Figure 3.1: Map of the TAYplan Area Boundary



- 3.2 The role of the SDPA is to prepare and maintain a Strategic Development Plan for the TAYplan area. The first step of delivering the Strategic Development Plan was the production of a Main Issues Report which was published for consultation in April 2010 accompanied by a draft Habitats Regulations Appraisal.
- 3.3 Since the publication of the Main Issues report, the boundary of the Cairngorms National Park has been amended to include a larger area within the TAYplan boundary. Legislation requires that the SDPA does not amend its boundary until the Strategic Development Plan is approved by Ministers. Until such time, the strategic planning framework for this part of the National Park will be covered by TAYplan.
- 3.4 This stage of the Habitats Regulations Appraisal has been prepared to assist in the preparation of the Proposed Plan. The Proposed Plan is strategic in focus and explores what is required at a high level to provide the context in which more localised decisions can be made to achieve the overall social, economic and environmental outcomes for the region.

- 3.5 As well as identifying the main cross-boundary land use planning issues, the Proposed Plan presents a vision of how the area should develop over the next 20 years. It also indicates where development should and should not take place in Angus, Dundee City, Perth and Kinross and North-East Fife. If you want to find out more about the Strategic Development Plan details are available on the TAYplan website (www.tayplan-sdpa.gov.uk).
- 3.6 The Strategic Development Plan is subject to the requirements of Article 6 of the Habitats Directive (92/43/EEC) and Part IVA of the Habitats Regulations. This requirement is that plans likely to have a significant effect on Natura 2000 Sites - Special Protection Areas (SPAs) or Special Areas of Conservation (SACs) - can only be approved after an Appropriate Assessment has been undertaken, and has ascertained that the Plan will not have an adverse effect on the integrity of a Natura site.
- 3.7 A Strategic Environmental Assessment (SEA) was carried out at the Main Issues Report stage to inform the planning process and this will be reviewed to see if further assessment is required in light of the Proposed Plan.
- 3.8 The Habitats Regulations Appraisal is being revised and kept up to date at each key stage of the Plan preparation process. A record of the Habitats Regulations Appraisal will accompany the Proposed Plan.
- 3.9 The purpose of this appraisal is to assess the potential impacts of the Plan's policies and proposals against the conservation objectives and qualifying features of the relevant European sites and to apply mitigation measures accordingly. The assessment must ascertain that the Plan would not adversely affect the integrity of any Natura site in terms of its nature conservation objectives. If any negative effects remain after mitigation has been identified then other options need to be examined to ensure that these would not have an adverse effect on the integrity of a European Site.

4. PROPOSED SPATIAL STRATEGIES FOR DEVELOPMENT IN THE TAYPLAN AREA

4.1 This section identifies the scale of development for the TAYplan area, the spatial strategy, and specific proposals and policies contained within the Proposed Plan.

Spatial Strategy

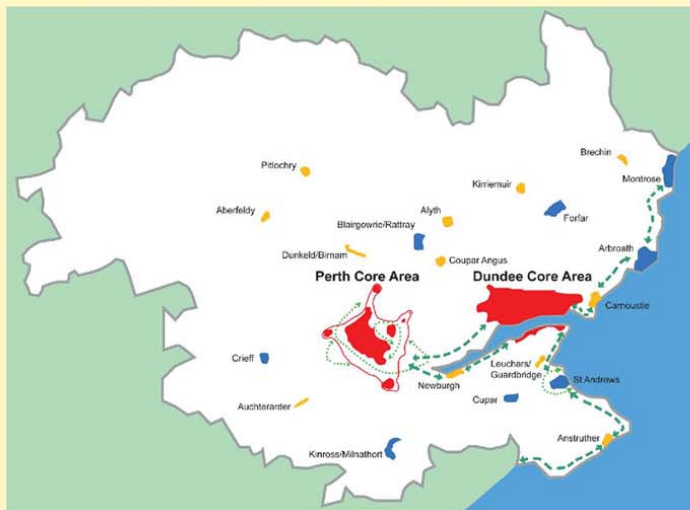
4.2 The region’s Principal Settlements are the largest settlements where most people live and which provide the most jobs and services. Development would be concentrated mostly in Dundee and Perth Core Areas with the rest accommodated primarily in the other principal settlements (see figure 4.1).

Figure 4.1: TAYplan Spatial Strategy for development

Policy 1: Location Priorities

Strategies, plans, programmes and development proposals shall:

A. focus the majority of development in the region’s principal settlements as follows:



- Tier 1** settlements have the potential to accommodate the majority of the region’s additional development over the plan period and make a major contribution to the region’s economy.
 - **Dundee Core Area:** (Dundee City, Dundee Western Gateway, Invergowrie, Monifeth, Tayport/Newport/Wormit, Birkhill/Muirhead); and,
 - **Perth Core Area:** (Perth, Scone, Almondbank, Bridge of Earn, Udenarde, Methven, Stanley, Luncarty, Balbeggie, Perth Airport).
 - Tier 2** settlements have the potential to make a major contribution to the regional economy but will accommodate a small share of the region’s additional development.
 - Tier 3** settlements have the potential to play an important but more modest role in the regional economy and will accommodate a small share of the region’s additional development which is more about sustaining them.
- TAYplan area boundary
 — Perth Core Area
 - - - Green belts - - - Undeveloped Coast

Local Development Plans may also provide for some development in settlements that are not defined as principal settlements and in rural areas where this can be accommodated and supported by the settlement, and where it genuinely contributes to the objectives of this Plan, and meets specific local needs or supports regeneration of the local economy.

Beyond the Strategic Development Area in Policy 4 for St. Andrews there will be no additional strategic development of this scale in the foreseeable future.

B. prioritise land release for development within principal settlements ahead of other land; and, prioritise within each category, as appropriate, the reuse of previously developed land and buildings (particularly listed buildings).

1. Land within principal settlements.
2. Land on the edge of principal settlements.
3. Where there is insufficient land or where the nature/scale of land use required to deliver the Plan cannot be accommodated within or on the edge of principal settlements and this offers the genuine opportunity for self-sustaining settlements the expansion of other settlements should be considered.

Location Priorities

Strategic Development Proposals

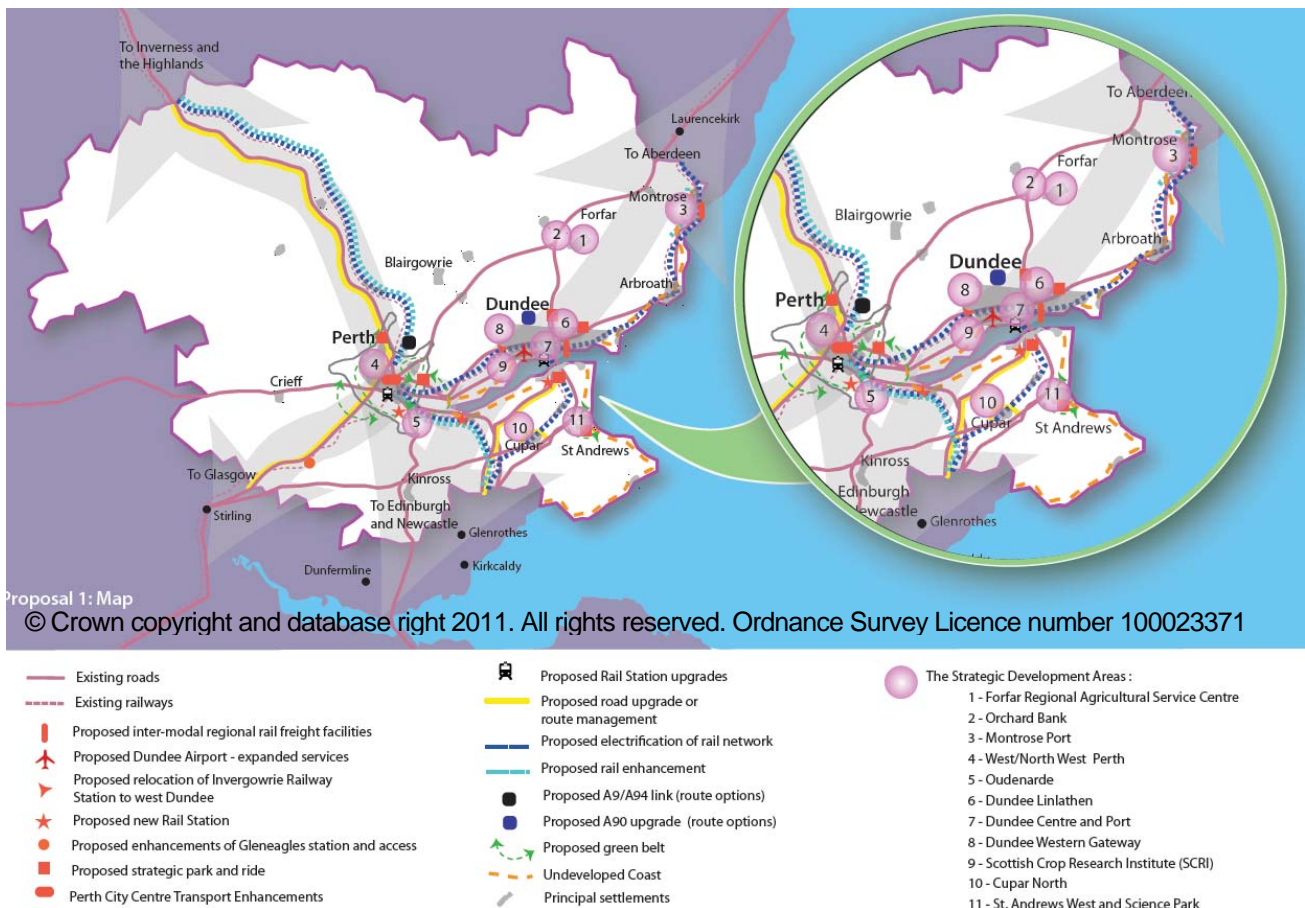
4.3 The Proposed Plan requires that Local Development Plans identify specific sites for the uses and scale set out below. Of those identified, only the proposals for a Forfar Regional Agricultural Service Centre have not previously been included in any form within previous development plans. The proposals for Perth West/North West will require new allocations of land in addition to that already identified.

Figure 4.2: TAYplan Strategic Development Locations

Strategic Development Area	Type development
Orchard Bank Forfar	25 Ha of employment land.
Forfar Regional Agricultural Centre	Employment land for agricultural services.
Montrose Port	Employment land for port related land uses.
Dundee Linlathen	40 Ha of employment land.
Dundee Centre and Port	Mixed uses including business, commercial, leisure, retail, residential and port related uses.
Dundee Western Gateway	750+ homes and 50 Ha of employment land.
James Hutton Institute (JHI)	5 - 10 Ha employment land for food/agricultural research.
Perth West/North West	4,000+ homes and 50 Ha employment land.
Oudenarde	1,200+ homes and 34 Ha employment land.
Cupar North	1,400 homes, 10 Ha employment land and bulky goods retail.
St. Andrews West and Science Park	1,090 homes and 10 Ha employment land and 10 Ha for a science park

4.4 Figure 4.3 shows the Strategic Development Areas and other key proposals including transport proposals contained in the Proposed Plan. The transport proposals include projects identified in Transport Scotland's Strategic Transport Projects Review and TACTRAN's Regional Transport Strategy. However these will not be delivered by this Plan. Strategic HRA is being undertaken separately for the Strategic Transport Projects Review and Regional Transport Strategy (as well as the National Renewables Infrastructure Plan) with their associated conclusions and generic mitigation to be taken into account at lower level HRA assessment.

Figure 4.3: Proposals 1: Map



5. IDENTIFICATION OF DESIGNATED SITES WITHIN AND ADJACENT TO THE TAYPLAN AREA

5.1 The TAYplan area has a rich and diverse natural environment, and within the plan boundary area there are 24 SACs and 14 SPAs. These sites are listed below with those adjacent to the plan area also highlighted.

Special Areas of Conservation (SACs)

5.2 SACs are selected for a number of habitats and species, both terrestrial and marine, which are listed in the Habitats Directive. The SACs relating (including those outside but with links) to the TAYplan area are shown in Figure 5.1.

Figure 5.1: SACs relating to the TAYplan area



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Please note that the Moray Firth SAC is also included in Table 5.1 (not shown in the map above)

Table 5.1: Special Areas of Conservation relating to the TAYplan area.

Site	Responsible Local Authority
Barry Links	Angus
Ben Alder & Aonach Beag (part)	Highland and Perth and Kinross
Beinn a' Ghlo	Perth & Kinross/Cairngorms NP
Ben Heasgarnich	Perth & Kinross
Ben Lawers	Perth & Kinross
Black Wood of Rannoch	Perth & Kinross
Caenlochan	Within revised Cairngorms NP boundary
Craighall Gorge	Perth & Kinross

Dunkeld - Blairgowrie Lochs	Perth & Kinross
Drumochter Hills	Perth & Kinross/Cairngorms NP
Dun Moss and Forest of Alyth Mires	Perth & Kinross/Cairngorms NP
Firth of Tay and Eden Estuary	All
Isle of May	Fife
Glenartney Juniper Wood	Perth & Kinross
Keltneyburn	Perth & Kinross
Methven Moss	Perth & Kinross
Moray Firth	Highland and Moray
Pitkeathly Mires	Perth & Kinross
Rannoch Moor	Perth & Kinross
River South Esk	Aberdeenshire and Angus
River Spey	Cairngorms NP/Highland/Moray
River Tay	Perth & Kinross
Shingle Islands	Perth & Kinross
Shelforkie Moss	Perth & Kinross
Tulach Hill and Glen Fender Meadows	Perth & Kinross
Turflundie Wood	Fife/Perth and Kinross
Upper Strathearn Oakwoods	Perth & Kinross

Special Protected Areas (SPAs)

5.3 SPAs are selected for a number of rare, threatened or vulnerable bird species listed in Annex I of the Birds Directive, and also for regularly occurring migratory species. The SPAs within and adjacent to the TAYplan area are shown in Figure 5.2.

Figure 5.2: SPAs relating to the TAYplan area



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Table 5.2: Special Protection Areas (SPAs) relating to the TAYplan area

Site	Responsible Local Authority
Caenlochan	Within revised Cairngorms NP boundary
Cairngorms Massif	Cairngorms NP/Perth & Kinross/Angus
Cameron Reservoir	Fife
Drumochter Hills (part)	Perth & Kinross
Firth of Forth (part)	Fife
Firth of Tay and Eden Estuary	All
Forest of Clunie	Perth & Kinross/Cairngorms NP
Forth Islands	Fife
Loch of Kinnordy	Angus
Loch Leven	Perth & Kinross
Loch of Lintrathen	Angus
Lochnagar	Cairngorms NP
Montrose Basin	Angus
Rannoch Lochs	Perth & Kinross
South Tayside Goose Roosts	Perth & Kinross

6. SCREENING & EARLY MITIGATION MEASURES

Screening Process

- 6.1 Screening has been carried out on the policies and proposals of the Proposed Plan in order to rule out of the assessment elements of the plan not likely to have a significant effect on a European site, and to ensure that those areas of the plan that pose a potential risk of significant effects to a European site are 'screened in' and subject to further assessment.
- 6.2 There are three reasons why policies/proposals have been screened out:
1. General policy statements – these set out strategic aspirations for the plan-making body for issues and may include criteria based policies for considering proposals. A distinction needs to be drawn with more specific criteria based policies which should be subject to further appraisal.
 2. Projects referred to, but not proposed by the plan – e.g. those in the National Planning Framework, national infrastructure promoted by national government e.g. through Transport Scotland, those promoted by regional transport strategies, or those that would be subject to consent directly by Scottish Ministers.
 3. Screening out aspects of a plan that could have no likely significant effect on a site, alone or in combination with other aspects of the same plan, or with other plans or projects.
- 6.3 Table 6.1 details the policies and proposals that were initially screened in/out and the reasons for doing so.

Table 6.1 Screening of Proposed Plan Policies and Proposals

Policy/Proposal and summary	Screened In/Out	Justification (and sites potentially affected)
<u>Proposed Vision</u> 'By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work and visit and where businesses choose to invest and create jobs'.	Out	General policy statement. Unlikely to have a significant effect on a site.
<u>Principles</u> <ul style="list-style-type: none"> • Supporting sustainable economic development and improving regional image and distinctiveness. • Enhancing the quality of places through better development outcomes. • Ensuring effective resource management and promoting an accessible, connected and networked region. 	Out	General policy statement. Unlikely to have a significant effect on a site. The Proposed Plan also contains 17 objectives. These are general aspirations and policy statements which are reflected in the Plan's policies with the exception of an objective to create greenbelts for Perth and St Andrews which is screened through Policy 3.
<u>Proposals 1: Map - Proposals for how the region will develop between 2012-2032</u>		
Road upgrade or route management of A92 between Edinburgh & Dundee	Out	These projects are identified in

Electrification of the rail network	Out	Transport Scotland's Strategic Transport Projects Review and will be delivered outwith the control of this Plan. HRA is being undertaken separately for the Strategic Transport Projects Review with the associated conclusions and generic mitigation to be taken into account at lower level HRA assessment.
Road upgrade or route management of A9	Out	
Highland mainline rail enhancement	Out	
Aberdeen and Central Belt rail improvements	Out	
Proposed A90 upgrade	Out	
Expanded services at Dundee Airport	Out	
Proposed A9/A94 link/Cross-Tay link	Out	These projects are identified in TACTRANs's Regional Transport Strategy and will be delivered outwith the control of this Plan. HRA is being undertaken separately for the Regional Transport Strategy with the associated conclusions and generic mitigation to be taken into account at lower level HRA assessment.
Dundee and Perth rail station upgrades	Out	
New rail stations Newburgh, Bridge of Earn and Wormit	Out	
Inter-modal regional rail freight facilities at Montrose and Dundee	Out	
Relocation of Invergowrie rail station	Out	
Strategic park and ride/ park and choose facilities serving Dundee at Invergowrie, Forfar Road, South of the Tay Bridgehead and at A92 (near Monifieth)	Out	
Strategic park and ride/ park and choose facilities serving Perth at A90 (East of Perth), A9 (North of Perth)	Out	
Perth City Centre Transport Enhancements	Out	
Proposed Enhancements of Gleneagles station and access	Out	Proposals identified as part of Tay Estuary Rail Study (TACTRAN). Significant effects are considered unlikely due the modest scale of development proposed and distance/relationship of the proposal to designated sites.
Strategic park and ride facilities at St Andrews	Assessed through Policy 4	Proposal forms part of the St. Andrews West strategic development location and is assessed through that proposal.
Cupar relief road	Assessed through Policy 4	Proposal forms part of the Cupar North strategic development location and is assessed through that proposal.
Strategic Development Areas	Assessed through Policy 4	These proposals are assessed as part of Policy 4 which contains more detail about the proposals.
<u>Policy 1: Location Priorities (A)</u> Policy focuses the majority of development in the region's principal settlements and sets out the following settlement hierarchy:	In	See below for details.
Tier 1 settlements will accommodate the majority of development:		
Dundee Core Area (Dundee City, Dundee Western Gateway, Monifieth, Invergowrie, Muirhead/Birkhill, Newport/Wormit, Tayport)	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA and Barry Links SAC without adequate mitigation measures in place.
Perth Core Area (Perth, Scone, Bridge of Earn, Oudenarde, Almondbank, Methven, Stanley, Luncarty, Balbeggie, Perth Airport)	In	Potential for significant effects on River Tay SAC, Methven Moss SAC, South Tay Goose Roosts SPA without adequate mitigation measures in place.

Tier 2 settlements will accommodate a small share of additional development:		
Arbroath	Out	Significant effects are considered unlikely due the distance/relationship of the settlement to designated sites.
Blairgowrie/Rattray	In	Potential for significant effects on River Tay SAC without adequate mitigation measures in place. Dunkeld – Blairgowrie Lochs SAC lies upstream of the settlements and is unlikely to be potentially affected.
Crieff	Out	Significant effects are considered unlikely due the distance/relationship of the settlement to designated sites.
Cupar	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA (via River Eden) without adequate mitigation measures in place.
Forfar	In	Potential for significant effects on River Tay SAC (via Forfar Loch) without adequate mitigation measures in place.
Kinross/Milnathort	In	Potential for significant effects on Loch Leven SPA without adequate mitigation measures in place.
Montrose	In	Potential for significant effects on Montrose Basin SPA and River South Esk SAC without adequate mitigation measures in place.
St. Andrews	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA without adequate mitigation measures in place.
Tier 3 settlements will have a more modest role, generally self-sustaining development:		
Aberfeldy	In	Potential for significant effects on River Tay SAC without adequate mitigation measures in place.
Alyth	In	Potential for significant effects on River Tay SAC without adequate mitigation measures in place.
Anstruther	Out	Significant effects are considered unlikely due the modest scale of development proposed and distance/relationship of the settlement to designated sites.
Auchterarder	Out	Significant effects are considered unlikely due the distance/relationship of the settlement to designated sites.
Brechin	In	Potential for significant effects on River South Esk SAC without adequate mitigation measures in place.
Carnoustie	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA and Barry links SAC without adequate mitigation measures in place.
Coupar Angus	In	Potential for significant effects on River

		Tay SAC without adequate mitigation measures in place.
Dunkeld/Birnam	In	Potential for significant effects on River Tay SAC without adequate mitigation measures in place. Significant effects to the Dunkeld – Blairgowrie Lochs SAC are considered unlikely due the distance/relationship of the settlement to designated sites and the modest scale of development proposed.
Kirriemuir	Out	Significant effects are considered unlikely due the modest scale of development proposed and distance/relationship of the settlement to designated sites.
Leuchars/Guardbridge	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA without adequate mitigation measures in place.
Newburgh	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA without adequate mitigation measures in place.
Pitlochry	In	Potential for significant effects on River Tay SAC.
Beyond the Strategic Development Areas in Policy 4 for St. Andrews there will be no additional strategic development of this scale in the foreseeable future.	Out	No likely significant effect on a European site. Policy limits development beyond current proposals for St. Andrews.
<u>Policy 1: Location Priorities (A)</u> Local Development Plans may also provide for some development in settlements that are not defined as principal settlements and in rural areas where this can be accommodated and supported by the settlement, and where it genuinely contributes to the objectives of this Plan, and meets specific local needs or supports regeneration of the local economy.	Out	General policy statement. Effects impossible to determine at Strategic Development Plan level.
<u>Policy 1: Location Priorities (B)</u> Prioritise land release for development within principal settlements ahead of other land; and, prioritise within each category, as appropriate, the re-use of previously developed land and buildings (particularly listed buildings): <ul style="list-style-type: none"> • Land within principal settlements • Land on the edge of principal settlements • Where there is insufficient land or where the nature/scale of land use required to deliver the Plan cannot be accommodated within or on the edge of principal settlements and this offers the genuine opportunity for self-sustaining settlements, the expansion of other settlements should be considered. 	Out	General policy criteria. Unlikely to have a significant effect on a site. With regard to the development of new settlements and standalone extensions, it is noted that the supporting text states that there is no need for new settlements.

<p><u>Policy 2: Shaping Better Quality Places</u> Policy requires Local Development Plans, masterplans and development proposals to:</p> <ul style="list-style-type: none"> • ensure that climate change resilience is built into the natural and built environments; • integrate new development with existing community infrastructure and work with other delivery bodies to integrate, concentrate and co-locate additional new infrastructure; • ensure the integration of transport and land use to reduce the need to travel and improve accessibility by foot, cycle and public transport; • ensure that waste management solutions are incorporated into development to allow users/occupants to contribute to the aims of the Zero Waste Plan; • ensure that high resource efficiency and low/zero carbon energy generation technologies are incorporated within development to reduce carbon emissions and energy consumption; • ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets, the multiple roles of infrastructure and networks and local design context. 	<p>Out</p>	<p>General policy statement. Unlikely to have a significant effect on a site.</p> <p>Note that planning for resilience to climate change includes the use of techniques to reduce surface run-off and use of SUDs.</p>
<p><u>Policy 3: Managing TAYplan’s assets: Finite resources</u> Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets by:</p> <ul style="list-style-type: none"> • Safeguard mineral deposits from development and provide a minimum 10 year supply. • Protect prime agricultural land, carbon rich soils and forestry areas. 	<p>Out</p>	<p>No likely significant effect on a European site. Policy does not in itself provide for development or change.</p>
<p><u>Policy 3: Managing TAYplan’s assets: Natural and Historic Assets</u> Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets by: Understanding and respecting the regional distinctiveness and scenic value of the TAYplan area through:</p> <ul style="list-style-type: none"> • ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other 	<p>Out</p>	<p>No likely significant effect on a European site. Policy aims to protect features and habitats.</p>

<p>sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy;</p> <ul style="list-style-type: none"> • safeguarding habitats, sensitive green spaces, forestry, watercourses, wetlands, floodplains (in-line with the water framework directive), carbon sinks, species and wildlife corridors, geodiversity, landscapes, parks, townscapes, archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets; and, • identifying and safeguarding parts of the undeveloped coastline along the River Tay Estuary and in Angus and North Fife, that are unsuitable for development and set out policies for their management; identifying areas at risk from flooding and sea level rise and develop policies to manage retreat and realignment, as appropriate. 		
<p><u>Policy 3: Managing TAYplan's assets: Employment Land</u> Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets by:</p> <ul style="list-style-type: none"> • identifying and safeguarding at least 5 years of employment land within principal settlements to support the growth of the economy and a diverse range of industrial requirements; • safeguarding areas identified for class 4 office type uses in principal settlements; and, • to further assist in growing the year-round role of the tourism sector. 	In	<p>This proposal has potential to cause risk to European sites without adequate mitigation measures in place.</p> <p>Sites potentially affected include: Firth Of Tay and Eden Estuary SAC & SPA, Barry Links SAC, Montrose Basin SPA, Loch Leven SPA, River Tay SAC Methven Moss SAC, South Tay Goose Roosts SPA, River South Esk SAC, Isle of May SAC and Moray Firth SAC.</p>
<p><u>Policy 3: Managing TAYplan's assets: Greenbelts</u> Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets by:</p> <ul style="list-style-type: none"> • continuing to designate green belt boundaries at both St. Andrews and Perth to preserve their settings, views and special character including their historic cores; assist in safeguarding the countryside from encroachment; to manage long term planned growth including infrastructure in this Plan's Proposals 	In	<p>Include due to statement about using Perth green belt to provide sufficient land for planned development.</p> <p>Potential for significant effects on River Tay SAC.</p>

<p>Map and Strategic Development Areas in Policy 4; and define appropriate forms of development within the greenbelt based on Scottish Planning Policy;</p> <ul style="list-style-type: none"> • using Perth green belt to sustain the identity of Scone, and provide sufficient land for planned development around key villages and settlements. 		
<p><u>Proposed Policy 3: Managing TAYplan's assets: Transport</u> Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets by:</p> <ul style="list-style-type: none"> • safeguard areas at Dundee and Montrose Ports, and other harbours as appropriate, for port related uses to support freight, economic growth and tourism; and, • safeguarding land for future infrastructure provision (including routes), identified in the Proposal Map of this Plan or other locations or routes, as appropriate, or which is integral to a Strategic Development Area in Policy 4 of this Plan, or which is essential to support a shift from reliance on the car and road-based freight and support resource management objectives. 	In	<p>Development of ports has potential to cause risk to European sites without adequate mitigation measures in place.</p> <p>Sites potentially affected include: Firth of Tay and Eden Estuary SAC & SPA, Montrose Basin SPA, Isle of May SAC and Moray Firth SAC.</p> <p>Transport proposals are considered under Proposals 1: Map Transport Proposals.</p>
<p><u>Policy 4: Strategic Development Areas A</u> Local Development Plans shall identify Strategic Development Areas at:</p>	In	See below for details for individual proposals.
Montrose Port	In	Potential for significant effects on Montrose Basin SPA.
Dundee Centre and Port	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA, Moray Firth SAC, Isle of May SAC, River Tay SAC.
Dundee Linlathen	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA.
Dundee Western Gateway	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA.
James Hutton Institute Invergowrie	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA depending on location.
Perth West/North West	In	Potential for significant effects on River Tay SAC.
St. Andrews West and Science Park	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA.
Cupar North	In	Potential for significant effects on Firth of Tay and Eden Estuary SAC/SPA via River Eden.
Forfar Regional Agricultural Centre	In	Potential for significant effects on River Tay SAC.

Orchard Bank, Forfar	In	Potential for significant effects on River Tay SAC.
Oudenarde	Out	Significant effects are considered unlikely due to the distance/relationship of the settlement to designated sites.
<p>Policy 4: Strategic Development Areas B Include (or cover in Supplementary Planning Guidance) Strategic Development Frameworks** for Strategic Development Areas***. These should reflect the overall policy requirements of this Plan and from which master plans will be developed, reflecting in particular the Scottish Government's Planning Advice Note (PAN) 83: <i>Masterplanning</i> and Architecture and Design Scotland publication Design Review: <i>Lessons learnt from Master Plans</i> (2010). Frameworks shall set out how new sustainable places (as referred to in PAN 83) are to be implemented.</p> <p>*The Local Development Plan will consider the need for any new sites, together with existing sites. This Proposal further promotes the role of the agricultural service sector in the area but may not require sites.</p> <p>**Strategic Development Frameworks: Wide area proposals of strategic links, accessibility, and land use principles, and how these relate to the masterplan site. They establish key development parameters through a process of consultation with community, stakeholders and the local authority. Strategic Development Frameworks are often used for large masterplan sites, urban extensions and districts.</p> <p>***With the exception of West/North West Perth the other Strategic Development Areas already have a framework/masterplan in place or are of a scale/nature where one is not required (Orchardbank, Linlathen, Forfar Regional Agricultural Service Centre and James Hutton Institute).</p>	Out	No likely significant effect on a European site. General policy statement.
<p>Policy 5: Housing (A) Local Development Plans should allocate a minimum of 5 years supply and work towards the provision of a 7 years supply of effective housing land by 2015 to support economic growth. Land should be allocated within each Housing Market Area (Proposal 2) through Local Development Plans to provide an effective and generous supply of land to assist in the delivery of in the order of 26,000 units up to year 2024 across TAYplan. Average annual build rates are illustrated*. In the period 2024 to 2032 in the order of 17,400 units may be required. To assist the delivery of these build rates, Local Development Plans may allocate a larger land supply.</p> <p>In exceptional cases of environmental capacity, plans may provide for up to 10% of the provision for one market area in one or more neighbouring market areas.</p>	In	<p>It is not possible to determine effects on specific European sites as the proposals are too general. Further appraisal will take place of the Principal settlements and Strategic Development Areas through the preparation of Local Development Plans.</p> <p>However, this document also should seek to ensure that the total quantity and nature of change is not so great that it could not be delivered without affecting a European site.</p>

Ensure that housing meets the needs and aspirations of a range of households, including provision of affordable housing based on defined local needs.		
<u>Policy 5: Housing (B)</u> Flexibility to plan for house building rates in Dundee City to exceed levels of provision in Proposal 2 where this delivers the objectives of the plan.	Out	No likely significant effect on a European site. General policy statement.
<u>Policy 5: Housing (C)</u> Ensure there is a presumption against greenfield land releases in areas surrounding the Dundee and Perth Core Areas, including the Carse of Gowrie, where it would prejudice the delivery of Strategic Development Areas or regeneration within the core areas or conflict with other parts of this Plan.	Out	No likely significant effect on a European site. General policy statement.
<u>Policy 6: Energy & Waste/ Resource Management Infrastructure (A)</u> Local Development Plans shall identify areas for different forms of renewable heat and energy infrastructure and for waste/resource management infrastructure or criteria to support this, including where appropriate land for process industries e.g. the co-location/proximity of surplus heat producers with heat users.	Out	No likely significant effect on a European site. General policy statement.
<u>Policy 6: Energy & Waste/ Resource Management Infrastructure (B)</u> Beyond community/small scale facilities waste/resource management infrastructure is most likely to be focussed within or close to the Dundee and/or Perth Core Areas.	In	Development of waste/resource management infrastructure within or close to the Dundee/Perth Core Areas has potential to cause risk to European sites.
<u>Policy 6: Energy & Waste/ Resource Management Infrastructure (C)</u> Local Development Plans and proposals shall ensure that all areas of search, allocated sites, routes and decisions on development proposals for energy and waste/resource management infrastructure have been justified against: <ul style="list-style-type: none"> • land take requirements associated with the infrastructure technology and associated statutory safety exclusion zones; • the National Waste Strategy and support the delivery of the waste management hierarchy; • proximity of resources (e.g. woodland, wind or waste material); and to users/customers, grid connections and distribution networks; • anticipated effects of construction and operation on air quality, 	Out	No likely significant effect on a European site. General policy statement.

<p>emissions, noise, odour, surface and ground water pollution, drainage, waste disposal, radar installations and flight paths, and, of nuisance impacts on off-site properties;</p> <ul style="list-style-type: none"> • sensitivity of landscapes, the water environment, biodiversity, geo-diversity, habitats, tourism and listed/scheduled buildings and structures; • impacts of associated new grid connections and infrastructure • cumulative impacts of developments; • impacts upon neighbouring planning authorities. 		
<p><u>Policy 7: Town centres</u> Focus comparison retail development within town centres specified in the Retail Hierarchy. Local Development Plans to identify town centre boundaries. Planning decisions to be based on the retail hierarchy, the sequential approach and other local considerations as appropriate.</p>	Out	No likely significant effect on a European site. General policy statement.
<p><u>Policy 8: Delivering the Strategic Development Plan</u> Policy aims to ensure quality is designed in and that developer contributions mitigate any adverse impact brought about by development.</p>	Out	No likely significant effect on a European site. General policy statement.

Cumulative effects

- 6.4 Care has been taken to assess the potential for cumulative effects ('in combination' effects) of the Plan's policies and proposals.
- 6.5 A potential cumulative impact could arise where proposals or policies could collectively impact on a water-system that interacts with a designated site. The location of proposals has been assessed to ascertain whether or not they are upstream of a watercourse which may result in the effects of multiple proposals on watercourse(s) feeding together and although not having an impact individually, combined may have a significant effect on Natura sites.
- 6.6 There are a number of proposals and settlements identified for potential development that lie within the River Tay catchment, the River Tay being an SAC and which leads into the Firth of Tay and Eden Estuary which is an SAC and SPA site. The Firth of Tay and Eden Estuary itself has a number of settlements directly in its catchment. Care has therefore been taken for the potential for cumulative effects given the particular sensitivities of the qualifying interests. An assessment of designated sites which have more than one policy or proposal which has the potential to adversely affect them is contained within Table 7.2 in the Appropriate Assessment.
- 6.7 A potential adverse affect on designated sites relevant to the TAYplan area relates to adverse impacts on water quality through proposals both individually and cumulatively.

TAYplan have consulted Scottish Water throughout the preparation of the Plan and it is anticipated that development of the scale and location identified in the plan will not require strategic upgrades to the sewage treatment network. Smaller scale upgrades to the network are proposed by Scottish Water, for example, at Kirriemuir.

- 6.8 Another potential cumulative impact could arise where proposals or policies could collectively impact on birds. This could include the potential combined effects of development of land adjacent to or otherwise significantly affecting Natura sites. The site with the most potential for this is the Firth of Tay and Eden Estuary given the number of settlements surrounding this site. Protected birds often rely on land outwith those sites designated for them e.g. feeding an agricultural land during the day. The location of proposals has also therefore been assessed to ascertain whether or not they would result in a loss of feeding grounds which, combined, may have a significant effect on Natura sites.
- 6.9 Although we can acknowledge any likely significant effect it is not always practical to meaningfully assess and to give an accurate account of the future impact at the Strategic Development Plan stage. Potential pollution levels will be dependent on specifics of the proposed developments not known until the Local Development Plan and/or planning application stage.
- 6.10 It is necessary to consider possible significant effects on European sites both individually and in combination with other plans and projects, recognising that in some cases projects whose likely effects would be insignificant on their own could in combination with other projects cause significant effects.
- 6.11 The policies/ proposals that were considered, individually, not to have a likely significant effect on Natura sites are assessed for the potential for cumulative impacts in Table 6.2:

Table 6.2 Assessment of Policies and Proposals Screened Out for Cumulative Effects

Policy/Proposal	Potential for cumulative impacts
Vision Objectives Policy 1: Location Priorities (A) Policy 1: Location Priorities (A) Policy 1: Location Priorities (B) Policy 2: Designing-in better quality Policy 3: Managing TAYplan's Assets: Finite resources Policy 3: Managing TAYplan's Assets: Natural and Historic Assets Policy 4: Strategic Development Areas B Policy 4: Strategic Development Areas C Policy 5: Housing (B) Policy 5: Housing (C) Policy 6: Energy & Waste/Resource Management Infrastructure (A) Policy 6: Energy & Waste/Resource Management Infrastructure (C) Policy 7: Town centres Policy 8: Delivering the Strategic Development Plan	These policies comprise general policy statements and are unlikely, individually or cumulatively to have a significant effect on a site.
Policy 1: Location Priorities (1) for the settlements	The settlements Arbroath, Crieff, Anstruther, Auchterarder, Kirriemuir, and Oudenarde are geographically dispersed

Policy/Proposal	Potential for cumulative impacts
<ul style="list-style-type: none"> • Arbroath • Crieff • Anstruther • Auchterarder • Kirriemuir Policy 4: Strategic Development Areas A <ul style="list-style-type: none"> • Oudenarde 	<p>across the region.</p> <p>Crieff, Oudenarde and Auchterarder are close to the River Earn (or smaller watercourses that feed in to) which drains to the Firth of Tay Estuary. The scale and location of any development in these towns will be identified through the Perth & Kinross Local Development Plan. There could be potential for development at these sites to adversely affect water quality in adjacent watercourses, however, this is mitigated through the requirement in Policy 2 of the Proposed Plan to reduce run-off including through the use of sustainable drainage systems. Furthermore it is understood that the sewage systems will be able to accommodate development in these settlements. In view of the minimal likelihood of adverse impact and the fact that these settlements are far apart there is no likelihood of a cumulative impact and such development would therefore be unlikely to affect the designated site where the river flows in to the estuary.</p> <p>The other locations (Arbroath, Anstruther and Kirriemuir) are considered not to have the potential to have a cumulative significant effect on watercourses when considered alongside both those policies/proposals that have been screened out and those that have been screened in due to their distance and absence of connectivity to designated sites.</p> <p>The settlements are unlikely to result in any cumulative significant effect on birds taking into account policies and proposals that have been screened in. Fields surrounding Oudenarde could be used for feeding by birds in connection with the Firth of Tay & Eden Estuary but there are no other major development proposals nearby.</p> <p>The Proposed Plan identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management. Proposals for a greenbelt for Perth and focussing development away from the Carse of Gowrie will also help to ensure that feeding sites are available for birds.</p>
Proposal 1: Transport Proposals	<p>The potential for cumulative effects arising from the Strategic Transport Projects Review and the Regional Transport Strategies in combination with the Proposed Plan is considered to be unlikely. Many of the proposals are upgrades to existing buildings, facilities and transport links that will not involve new land and by their nature and location are unlikely to result in combination effects (with the Proposed Plan) on the integrity of Natura sites. Other proposals which may have the potential to affect a Natura site will have to show through the HRA process of the relevant plan that this will not be the case. However, no in-combination effects are considered likely. The projects are identified through other Plans and will be delivered outwith the control of this Plan. These other Plans will need to assess the potential for cumulative effects.</p>

6.12 The Proposed Plan for TAYplan incorporates other plans and strategies, such as the National Planning Framework and the Strategic Transport Projects Review to provide an overarching land use plan for the region. Whilst the details of where some

development will emerge through the Local Development Plan process the overall scale and general location will be set through the Strategic Development Plan.

- 6.13 The Plan has also been considered in relation to a comprehensive range of other plans and programmes relevant to the habitat regulations appraisal. A list of these plans and programmes is included in Appendix 1 of the Environmental Report prepared alongside the Main Issues Report. It is considered that there will not be additional cumulative effects arising from other plans and projects in combination with TAYplan's Proposed Plan.

Early Mitigation

- 6.14 Following the screening process for potential likely effects it was considered that whilst the Proposed Plan makes reference to ensuring the protection of designated habitats this policy was not strong enough.
- 6.15 Additional policy was added to the Plan which will have the effect of further safeguarding Natura sites from potential individual and cumulative effects of development. The implementation of these policies is seen as very important in addressing potential effects on Natura sites. The appropriate assessment of the policies and proposals (section 7 of this document) looks at the potential impacts in more detail in order to determine if specific mitigation is required.

Re-screening

- 6.16 The amendment to the Proposed Plan following the screening process strengthened the plan's policy in respect to the protection of Natura sites. However, given the general nature of the amendment it was considered that this would not significantly alter the results of the screening process. Therefore re-screening was not undertaken.

Policies and Proposals taken forward for Appropriate Assessment

- 6.17 Having regard to the screening process detailed in Table 6.2 the following policies and proposals are to be taken forward for Appropriate Assessment:
- Policy 1: Location Priorities (for the settlements Dundee Core Area, Perth Core Area, Blairgowrie/Rattray, Cupar, Forfar, Kinross/Milnathort, Montrose, St. Andrews, Aberfeldy, Alyth, Brechin, Carnoustie, Coupar Angus, Dunkeld/Birnam, Leuchars/Guardbridge, Newburgh, Pitlochry)
 - Policy 3: Managing TAYplan's assets: Employment Land
 - Policy 3: Managing TAYplan's assets: Transport
 - Policy 3: Managing TAYplan's assets: Greenbelts
 - Policy 4: Strategic Development Areas (for the proposals Orchard Bank Forfar, Forfar Regional Agricultural Centre, Montrose Port, Dundee Linlathen, Dundee Centre and Port, Dundee Western Gateway, James Hutton Institute (Invergowrie), Perth West/North West, Cupar North, St. Andrews West and Science Park)
 - Policy 5: Housing (Part A)
 - Policy 6: Energy & Waste/ Resource Management Infrastructure (Part B).

7. APPROPRIATE ASSESSMENT

- 7.1 The Appropriate Assessment is a test to ascertain whether the proposed development plan will not adversely affect the integrity of designated sites through the policies and proposals identified in section 6. The assessment also considers required mitigation, and any limitations of the assessment.
- 7.2 The integrity of a site is defined⁸ as 'the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified'.
- 7.3 The European sites that were considered to have the potential to be affected by policies and proposals contained with the Strategic Development Plan were determined during the screening process (see Section 6 of this document). A list of the sites and their qualifying interests and conservation objectives is set out in Appendix 1.
- 7.4 The Assessment takes a precautionary approach where all potential issues are highlighted, although the Proposed Plan in many cases does not provide a level of detail that allows full assessment. The document states at which point further assessment should take place to protect designated sites as policies and proposals are implemented. The potential for cumulative effects, including in combination effects with other plans/strategies has been considered.
- 7.5 The assessment of potential adverse effects on the qualifying interests of Natura 2000 sites by the Proposed Plan's policies and development proposals are shown in Table 7.1.

⁸ Scottish Executive (2000) Nature Conservation: Implementation in Scotland of EC Directive on the conservation of natural habitats and of wild fauna and flora and the conservation of wild birds ('The Habitats and Birds Directives'). Revised guidance updating Scottish Office Circular no. 6/1995

Table 7.1: Appropriate Assessment of potential impacts of the TAYplan Proposed Plan on Natura 2000 Sites

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
<p>POLICY 1: Location Priorities</p> <p>Policy 1 sets out a policy which focuses major development in the region's principal settlements and sets out a settlement hierarchy. The main focus will be on Dundee and Perth.</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA, BARRY LINKS SAC, MONTROSE BASIN SPA, LOCH LEVEN SPA, RIVER TAY SAC METHVEN MOSS SAC, SOUTH TAY GOOSE ROOSTS SPA, RIVER SOUTH ESK SAC, DUNKELD – BLAIRGOWRIE LOCHS SAC</p> <p>See Appendix 1 for qualifying interests and conservation objectives.</p>	<p>The scale and nature of development in each of the settlements listed in the hierarchy will be defined at the Local Development Plan level. A settlement's identification reflects that it contains a range of existing facilities that would make development more likely to be sustainable than in a location elsewhere.</p> <p>While it is not possible to identify the specific impacts from individual site allocations given the general nature of the policy, there are a number of potential impacts which could affect the Natura sites as listed. These include deterioration of qualifying habitats or significant impacts (e.g. disturbance) to qualifying species through inappropriate allocation of land at the Local Development Plan level.</p> <p>Policy 1 states that the Principal Settlements will be the focus for development but does not require that development would take place in each settlement regardless of environmental capacity. Nevertheless there is scope in all of the region's principle settlements for development without adversely affecting the integrity of a Natura site. Such development may involve redevelopment of existing buildings and brownfield land.</p> <p>The settlements where new development has the potential to impact on designated sites are: Dundee Core Area, Perth Core Area, Blairgowrie/Rattray, Cupar, Forfar, Kinross/Milnathort, Montrose, St. Andrews, Aberfeldy, Alyth, Brechin, Carnoustie, Coupar Angus, Dunkeld/Birnam, Leuchars/Guardbridge, Newburgh and Pitlochry.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <p>a) The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas</p> <p>b) The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and</p> <p>c) The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy.</p> <p>In designating sites in the settlements identified Local Development Plans must ensure that developments, through their development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>Local Development Plans will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with. The assessment will need to consider potential for cumulative impacts on Natura sites.</p> <p>Further HRA/EIA assessment may be required at the planning application stage for any proposals arising from this policy.</p> <p>There are also existing measures within the Proposed Plan that will provide further mitigation:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 1 states that for St. Andrews, beyond the Strategic Development Area in Policy 4 there will be no additional strategic development of this scale in the foreseeable future. • Policy 2 requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to watercourses. • The Proposed Plan identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management. This acts as an additional safeguard against cumulative effects on the Natura site that could occur if widespread development were to be allowed in areas in areas that support the integrity of the Natura site. <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of such sites is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – 'Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy' 	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>
<p>POLICY 3: Managing TAYplan's Assets - Employment Land</p> <p>Policy 3 requires Local Development Plans identify and safeguard at least 5 years of employment land within principal</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA, BARRY LINKS SAC, MONTROSE BASIN SPA, LOCH LEVEN SPA, RIVER TAY SAC METHVEN MOSS SAC, SOUTH TAY GOOSE ROOSTS SPA, RIVER SOUTH ESK SAC, MORAY FIRTH SAC, ISLE OF MAY SAC</p> <p>See Appendix 1 for qualifying interests and conservation objectives.</p>	<p>The scale and nature of development in each of the settlements listed in the hierarchy will be defined at the Local Development Plan level. The Principal Settlements are those that are deemed to be most sustainable for new development due to their scale and function.</p> <p>While it is not possible to identify the specific impacts from individual site allocations given the general nature of the policy, there are a number of potential impacts which could affect the Natura sites as listed. These include deterioration of qualifying habitats or significant impacts (e.g. disturbance) to qualifying species through inappropriate allocation of land at the Local Development</p>	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <p>a) The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas</p> <p>b) The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and</p> <p>c) The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy.</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
<p>settlements to support the growth of the economy and a diverse range of industrial requirements; safeguard areas identified for class 4 office type uses in principal settlements; and, to further assist in growing the year-round role of the tourism sector.</p>		<p>Plan level.</p> <p>Policy 3 states that employment land should be identified and safeguarded in Principal settlements. This will include existing employment sites and the policy does not require that new land would need to be found in each settlement regardless of environmental capacity. Nevertheless there is scope in all of the region's principle settlements for development without adversely affecting the integrity of a Natura site. Such development may involve redevelopment of existing buildings and brownfield land.</p> <p>What constitutes a 5 year supply of land will vary by local authority and will be subject to local employment needs and local authorities' methodologies for calculating these. It may be the case that a 5 year supply of employment can be accommodated by existing sites.</p> <p>The settlements where new development has the potential to impact on designated sites are: Dundee Core Area, Perth Core Area, Blairgowrie/Ratray, Cupar, Forfar, Kinross/Milnathort, Montrose, St Andrews, Aberfeldy, Alyth, Brechin, Carnoustie, Coupar Angus, Dunkeld/Birnam, Leuchars/Guardbridge, Newburgh and Pitlochry.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>In designating sites in the settlements identified Local Development Plans must ensure that developments, through their development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>Local Development Plans will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with. The assessment will need to consider potential for cumulative impacts on Natura sites.</p> <p>Further HRA/EIA assessment may be required at the planning application stage for any proposals arising from this policy.</p> <p>There are also existing measures within the Proposed Plan that will provide further mitigation:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to watercourses. • The Proposed Plan identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management. This acts as an additional safeguard against cumulative effects on the Natura site that could occur if widespread development were to be allowed in areas in areas that support the integrity of the Natura site. <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of such sites is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – 'Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy' 	<p>Development Plan and planning application stages.</p>
<p>POLICY 3: Managing TAYplan's Assets - Transport</p> <p>Policy 3 requires Local Development Plans to identify and safeguard land at Dundee and Montrose Ports, and other harbours, as appropriate, for port related land uses to support freight, economic growth and tourism.</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA <u>SAC Qualifying Habitats</u></p> <ul style="list-style-type: none"> • Estuaries, Intertidal mudflats and sandflats, Subtidal sandbanks <p>Conservation Objectives: To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Extent of the habitat on site ▪ Distribution of the habitat within site ▪ Structure and function of the habitat ▪ Processes supporting the habitat ▪ Distribution of typical species of the habitat ▪ Viability of typical species as components of the habitats ▪ No significant disturbance of typical species of the habitats <p><u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> • Common seal <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site 	<p>The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of the waters of the Firth of Tay and Eden Estuary. The birds are vulnerable to development or activities which can cause disturbance during roosting, breeding and feeding periods. Seals and birds are vulnerable to pollution and chemicals.</p> <p>The policy requires Local Development Plans to identify and safeguard land at Dundee & Montrose Ports, and other harbours as appropriate. For Dundee and Montrose Ports land is already identified through existing Local Plans. It will be for Local Development Plans to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>Potential impacts could include:</p> <ul style="list-style-type: none"> • construction and operational activity; • changes in water quality through pollution from waste and sewage during operation and construction activities; • impacts of pollution on food sources used by bird and seal populations; • disturbance of birds and seals; and, • potential for increased airborne and underwater noise 	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <ol style="list-style-type: none"> a) The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas b) The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and c) The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy. <p>Where any additional land is allocated in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the planning application stage for future proposals. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>The Proposed Plan identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

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	<ul style="list-style-type: none"> ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species <p><u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Bar-tailed godwit, Black-tailed godwit*, Common scoter*, Cormorant*, Dunlin*, Eider*, Goldeneye*, Goosander*, Grey plover*, Greylag goose, Little tern, Long-tailed duck*, Marsh Harrier, Oystercatcher*, Pink-footed goose, Red-breasted merganser*, Redshank, Sanderling*, Shelduck*, Velvet scoter*, • Waterfowl assemblage <p><i>*Indicates assemblage qualifier only</i></p> <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species 	<p>and light.</p> <p>The proposal does not require the release of additional land or changes of use/development within the port/ harbour areas. Any development at the ports/ harbours would be subject to HRA through the plan or programme through which they are proposed. There is therefore flexibility within the policy for development of the nature described in the policy without adversely affecting the integrity of a Natura site.</p> <p>The screening process highlighted the issue of cumulative impacts on birds from proposals around the Firth of Tay & Eden Estuary SAC/SPA. However in view of the dispersed nature of proposed development around the estuaries and the protection given to undeveloped land through policy on the undeveloped coast and green belts, it is considered that there will be no cumulative adverse affect on the integrity of the Natura site.</p> <p>It is considered that there is potential for the proposal to be implemented without adversely affecting the integrity of a Natura site.</p>	<p>management. This acts as an additional safeguard against cumulative effects on the Natura site that could occur if widespread development were to be allowed in areas in areas that support the integrity of the Natura site.</p> <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected: New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’</p>	
<p>POLICY 3: Managing TAYplan’s Assets Transport</p> <p>Policy 3 requires Local Development Plans to identify and safeguard land at Dundee and Montrose Ports, and other harbours, as appropriate, for port related land uses to support freight, economic growth and tourism.</p>	<p>MONTROSE BASIN SPA <u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Dunlin*, Eider*, Greylag goose, Knot, Oystercatcher*, Pink-footed goose, Redshank, Shelduck*, Wigeon* • Waterfowl assemblage <p><i>*Indicates assemblage qualifier only</i></p> <p><u>Conservation Objectives:</u> 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 to ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species 	<p>Montrose Basin has high species diversity and supports a large population of wintering waterbirds. These species also feed away from the SPA on surrounding agricultural land and coastal areas. The qualifying species are vulnerable to developments and activities which could affect the quality of the waters of the basin (including pollution and chemicals), or which could cause disturbance during roosting, breeding and feeding periods.</p> <p>The policy requires Local Development Plans to identify and safeguard land at Dundee & Montrose Ports, and other harbours as appropriate. For Dundee and Montrose Ports land is already identified through existing Local Plans. It will be for Local Development Plans to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>Potential impacts could include:</p> <ul style="list-style-type: none"> • changes in water quality in the SPA through pollution from increased traffic and use of port area and increased waste/sewage during and following construction activities; • impacts of pollution on food sources used by bird populations; • disturbance to birds during roosting, breeding and feeding from construction, operational or recreational activities; • loss of feeding grounds through habitat loss within and outside the SPA (if new land is required through the Local Development Plan); • severance of wildlife corridors and connected habitats; 	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <ol style="list-style-type: none"> a) The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas b) The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and c) The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy. <p>Where any additional land is allocated in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the planning application stage for future proposals. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected: New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

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		<p>and,</p> <ul style="list-style-type: none"> • potential for increased noise activity and light. <p>The proposal does not require the release of additional land or changes of use/development within the port/ harbour areas. Any development at the ports/ harbours would be subject to HRA through the plan or programme through which they are proposed. There is therefore flexibility within the policy for development of the nature described in the policy without adversely affecting the integrity of a Natura site.</p> <p>It is considered that there is potential for the proposal to be implemented without adversely affecting the integrity of a Natura site.</p>		
<p>POLICY 3: Managing TAYplan's Assets Transport</p> <p>Policy 3 requires Local Development Plans to identify and safeguard land at Dundee and Montrose Ports, and other harbours, as appropriate, for port related land uses to support freight, economic growth and tourism.</p>	<p>RIVER SOUTH ESK (SAC) <u>Qualifying Species</u></p> <ul style="list-style-type: none"> • Atlantic Salmon • Freshwater pearl mussel <p><u>Conservation Objectives</u> 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species, including range of genetic types for salmon, as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species ▪ Distribution and viability of freshwater pearl mussel host species ▪ Structure, function and supporting processes of habitats supporting freshwater pearl mussel host species 	<p>Atlantic salmon are a qualifying species for the River South Esk SAC but migrate out through Montrose Basin to feed. The qualifying species are vulnerable to developments which could affect the quality of the waters of the Basin.</p> <p>The policy requires Local Development Plans to identify and safeguard land at Dundee & Montrose Ports, and other harbours as appropriate. For Dundee and Montrose Ports land is already identified through existing Local Plans. It will be for Local Development Plans to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>Potential impacts could include: changes in water quality through pollution from waste and sewage during operation and construction activities.</p> <p>The proposal does not require the release of additional land or changes of use/development within the port/ harbour areas. Any development at the ports/ harbours would be subject to HRA through the plan or programme through which they are proposed. There is therefore flexibility within the policy for development of the nature described in the policy without adversely affecting the integrity of a Natura site.</p> <p>It is considered that there is potential for the proposal to be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <p>a) The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas b) The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and c) The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy.</p> <p>Where any additional land is allocated in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the planning application stage for future proposals. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected: New wording in Policy 3 – 'Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy'</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>
<p>POLICY 3: Managing TAYplan's Assets Transport</p> <p>Policy 3 requires Local Development Plans to identify and safeguard land at Dundee and Montrose Ports, and other harbours, as appropriate, for port related land</p>	<p>MORAY FIRTH SAC <u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Bottlenose Dolphin <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 the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying species that the following are established then maintained in the long term:</p>	<p>The Moray Firth supports the only known resident population of bottlenose dolphins in the North Sea. This is a small population of about 120 animals that ranges throughout the Moray Firth and all the way down the east coast at least as far as the Firth of Forth, including the Tay Estuary.</p> <p>The policy requires Local Development Plans to identify and safeguard land at Dundee & Montrose Ports, and other harbours as appropriate. For Dundee and Montrose Ports land is already identified through existing Local Plans. It will be for Local Development Plans to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be</p>	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <p>a) The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas b) The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and c) The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy.</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and</p>

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<p>uses to support freight, economic growth and tourism.</p>	<ul style="list-style-type: none"> • Population of the species as a viable component of the site • Distribution of the species within site • Distribution and extent of habitats supporting the species • Structure, function and supporting processes of habitats supporting the species • No significant disturbance of the species 	<p>required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>Potential impacts could include:</p> <ul style="list-style-type: none"> • construction and operational activity; • changes in water quality through pollution from waste and sewage during operation and construction activities (particularly during flooding events); • impacts of pollution on food sources used by dolphins; • disturbance of dolphins through increased recreational use; and, • potential for increased airborne and underwater noise and light. <p>The proposal does not require the release of additional land or changes of use/development within the port/ harbour areas. Any development at the ports/ harbours would be subject to HRA through the plan or programme through which they are proposed. There is therefore flexibility within the policy for development of the nature described in the policy without adversely affecting the integrity of a Natura site.</p> <p>It is considered that there is potential for the proposal to be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Where any additional land is allocated in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the planning application stage for future proposals. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected: New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’</p>	<p>planning application stages.</p>
<p>POLICY 3: Managing TAYplan’s Assets Transport</p> <p>Policy 3 requires Local Development Plans to identify and safeguard land at Dundee and Montrose Ports, and other harbours, as appropriate, for port related land uses to support freight, economic growth and tourism.</p>	<p>ISLE OF MAY SAC <u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> • Grey Seal <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 the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Population of the species as a viable component of the site • Distribution of the species within site • Distribution and extent of habitats supporting the species • Structure, function and supporting processes of habitats supporting the species • No significant disturbance of the species 	<p>Grey seals travel large distances during routine foraging and favour more exposed coasts and islands. They are known to haul out on outer sandbanks in the Firth of Tay. Seals are vulnerable to pollution and chemicals.</p> <p>The policy requires Local Development Plans to identify and safeguard land at Dundee & Montrose Ports, and other harbours as appropriate. For Dundee and Montrose Ports land is already identified through existing Local Plans. It will be for Local Development Plans to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>Potential impacts could include:</p> <ul style="list-style-type: none"> • construction and operational activity; • changes in water quality through pollution from waste and sewage during operation and construction activities; • impacts of pollution on food sources used by seals; • disturbance of seals through increased recreational use; and, • potential for increased airborne and underwater noise and light. <p>The proposal does not require the release of additional land or changes of use/development within the port/ harbour areas. Any development at the ports/ harbours would be subject to HRA through the plan or programme through which they are proposed. There is therefore</p>	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <ol style="list-style-type: none"> a) The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas b) The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and c) The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy. <p>Where any additional land is allocated in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the planning application stage for future proposals. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected: New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
		<p>flexibility within the policy for development of the nature described in the policy without adversely affecting the integrity of a Natura site.</p> <p>It is considered that there is potential for the proposal to be implemented without adversely affecting the integrity of a Natura site.</p>	<p>accordance with Scottish Planning Policy'</p>	
<p>POLICY 3: Managing TAYplan's Assets Transport</p> <p>Policy 3 requires Local Development Plans to identify and safeguard land at Dundee and Montrose Ports, and other harbours, as appropriate, for port related land uses to support freight, economic growth and tourism.</p>	<p>FIRTH OF FORTH SPA <u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> Bar-tailed godwit, Common scoter, Cormorant, Curlew, Dunlin, Eider, Golden plover, Goldeneye, Great crested grebe, Grey plover, Knot, Lapwing, Long-tailed duck, Mallard, Oystercatcher, Pink-footed goose, Red-breasted merganser, Redshank, Red-throated diver, Ringed plover, Sandwich tern, Scaup, Shelduck, Slavonian grebe, Turnstone, Velvet scoter, Wigeon, Waterfowl assemblage <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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> Population of the species as a viable component of the site Distribution of the species within site Distribution and extent of habitats supporting the species Structure, function and supporting processes of habitats supporting the species No significant disturbance of the species 	<p>The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of the waters of the Firth of Forth Estuary. The birds are vulnerable to development or activities which can cause disturbance during roosting, breeding and feeding periods. Birds are vulnerable to pollution and chemicals.</p> <p>The policy requires Local Development Plans to identify and safeguard land at Dundee & Montrose Ports, and other harbours as appropriate. Harbours in the TAYplan area include those in the East Neuk of Fife. It will be for Local Development Plans to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required.</p> <p>Potential impacts could include:</p> <ul style="list-style-type: none"> construction and operational activity; changes in water quality through pollution from waste and sewage during operation and construction activities; impacts of pollution on food sources used by bird populations; disturbance of birds; and, potential for increased noise and light. <p>The proposal does not require the release of additional land or changes of use/development within the port/harbour areas. Any development at the ports/harbours would be subject to HRA through the plan or programme through which they are proposed. There is therefore flexibility within the policy for development of the nature described in the policy without adversely affecting the integrity of a Natura site.</p> <p>It is considered that there is potential for the proposal to be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <ol style="list-style-type: none"> The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy. <p>Where any additional land is allocated in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the planning application stage for future proposals. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>The Proposed Plan identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management.</p> <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected: New wording in Policy 3 – 'Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy'</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>
<p>POLICY 3: Managing TAYplan's Assets Greenbelts</p> <p>Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets by continuing to designate green belt boundaries at both St. Andrews and Perth to</p>	<p>RIVER TAY (SAC) <u>Qualifying Habitat</u></p> <ul style="list-style-type: none"> Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels <p>Conservation Objectives: 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 features; and To ensure for the qualifying habitat that the following are maintained in the long term:</p> <ul style="list-style-type: none"> Extent of the habitat on site Distribution of the habitat within site Structure and function of the habitat Processes supporting the habitat 	<p>The policy requires the provision of a greenbelt at Perth which provides sufficient land for planned development around key villages and settlements. The scale and location of development will be determined through the allocation of sites in the Local Development Plan alongside the identification of the greenbelt boundary.</p> <p>While it is not possible to identify the specific impacts from individual site allocations given the general nature of the policy, there are a number of potential impacts which could affect the River Tay SAC. These include deterioration of qualifying habitats or significant disturbance to qualifying species through inappropriate allocation of land at the Local Development Plan level.</p> <p>With appropriate assessment at a lower level it can be ensured that the green belt can be implemented without</p>	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <ol style="list-style-type: none"> The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy. <p>In designating the green belt boundary the Local Development Plan must ensure that land identified for development, would not adversely affect the integrity of a Natura site.</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
<p>preserve their settings, views and special character, and using Perth greenbelt to sustain the identity of Scone, and provide sufficient land for planned development around key villages and settlements.</p>	<ul style="list-style-type: none"> • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat <p><u>Qualifying Species</u></p> <ul style="list-style-type: none"> • Atlantic salmon, Brook lamprey, Otter, River lamprey, Sea lamprey <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Population of the species, including range of genetic types for salmon, as a viable component of the site • Distribution of the species within site • Distribution and extent of habitats supporting the species • Structure, function and supporting processes of habitats supporting the species • No significant disturbance of the species 	<p>adversely affecting the integrity of a Natura site.</p>	<p>Local Development Plans will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with. The assessment will need to consider potential for cumulative impacts on Natura sites.</p> <p>Further HRA/EIA assessment may be required at the planning application stage for any proposals arising from this policy.</p> <p>There are also existing measures within the Proposed Plan that will provide further mitigation:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to watercourses. <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of such sites is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’ 	
<p>POLICY 4: Orchard Bank (Forfar)</p> <p>The proposals for Orchard Bank (Forfar) Strategic Development Area involve the development of 25ha employment land.</p>	<p>RIVER TAY (SAC) <u>Qualifying Habitat</u></p> <ul style="list-style-type: none"> • Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels <p>Conservation Objectives: 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 features; and To ensure for the qualifying habitat that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Extent of the habitat on site • Distribution of the habitat within site • Structure and function of the habitat • Processes supporting the habitat • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat <p><u>Qualifying Species</u></p> <ul style="list-style-type: none"> • Atlantic salmon, Brook lamprey, Otter, River lamprey, Sea lamprey <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Population of the species, including range of genetic types for salmon, as a viable component of the site • Distribution of the species within site • Distribution and extent of habitats supporting the species • Structure, function and supporting processes of habitats supporting the species • No significant disturbance of the species 	<p>Orchard Bank is close to Forfar Loch which drains to the River Tay. The Strategic Development Plan does not identify a site boundary but there is an existing employment allocation in the current Local Plan at Orchard Bank which is likely to form the proposal. It is also noted that planning permission has been granted and development commenced at the Orchard Bank employment allocation. It is not anticipated that new land would need to be allocated, however, the site boundary and nature of development will be defined at the Local Development Plan level.</p> <p>Potential impacts could include changes in water quality in the SAC as a result of pollution of watercourses feeding into the SAC through sedimentation and substrate (during construction), and through pollution from waste and sewage during operation and pollution during construction activities. There is also potential for damage or disturbance to salmon, lamprey, otters and their habitats. There could also be potential impacts if the proposals cause changes in water flow.</p> <p>It is not anticipated that the proposal will require any strategic upgrade to the sewage treatment network.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan’s is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at any future planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage/use of Sustainable Urban Drainage Systems (SUDS), environmentally friendly construction practices and provision of waste disposal facilities. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the River Tay catchment. <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’ 	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
<p>POLICY 4: Forfar Regional Agricultural Service Centre</p> <p>The Local Development Plan will consider the need for any new sites, together with existing sites. This Proposal further promotes the role of the agricultural service sector in the area but may not require sites.</p>	<p>RIVER TAY (SAC) <u>Qualifying Habitat</u></p> <ul style="list-style-type: none"> • Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels <p>Conservation Objectives: 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 features; and To ensure for the qualifying habitat that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Extent of the habitat on site • Distribution of the habitat within site • Structure and function of the habitat • Processes supporting the habitat • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat <p><u>Qualifying Species</u></p> <ul style="list-style-type: none"> • Atlantic salmon, Brook lamprey, Otter, River lamprey, Sea lamprey <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Population of the species, including range of genetic types for salmon, as a viable component of the site • Distribution of the species within site • Distribution and extent of habitats supporting the species • Structure, function and supporting processes of habitats supporting the species • No significant disturbance of the species 	<p>The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of the waters of the River Tay. Forfar Loch lies to the west of Forfar. The loch drains to the River Tay.</p> <p>The proposals for a regional agricultural service centre are not clearly defined through the Strategic Development Plan. This Proposal further promotes the role of the agricultural service sector in the area but may not require sites. The scale and nature of development will be defined at the Local Development Plan level.</p> <p>It is not therefore possible here to identify specific impacts on the designated site given the lack of detail in the proposal. It is noted, however, that development in the Forfar area could have the potential to affect the River Tay SAC.</p> <p>Potential impacts could include changes in water quality in the SAC as a result of pollution of watercourses feeding into the SAC through sedimentation and substrate (during construction), and through pollution from waste and sewage during operation and pollution during construction activities. There is also potential for damage or disturbance to salmon, lamprey, otters and their habitats. There could also be potential impacts if the proposals cause changes in water flow.</p> <p>It is not anticipated that the proposal will require any strategic upgrade to the sewage treatment network.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan's is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at any future planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage/use of Sustainable Urban Drainage Systems (SUDS), environmentally friendly construction practices and provision of waste disposal facilities. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the River Tay catchment. • Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites). <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – 'Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy' 	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>
<p>POLICY 4: Dundee Centre And Port Strategic Development Area</p> <p>The proposals for Dundee Centre and Port Strategic Development Area involve mixed uses including business, commercial, leisure, retail, residential and port related uses.</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA <u>SAC Qualifying Habitats</u></p> <ul style="list-style-type: none"> • Estuaries, Intertidal mudflats and sandflats, Subtidal sandbanks <p>Conservation Objectives: To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Extent of the habitat on site • Distribution of the habitat within site • Structure and function of the habitat • Processes supporting the habitat • Distribution of typical species of the habitat • Viability of typical species as components of the habitats • No significant disturbance of typical species of the habitats <p><u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> • Common seal 	<p>The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of the waters of the Firth of Tay and Eden Estuary. The birds are vulnerable to development or activities which can cause disturbance during roosting, breeding and feeding periods. Seals and birds are vulnerable to pollution and chemicals.</p> <p>The proposals are not clearly defined through the Strategic Development Plan. The scale and nature of development will be defined at the Local Development Plan level. However, it is known that the area of land used for this proposal would be re-use of existing brownfield land close to the waterfront in the city centre. This will prevent direct habitat loss.</p> <p>Potential impacts could include:</p> <ul style="list-style-type: none"> • construction and operational activity; • changes in water quality through pollution from waste and sewage during operation and construction activities (particularly during flooding events); • impacts of pollution on food sources used by bird and 	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan's is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the masterplanning/planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage/use of Sustainable Urban Drainage Systems (SUDS), environmentally friendly construction practices and provision of waste disposal facilities. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
	<p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species <p><u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Bar-tailed godwit, Black-tailed godwit*, Common scoter*, Cormorant*, Dunlin*, Eider*, Goldeneye*, Goosander*, Grey plover*, Greylag goose, Little tern, Long-tailed duck*, Marsh Harrier, Oystercatcher*, Pink-footed goose, Red-breasted merganser*, Redshank, Sanderling*, Shelduck*, Velvet scoter*, • Waterfowl assemblage <p><i>*Indicates assemblage qualifier only</i></p> <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species 	<p>seal populations;</p> <ul style="list-style-type: none"> • disturbance of birds and seals through increased recreational use; and, • potential for increased airborne and underwater noise and light. <p>For Dundee Port land is already identified through the existing Local Plan. It will be for the Local Development Plan to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>The proposal does not require the release of additional land or changes of use/development within the port areas. Any development at the ports would be subject to HRA through the plan or programme through which they are proposed.</p> <p>With regard to pollution of the SPA/SAC from the waterfront area of central Dundee during flooding events, Dundee City Council with Scottish Water has completed a review of the hydraulic sewer model for the area. The drainage design for the Central Waterfront Development has been finalised and agreed with Scottish Water. The drainage scheme will incorporate a flood alleviation measure in the form of a surface water pumping station. A new underground surface water storage tank is also being constructed to reduce the risk of flooding in the Central Waterfront area. Both the pumping station and underground storage tank are currently being constructed and will be operational as future phases of the Central Waterfront project are completed.</p> <p>The screening process highlighted the issue of cumulative impacts on birds from proposals around the Firth of Tay & Eden Estuary SAC/SPA. However in view of the dispersed nature of proposed development around the estuaries and the protection given to undeveloped land through policy on the undeveloped coast and green belts, it is considered that there will be no cumulative adverse affect on the integrity of the Natura site.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the Tay estuary. • Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites). <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – 'Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy' <p>The Proposed Plan also identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management. This acts as an additional safeguard against cumulative effects on the Natura site that could occur if widespread development were to be allowed in areas that support the integrity of the Natura site.</p>	
<p>POLICY 4: Dundee Centre And Port Strategic Development Area The proposals for Dundee Centre and Port Strategic Development Area involve mixed uses including business, commercial, leisure, retail, residential and port related uses.</p>	<p>MORAY FIRTH SAC</p> <p><u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Bottlenose Dolphin <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 the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying species that the following are established then maintained in the long term:</p> <ul style="list-style-type: none"> • Population of the species as a viable component of the site 	<p>The Moray Firth supports the only known resident population of bottlenose dolphins in the North Sea. This is a small population of about 120 animals that ranges throughout the Moray Firth and all the way down the east coast at least as far as the Firth of Forth, including the Tay Estuary.</p> <p>The proposals are not clearly defined through the Strategic Development Plan. The scale and nature of development will be defined at the Local Development Plan level. However, it is known that the area of land used for this proposal would be re-use of existing brownfield land close to the waterfront in the city centre. This will prevent direct habitat loss.</p>	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan's is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the planning application stage for this proposal.</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
	<ul style="list-style-type: none"> • Distribution of the species within site • Distribution and extent of habitats supporting the species • Structure, function and supporting processes of habitats supporting the species • No significant disturbance of the species 	<p>Potential impacts could include:</p> <ul style="list-style-type: none"> • construction and operational activity; • changes in water quality through pollution from waste and sewage during operation and construction activities (particularly during flooding events); • impacts of pollution on food sources used by dolphins; • disturbance of dolphins through increased recreational use; and, • potential for increased airborne and underwater noise and light. <p>For Dundee Port land is already identified through the existing Local Plan. It will be for the Local Development Plan to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>The proposal does not require the release of additional land or changes of use/development within the port areas. Any development at the ports would be subject to HRA through the plan or programme through which they are proposed.</p> <p>With regard to pollution of the waterfront area of central Dundee during flooding events, Dundee City Council with Scottish Water has completed a review of the hydraulic sewer model for the area. The drainage design for the Central Waterfront Development has been finalised and agreed with Scottish Water. The drainage scheme will incorporate a flood alleviation measure in the form of a surface water pumping station. A new underground surface water storage tank is also being constructed to reduce the risk of flooding in the Central Waterfront area. Both the pumping station and underground storage tank are currently being constructed and will be operational as future phases of the Central Waterfront project are completed.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the Tay estuary. • Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites). <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’ 	<p>planning application stages.</p>
<p>POLICY 4: Dundee Centre And Port Strategic Development Area The proposals for Dundee Centre and Port Strategic Development Area involve mixed uses including business, commercial, leisure, retail, residential and port related uses.</p>	<p>ISLE OF MAY SAC <u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> • Grey Seal <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 the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Population of the species as a viable component of the site • Distribution of the species within site • Distribution and extent of habitats supporting the species • Structure, function and supporting processes of habitats supporting the species 	<p>Grey seals travel large distances during routine foraging and favour more exposed coasts and islands. They are known to haul out on outer sandbanks in the Firth of Tay. Seals are vulnerable to pollution and chemicals.</p> <p>The proposals are not clearly defined through the Strategic Development Plan. The scale and nature of development will be defined at the Local Development Plan level. However, it is known that the area of land used for this proposal would be re-use of existing brownfield land close to the waterfront in the city centre. This will prevent direct habitat loss.</p> <p>Potential impacts could include:</p> <ul style="list-style-type: none"> • construction and operational activity; • changes in water quality through pollution from waste and sewage during operation and construction activities (particularly during flooding events); 	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan’s is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution. Conditions/agreements may need to be placed as part of any planning</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
	<ul style="list-style-type: none"> No significant disturbance of the species 	<ul style="list-style-type: none"> impacts of pollution on food sources used by seals; disturbance of seals through increased recreational use; and, potential for increased airborne and underwater noise and light. <p>For Dundee Port land is already identified through the existing Local Plan. It will be for the Local Development Plan to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>The proposal does not require the release of additional land or changes of use/development within the port areas. Any development at the ports would be subject to HRA through the plan or programme through which they are proposed.</p> <p>With regard to pollution from the waterfront area of central Dundee during flooding events, Dundee City Council with Scottish Water has completed a review of the hydraulic sewer model for the area. The drainage design for the Central Waterfront Development has been finalised and agreed with Scottish Water. The drainage scheme will incorporate a flood alleviation measure in the form of a surface water pumping station. A new underground surface water storage tank is also being constructed to reduce the risk of flooding in the Central Waterfront area. Both the pumping station and underground storage tank are currently being constructed and will be operational as future phases of the Central Waterfront project are completed.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the Tay estuary. Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites). <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’ 	
<p>POLICY 4: Dundee Centre And Port</p> <p>The proposals for Dundee Centre and Port Strategic Development Area involve mixed uses including business, commercial, leisure, retail, residential and port related uses.</p>	<p>RIVER TAY (SAC)</p> <p><u>Qualifying Species (relevant to this proposal) include:</u></p> <ul style="list-style-type: none"> Atlantic salmon, River lamprey, Sea lamprey <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> Population of the species, including range of genetic types for salmon, as a viable component of the site Distribution of the species within site Distribution and extent of habitats supporting the species Structure, function and supporting processes of habitats supporting the species No significant disturbance of the species 	<p>Atlantic salmon, river lamprey and sea lamprey are qualifying species for the River Tay SAC but migrate out through the Tay Estuary to feed. The qualifying species are vulnerable to developments which could affect the quality of the waters of the Firth of Tay. Good water and substrate quality is important for lamprey species, and species are threatened throughout their range by habitat degradation.</p> <p>The proposals are not clearly defined through the Strategic Development Plan. The scale and nature of development will be defined at the Local Development Plan level. However, it is known that the area of land used for this proposal would be re-use of existing brownfield land close to the waterfront in the city centre. This will prevent direct habitat loss.</p> <p>Potential impacts could include: changes in water quality through pollution from waste and sewage during operation and construction activities (particularly during flooding events).</p> <p>For Dundee Port land is already identified through the existing Local Plan. It will be for the Local Development</p>	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan’s is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the masterplanning/planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, and provision of waste disposal facilities. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. 	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
		<p>Plan to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>The proposal does not require the release of additional land or changes of use/development within the port areas. Any development at the ports would be subject to HRA through the plan or programme through which they are proposed.</p> <p>With regard to pollution from the waterfront area of central Dundee during flooding events, Dundee City Council with Scottish Water has completed a review of the hydraulic sewer model for the area. The drainage design for the Central Waterfront Development has been finalised and agreed with Scottish Water. The drainage scheme will incorporate a flood alleviation measure in the form of a surface water pumping station. A new underground surface water storage tank is also being constructed to reduce the risk of flooding in the Central Waterfront area. Both the pumping station and underground storage tank are currently being constructed and will be operational as future phases of the Central Waterfront project are completed.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<ul style="list-style-type: none"> Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the Tay estuary. Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites). <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’ 	
<p>POLICY 4: Dundee Linlathen</p> <p>The proposals for Dundee Linlathen Strategic Development Area involve the development of 40Ha land for employment uses.</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA <u>SAC Qualifying Habitats</u></p> <ul style="list-style-type: none"> Estuaries, Intertidal mudflats and sandflats, Subtidal sandbanks <p>Conservation Objectives: To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> Extent of the habitat on site Distribution of the habitat within site Structure and function of the habitat Processes supporting the habitat Distribution of typical species of the habitat Viability of typical species as components of the habitats No significant disturbance of typical species of the habitats <p><u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> Common seal <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> Population of the species as a viable component of the site Distribution of the species within site 	<p>The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of the waters of the Firth of Tay and Eden Estuary. The birds are vulnerable to development or activities which can cause disturbance during roosting, breeding and feeding periods. Seals and birds are vulnerable to pollution and chemicals.</p> <p>The site is distant from the Tay Estuary but the Dighty Water is nearby which drains to the Estuary at Balmossie. The site boundary and details of the nature of development will be defined at the Local Development Plan level.</p> <p>There is potential that pollution from waste and sewage during and following construction could drain to the designated site if not adequately mitigated. It is not, however, anticipated that the proposal will require any strategic upgrade to the sewage treatment network.</p> <p>The screening process highlighted the issue of cumulative impacts on birds from proposals around the Firth of Tay & Eden Estuary SAC/SPA. However in view of the dispersed nature of proposed development around the estuaries and the protection given to undeveloped land through policy on the undeveloped coast and green belts, it is considered that there will be no cumulative adverse affect on the integrity of the Natura site.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the</p>	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan’s is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the masterplanning/planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage (including use of SUDs) and environmentally friendly construction practices. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the Tay Estuary. <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant 	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
	<ul style="list-style-type: none"> ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species <p><u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Bar-tailed godwit, Black-tailed godwit*, Common scoter*, Cormorant*, Dunlin*, Eider*, Goldeneye*, Goosander*, Grey plover*, Greylag goose, Little tern, Long-tailed duck*, Marsh Harrier, Oystercatcher*, Pink-footed goose, Red-breasted merganser*, Redshank, Sanderling*, Shelduck*, Velvet scoter*, • Waterfowl assemblage <p><i>*Indicates assemblage qualifier only</i></p> <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species 	integrity of a Natura site.	<p>effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy'</p> <p>The Proposed Plan also identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management. This acts as an additional safeguard against cumulative effects on the Natura site that could occur if widespread development were to be allowed in areas that support the integrity of the Natura site.</p>	
<p>POLICY 4: Dundee Western Gateway</p> <p>The proposals for Dundee Western Gateway Strategic Development Area involve the development of 750+ homes and 50ha employment land.</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA <u>SAC Qualifying Habitats</u></p> <ul style="list-style-type: none"> • Estuaries, Intertidal mudflats and sandflats, Subtidal sandbanks <p>Conservation Objectives: To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Extent of the habitat on site ▪ Distribution of the habitat within site ▪ Structure and function of the habitat ▪ Processes supporting the habitat ▪ Distribution of typical species of the habitat ▪ Viability of typical species as components of the habitats ▪ No significant disturbance of typical species of the habitats <p><u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> • Common seal <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species <p><u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Bar-tailed godwit, Black-tailed godwit*, Common scoter*, 	<p>The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of the waters of the Firth of Tay and Eden Estuary. The birds are vulnerable to development or activities which can cause disturbance during roosting, breeding and feeding periods. Seals and birds are vulnerable to pollution and chemicals.</p> <p>The Strategic Development Area lies to the North of the A90 and is distant from the Tay Estuary, however, there are water courses in the vicinity such as the Fowls Burn which drain to the estuary. The site boundary and details of the nature of development will be defined at the Local Development Plan level.</p> <p>There is potential that pollution from waste and sewage during and following construction could drain to the designated site if not adequately mitigated. It is, however, not anticipated that the proposal will require any strategic upgrade to the sewage treatment network.</p> <p>The screening process highlighted the issue of cumulative impacts on birds from proposals around the Firth of Tay & Eden Estuary SAC/SPA. However in view of the dispersed nature of proposed development around the estuaries and the protection given to undeveloped land through policy on the undeveloped coast and green belts, it is considered that there will be no cumulative adverse affect on the integrity of the Natura site.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan's is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the masterplanning/planning application stage for this proposal. Any planning application/s would also need to consider issues such as drainage (including use of SUDs) and environmentally friendly construction practices. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the Tay estuary. • Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites). <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected: New wording in Policy 3 – 'Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
	<p>Cormorant*, Dunlin*, Eider*, Goldeneye*, Goosander*, Grey plover*, Greylag goose, Little tern, Long-tailed duck*, Marsh Harrier, Oystercatcher*, Pink-footed goose, Red-breasted merganser*, Redshank, Sanderling*, Shelduck*, Velvet scoter*,</p> <ul style="list-style-type: none"> • Waterfowl assemblage <p><i>*Indicates assemblage qualifier only</i></p> <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species 		<p>where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy'</p> <p>The Proposed Plan also identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management. This acts as an additional safeguard against cumulative effects on the Natura site that could occur if widespread development were to be allowed in areas in areas that support the integrity of the Natura site.</p>	
<p>POLICY 4: Montrose Port Strategic Development Area The proposals for Montrose Port Strategic Development Area involve land for port related uses.</p>	<p>MONTROSE BASIN SPA <u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Dunlin*, Eider*, Greylag goose, Knot, Oystercatcher*, Pink-footed goose, Redshank, Shelduck*, Wigeon* • Waterfowl assemblage <p><i>*Indicates assemblage qualifier only</i></p> <p><u>Conservation Objectives:</u> 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 to ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species 	<p>Montrose Basin has high species diversity and supports a large population of wintering waterbirds. These species also feed away from the SPA on surrounding agricultural land and coastal areas. The qualifying species are vulnerable to developments and activities which could affect the quality of the waters of the basin (including pollution and chemicals), or which could cause disturbance during roosting, breeding and feeding periods.</p> <p>The proposals are not clearly defined through the Strategic Development Plan. The scale and nature of development will be defined at the Local Development Plan level.</p> <p>Potential impacts could include:</p> <ul style="list-style-type: none"> • changes in water quality in the SPA through pollution from increased traffic and use of port area and increased waste/sewage during and following construction activities; • impacts of pollution on food sources used by bird populations; • disturbance to birds during roosting, breeding and feeding from construction, operational or recreational activities; • loss of feeding grounds through habitat loss within and outside the SPA (if new land is required through the Local Development Plan); • severance of wildlife corridors and connected habitats; and, • potential for increased noise activity and light. <p>For Montrose Port land is already identified through the existing Local Plan. It will be for the Local Development Plan to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>The proposal does not require the release of additional land or changes of use/development within the port areas. Any development at the ports would be subject to HRA</p>	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan's is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the masterplanning/planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased activity and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to Montrose Basin. • Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites). <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected: New wording in Policy 3 – 'Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy'</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
		<p>through the plan or programme through which they are proposed.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p> <p>It is not anticipated that the proposal will require any strategic upgrade to the sewage treatment network.</p>		
<p>POLICY 4: Montrose Port Strategic Development Area The proposals for Montrose Port Strategic Development Area involve land for port related uses.</p>	<p>RIVER SOUTH ESK (SAC) <u>Qualifying Species</u></p> <ul style="list-style-type: none"> Atlantic Salmon Freshwater pearl mussel <p><u>Conservation Objectives</u> 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> Population of the species, including range of genetic types for salmon, as a viable component of the site Distribution of the species within site Distribution and extent of habitats supporting the species Structure, function and supporting processes of habitats supporting the species No significant disturbance of the species Distribution and viability of freshwater pearl mussel host species Structure, function and supporting processes of habitats supporting freshwater pearl mussel host species 	<p>Atlantic salmon are a qualifying species for the River South Esk SAC but migrate out through Montrose Basin to feed. The qualifying species are vulnerable to developments which could affect the quality of the waters of the Basin.</p> <p>The proposals are not clearly defined through the Strategic Development Plan. The scale and nature of development will be defined at the Local Development Plan level.</p> <p>Potential impacts could include: changes in water quality through pollution from waste and sewage during operation and construction activities.</p> <p>For Montrose Port land is already identified through the existing Local Plan. It will be for the Local Development Plan to determine whether a change to current land allocations should be made at which stage Appropriate Assessment would be required. It should also be noted that ports have permitted development rights which allow development associated with port related activities. Such proposals would also be subject to Appropriate Assessment where there is a potential risk of an adverse impact to the integrity of a Natura site.</p> <p>The proposal does not require the release of additional land or changes of use/development within the port areas. Any development at the ports would be subject to HRA through the plan or programme through which they are proposed.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p> <p>It is not anticipated that the proposal will require any strategic upgrade to the sewage treatment network.</p>	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan's is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the masterplanning/planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased activity and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to Montrose Basin. Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites). <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected: New wording in Policy 3 – 'Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy'</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>
<p>POLICY 4: Cupar North Strategic Development Area The proposals for Cupar North Strategic Development Area involve the 1,400 homes, 10ha of employment land and bulky goods</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA <u>SAC Qualifying Habitats</u></p> <ul style="list-style-type: none"> Estuaries, Intertidal mudflats and sandflats, Subtidal sandbanks <p>Conservation Objectives: To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> Extent of the habitat on site 	<p>The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of the waters of the Firth of Tay and Eden Estuary. The birds are vulnerable to development or activities which can cause disturbance during roosting, breeding and feeding periods. Seals and birds are vulnerable to pollution and chemicals.</p> <p>The Strategic Development Area lies to the North of Cupar and is distant from the Eden Estuary, however there is some potential for drainage from the site through watercourses flowing to the south to the River Eden which</p>	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan's is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
retail.	<ul style="list-style-type: none"> ▪ Distribution of the habitat within site ▪ Structure and function of the habitat ▪ Processes supporting the habitat ▪ Distribution of typical species of the habitat ▪ Viability of typical species as components of the habitats ▪ No significant disturbance of typical species of the habitats <p><u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> • Common seal <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species <p><u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Bar-tailed godwit, Black-tailed godwit*, Common scoter*, Cormorant*, Dunlin*, Eider*, Goldeneye*, Goosander*, Grey plover*, Greylag goose, Little tern, Long-tailed duck*, Marsh Harrier, Oystercatcher*, Pink-footed goose, Red-breasted merganser*, Redshank, Sanderling*, Shelduck*, Velvet scoter*, Waterfowl assemblage <p><i>*Indicates assemblage qualifier only</i></p> <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species 	<p>in turn drains to the estuary.</p> <p>The site boundary and details of the nature of development will be defined at the Local Development Plan level.</p> <p>It is unlikely that the Strategic Development Area proposal could significantly impact on the SAC/SPA. However there is potential that pollution from waste and sewage during and following construction could drain to the designated site if not adequately mitigated. It is not anticipated that the proposal will require any strategic upgrade to the sewage treatment network.</p> <p>It is noted that this proposal was considered as part of the Appropriate Assessment carried out by Ecodyn (2009) for the St Andrews and East Fife Local Plan and was considered to not have the potential to adversely affect any designated sites.</p> <p>The screening process highlighted the issue of cumulative impacts on birds from proposals around the Firth of Tay & Eden Estuary SAC/SPA. However in view of the dispersed nature of proposed development around the estuaries and the protection given to undeveloped land through policy on the undeveloped coast and green belts, it is considered that there will be no cumulative adverse affect on the integrity of the Natura site.</p> <p>It is considered that there is potential for development of the nature described in the policy without adversely affecting the integrity of a Natura site.</p>	<p>ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the masterplanning/planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage (including use of SUDs) and environmentally friendly construction practices. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the Tay estuary. • Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites). <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’ <p>The Proposed Plan identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management. This acts as an additional safeguard against cumulative effects on the Natura site that could occur if widespread development were to be allowed in areas in areas that support the integrity of the Natura site.</p>	Local Development Plan and planning application stages.
<p>POLICY 4: St. Andrews West Strategic Development Area</p> <p>The proposals for St. Andrews West Strategic Development Area involve 1,090 homes, 10ha of employment land and 10ha for a science park.</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA</p> <p><u>SAC Qualifying Habitats</u></p> <ul style="list-style-type: none"> • Estuaries, Intertidal mudflats and sandflats, Subtidal sandbanks <p>Conservation Objectives: To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Extent of the habitat on site ▪ Distribution of the habitat within site ▪ Structure and function of the habitat ▪ Processes supporting the habitat ▪ Distribution of typical species of the habitat ▪ Viability of typical species as components of the habitats ▪ No significant disturbance of typical species of the habitats 	<p>The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of the waters of the Firth of Tay and Eden Estuary. The birds are vulnerable to development or activities which can cause disturbance during roosting, breeding and feeding periods. Seals and birds are vulnerable to pollution and chemicals.</p> <p>The site lies some distance inland from the SPA/SAC. However the site contains agricultural land which may be used for feeding during the day. The site also contains the Swilken burn which flows out to the estuary at the southern extent of the SPA/SAC boundary.</p> <p>Potential impacts could include:</p> <ul style="list-style-type: none"> • loss of feeding grounds outwith the SAC/SPA due to redevelopment of land currently used for agriculture; • changes in water quality in the SPA/SAC through pollution from waste and sewage during operation and 	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan’s is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at the masterplanning/planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p>	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
	<p><u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> • Common seal <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species <p><u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Bar-tailed godwit, Black-tailed godwit*, Common scoter*, Cormorant*, Dunlin*, Eider*, Goldeneye*, Goosander*, Grey plover*, Greylag goose, Little tern, Long-tailed duck*, Marsh Harrier, Oystercatcher*, Pink-footed goose, Red-breasted merganser*, Redshank, Sanderling*, Shelduck*, Velvet scoter*, • Waterfowl assemblage <p><i>*Indicates assemblage qualifier only</i></p> <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species 	<p>construction activities;</p> <ul style="list-style-type: none"> • impacts of pollution on food sources used by bird and seal populations; • disturbance of species through increased recreational use and the potential for increased noise and light outwith the SPA/SAC. <p>It is not anticipated that the proposal will require any strategic upgrade to the sewage treatment network.</p> <p>It is noted that this proposal was considered as part of the Appropriate Assessment carried out by Ecodyn (2009) for the St Andrews and East Fife Local Plan. It was considered that with appropriate mitigation, the proposals would not adversely affect designated sites.</p> <p>The screening process highlighted the issue of cumulative impacts on birds from proposals around the Firth of Tay & Eden Estuary SAC/SPA. However in view of the dispersed nature of proposed development around the estuaries and the protection given to undeveloped land through policy on the undeveloped coast and green belts, it is considered that there will be no cumulative adverse affect on the integrity of the Natura site.</p> <p>It is considered that there is potential for development of the nature described in the policy without adversely affecting the integrity of a Natura site.</p>	<p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 1 states that for St. Andrews, beyond the Strategic Development Area in Policy 4 there will be no additional strategic development of this scale in the foreseeable future. • Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the Tay estuary. • Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites). <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’ <p>The Proposed Plan identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management. This acts as an additional safeguard against cumulative effects on the Natura site that could occur if widespread development were to be allowed in areas in areas that support the integrity of the Natura site.</p>	
<p>POLICY 4: James Hutton Institute Invergowrie</p> <p>The proposals for The James Hutton Institute Strategic Development Area involve the development of 5-10ha of land for food/agricultural research uses.</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA</p> <p><u>SAC Qualifying Habitats</u></p> <ul style="list-style-type: none"> • Estuaries, Intertidal mudflats and sandflats, Subtidal sandbanks <p>Conservation Objectives: To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Extent of the habitat on site ▪ Distribution of the habitat within site ▪ Structure and function of the habitat ▪ Processes supporting the habitat ▪ Distribution of typical species of the habitat ▪ Viability of typical species as components of the habitats ▪ No significant disturbance of typical species of the habitats <p><u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> • Common seal <p>Conservation Objectives: 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</p>	<p>The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of the waters of the Firth of Tay and Eden Estuary. The birds are vulnerable to development or activities which can cause disturbance during roosting, breeding and feeding periods. Seals and birds are vulnerable to pollution and chemicals.</p> <p>The James Hutton Institute is an existing facility comprising agricultural and employment uses based on land adjacent to the west of Invergowrie. The southern extent of the land comprising of agricultural land lies close to but not adjacent to the SAC/SPA to the south. Whilst there are no known watercourses from the site to the south the land slopes from north to south and there is considered to be potential for run-off from the site to enter the SAC/SPA. The site contains agricultural land which may be used for feeding during the day.</p> <p>The site boundary and details of the nature of development will be defined at the Local Development Plan level.</p> <p>Potential impacts could include:</p> <ul style="list-style-type: none"> • loss of feeding grounds outwith the SAC/SPA due to redevelopment of land currently used for agriculture; 	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan’s is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may also be required at any future planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage, environmentally friendly construction practices, provision of waste disposal facilities, increased noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water 	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
	<p>appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species <p><u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Bar-tailed godwit, Black-tailed godwit*, Common scoter*, Cormorant*, Dunlin*, Eider*, Goldeneye*, Goosander*, Grey plover*, Greylag goose, Little tern, Long-tailed duck*, Marsh Harrier, Oystercatcher*, Pink-footed goose, Red-breasted merganser*, Redshank, Sanderling*, Shelduck*, Velvet scoter*, • Waterfowl assemblage <p><i>*Indicates assemblage qualifier only</i></p> <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species 	<ul style="list-style-type: none"> • changes in water quality in the SPA/SAC through pollution from waste and sewage during operation and construction activities; • impacts of pollution on food sources used by bird and seal populations; • disturbance to birds during roosting, breeding and feeding from construction, operational or recreational activities outwith the SAC/SPA; • disturbance of species through the potential for increased noise and light outwith the SPA/SAC. <p>It is not anticipated that the proposal will require any strategic upgrade to the sewage treatment network.</p> <p>The screening process highlighted the issue of cumulative impacts on birds from proposals around the Firth of Tay & Eden Estuary SAC/SPA. However in view of the dispersed nature of proposed development around the estuaries and the protection given to undeveloped land through policy on the undeveloped coast and green belts, it is considered that there will be no cumulative adverse affect on the integrity of the Natura site.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>absorbing capacity of soils. This will reduce the likelihood of increased pollution to the Tay Estuary.</p> <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’ 	
<p>POLICY 4: Perth West/ North West</p> <p>The proposals for The Perth West/North West Strategic Development Area involve the development of 4,000+ Homes, 50ha of employment land.</p>	<p>RIVER TAY (SAC) Qualifying Habitat</p> <ul style="list-style-type: none"> • Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels <p>Conservation Objectives: 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 features; and To ensure for the qualifying habitat that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Extent of the habitat on site • Distribution of the habitat within site • Structure and function of the habitat • Processes supporting the habitat • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat <p><u>Qualifying Species</u></p> <ul style="list-style-type: none"> • Atlantic salmon, Brook lamprey, Otter, River lamprey, Sea lamprey <p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Population of the species, including range of genetic types for 	<p>The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of the waters of the River Tay.</p> <p>The Main Issues Report for the Perth & Kinross LDP identifies potential sites at Berthapark, land to the east of Almondbank, and land adjacent to the A9 to the north of the Broxden roundabout. Determination of which sites to take forward will take place through the Perth & Kinross Local Development Plan process. The River Almond and East Pow Burn are in proximity to the potential development sites. These form part of the River Tay SAC.</p> <p>Although no specific sites have yet been chosen potential impacts could include:</p> <ul style="list-style-type: none"> • changes in water quality in the SAC affecting habitats as a result of pollution from waste and sewage during and following construction activities, with consequent potential impacts on food sources for the qualifying species • potential danger of habitat destruction or of disturbance to species, particularly otters if development takes place near river banks or increases activity at such locations • severance of wildlife corridors and connected habitats could be possible • if new bridges are required across watercourses this could also result in disturbance of species or loss of habitat; • potential sedimentation and substrate pollution (during construction); • potential changes in water flow. 	<p>Mitigation will come through appraisal in lower tier plans (principally Local Development Plans) as the Proposed Plan cannot reasonably predict the effects on a European site in a meaningful way given that the Proposed Plan does not identify a site boundary, or define the precise nature of development. These will be identified in Local Development Plans. It is considered that the Proposed Plan has the flexibility to enable an adverse effect on site integrity to be avoided. The Habitats Regulations Appraisal of Local Development Plan’s is required as a matter of law or Government policy.</p> <p>In allocating land in the Local Development Plan it must be ensured that development, through its development type/nature, location and design, would not adversely affect the integrity of a Natura site. This may require buffer zones from areas of development to designated sites.</p> <p>The Local Development Plan will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>An updated otter survey is likely to be required to identify holts, couches and other potential shelters and movements to inform site selection and design. Such mitigation measures would protect otter habitat and safeguard otter movements</p> <p>Further HRA/EIA assessment may also be required at the masterplanning/planning application stage for this proposal. Any planning application/s would also need to consider issues such as: drainage/use of Sustainable Urban Drainage Systems (SUDS), environmentally friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution.</p> <p>Existing measures within the Proposed Plan that will provide an additional safeguard against any impact of this proposal include that:</p> <ul style="list-style-type: none"> • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 of the Proposed Plan requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to the River Tay catchment. • Policy 4 of the Proposed Plan requires LDPs to contain (or cover in Supplementary Planning 	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
	<p>salmon, as a viable component of the site</p> <ul style="list-style-type: none"> • Distribution of the species within site • Distribution and extent of habitats supporting the species • Structure, function and supporting processes of habitats supporting the species • No significant disturbance of the species 	<p>It is not anticipated that the proposal will require any strategic upgrade to the sewage treatment network.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Guidance) Strategic Development Frameworks and masterplans where these do not already exist, except for Orchardbank, Linlathen and James Hutton Institute where these are not required due to the scale/nature of development. These should reflect the overall policy requirements of the Proposed Plan (including those relating to Natura sites).</p> <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy’ 	
<p>POLICY 5: Housing (Part A)</p> <p>Proposed Policy 5 requires Local Development Plans to allocate land to provide for at least 5 years supply and preferably a generous 7 years supply of effective housing land to support the economic recovery and increase average annual Housing Market Area build rates to reach the levels set out in Proposal 2 from 2012 and by 2024, and then to sustain these levels to 2032, including housing for the Strategic Development Areas.</p> <p>In exceptional cases of environmental capacity, provide for up to 10% of the housing provision for one market area to be shared between one or more neighbouring housing market areas within the same authority taking account of meeting needs in that housing market area.</p> <p>Please note that other parts of this policy were screened out (see</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA, BARRY LINKS SAC, MONTROSE BASIN SPA, LOCH LEVEN SPA, RIVER TAY SAC, METHVEN MOSS SAC, SOUTH TAY GOOSE ROOSTS SPA, DUNKELD- BLAIRGOWRIE LOCHS SAC, RIVER SOUTH ESK SAC</p> <p>See Appendix 1 for qualifying interests and conservation objectives.</p>	<p>The location of development in each of the housing market areas will be defined at the Local Development Plan level. The Housing Market Areas across the plan area cover large areas which include a number of settlements. Policy 1 allows the flexibility that where there are constraints on development in or adjacent to principal settlements expansion of other settlements will be acceptable. In view of the above, each of the housing market areas is considered to be likely to possess the potential for development of the scale outlined in the Proposal 2 to take place without affecting designated sites (taking into account the 10% flexibility set out in the policy).</p> <p>While it is not possible to identify the specific impacts from individual site allocations given the general nature of the policy, there are a number of potential impacts which could affect the Natura sites as listed. These include deterioration of qualifying habitats or significant impacts (e.g. disturbance) to qualifying species through inappropriate allocation of land at the Local Development Plan level.</p> <p>The screening process highlighted the issue of cumulative impacts on birds from proposals around the Firth of Tay & Eden Estuary SAC/SPA. However in view of the dispersed nature of proposed development around the estuaries and the protection given to undeveloped land through policy on the undeveloped coast and green belts, it is considered that there will be no cumulative adverse affect on the integrity of the Natura site.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <ol style="list-style-type: none"> a) The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas b) The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and c) The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy. <p>In designating sites within the housing market areas identified Local Development Plans must ensure that developments, through their development type/nature, location and design would not adversely affect the integrity of a Natura site.</p> <p>In the event that it is shown through the Local Development Plan process that the housing numbers detailed in the Policy cannot be developed without causing harm to a Natura site (taking account of the 10% flexibility set out in the policy) then less housing land will require to be allocated in that housing market area than is set out in the policy.</p> <p>Local Development Plans will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with. The assessment will need to consider potential for cumulative impacts on Natura sites.</p> <p>Further HRA/EIA assessment may be required at the planning application stage for any proposals arising from this policy.</p> <p>There are other existing measures within the Proposed Plan that will provide further mitigation as an additional safeguard:</p> <ul style="list-style-type: none"> • Policy 5 states that in exceptional cases of environmental capacity, up to 10% of the housing provision for one market area may be shared between one or more neighbouring housing market areas within the same authority. This will provide flexibility to make it easier for Local Development Plans to allocate housing without the potential to cause harm to designated sites. • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to watercourses. • The Proposed Plan identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management. This acts as an additional safeguard against cumulative effects on the Natura site that could occur if widespread development were to be allowed in areas in areas that support the integrity of the Natura site. <p>The following amendment to the plan was made as an additional safeguard to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – ‘Land should be identified through Local Development Plans to ensure 	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Policy or Proposal	Potentially Affected Site/s Including Qualifying Features/Species and Conservation Objectives	Potential Impacts	Mitigation	Conclusions
Section 6 of this document)			responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy'	
<p>POLICY 6: Energy & Waste/Resource Management Infrastructure (Part B)</p> <p>Beyond community or small scale facilities waste/resource management infrastructure is most likely to be focussed within or close to the Dundee and/or Perth Core Areas.</p> <p>Please note that other parts of this policy were screened out (see Section 6 of this document)</p>	<p>FIRTH OF TAY AND EDEN ESTUARY SAC & SPA, RIVER TAY SAC METHVEN MOSS SAC, SOUTH TAY GOOSE ROOSTS SPA, BARRY LINKS SAC (please note that other Natura sites may need to be assessed if proposals come forward away from the Dundee and Perth Core Areas which form the focus for development under this policy)</p> <p>See Appendix 1 for qualifying interests and conservation objectives.</p>	<p>The location of development related to Policy 6 will be defined at the Local Development Plan level.</p> <p>The policy does not require that waste/resource management infrastructure will be developed in Dundee and/or Perth Core Areas but sets out a general policy that these and surrounding areas are likely to be the focus for such development should it be required.</p> <p>If any additional land is required the scale and nature of this will be defined at the Local Development Plan level and will be subject to Appropriate Assessment. There is considered to be flexibility for development of the nature described in the policy without adversely affecting the integrity of a Natura site.</p> <p>While it is not possible to identify the specific impacts from individual site allocations given the general nature of the policy, there are a number of potential impacts which could affect the Natura sites as listed. These include deterioration of qualifying habitats or significant impacts (e.g. disturbance) to qualifying species through inappropriate allocation of land at the Local Development Plan level.</p> <p>The screening process highlighted the issue of cumulative impacts on birds from proposals around the Firth of Tay & Eden Estuary SAC/SPA. However in view of the dispersed nature of proposed development around the estuaries and the protection given to undeveloped land through policy on the undeveloped coast and green belts, it is considered that there will be no cumulative adverse affect on the integrity of the Natura site.</p> <p>With appropriate assessment at a lower level it can be ensured that future development relating to this proposal can be implemented without adversely affecting the integrity of a Natura site.</p>	<p>Meaningful mitigation can only come through appraisal in lower tier plans (principally Local Development Plans) as the Strategic Development Plan does not specify the location, scale or nature of development, and it is therefore not possible to identify specific likely impacts and required mitigation at this level. This is justified on the basis that the following three criteria (set out in SNH Guidance) are all met:</p> <p>a) The higher tier plan appraisal cannot reasonably predict the effects on a European site in a meaningful way; whereas</p> <p>b) The lower tier plan, which will identify more precisely the nature, scale or location of development, and thus its potential effects, retains enough flexibility within the terms of the higher tier plan over the exact location, scale or nature of the proposal to enable an adverse effect on site integrity to be avoided; and</p> <p>c) The Habitats Regulations Appraisal of the plan at the lower tier is required as a matter of law or Government policy.</p> <p>In designating sites within the Dundee and Perth Core areas identified Local Development Plans must ensure that developments, through their location, development type/nature and design would not adversely affect the integrity of a Natura site.</p> <p>Local Development Plans will also need to contain a Policy Framework that ensures there will be no adverse impact on Natura sites. Appropriate Assessment at the Local Development Plan level will ensure that this is complied with.</p> <p>Further HRA/EIA assessment may be required at the planning application stage for any proposals arising from this policy.</p> <p>There are existing measures within the Proposed Plan that will provide further mitigation:</p> <ul style="list-style-type: none"> • Policy 6 (part C) requires that all areas of search, allocated sites, routes and decisions on development proposals for energy and waste/resource management infrastructure will need to be justified on biodiversity considerations. • Policy 1 requires the prioritisation of brownfield land and buildings reducing the need to allocate new areas of land. • Policy 2 requires the use of techniques to reduce surface runoff including sustainable drainage systems; and the protection and utilisation of the water absorbing capacity of soils. This will reduce the likelihood of increased pollution to watercourses. • The Proposed Plan identifies an indicative area of undeveloped coast for land surrounding the Firth of Tay & Eden Estuary outside existing settlements. Policy 3 requires LDPs to identify and safeguard areas of undeveloped coastline that are unsuitable for development and set out policies for their management. This acts as an additional safeguard against cumulative effects on the Natura site that could occur if widespread development were to be allowed in areas in areas that support the integrity of the Natura site. <p>The following amendment to the plan was made to strengthen protection given to designated sites and ensure that the integrity of the site is not adversely affected:</p> <ul style="list-style-type: none"> • New wording in Policy 3 – 'Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets: by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 site in accordance with Scottish Planning Policy' 	<p>It is concluded that the policy will not adversely affect the integrity of a Natura site.</p> <p>Further assessment will be required at a more detailed level at the Local Development Plan and planning application stages.</p>

Cumulative effects

7.6 Table 7.1 gave consideration to the potential for cumulative effects, including in combination effects with other plans/strategies. A number of designated sites have the potential to be affected by more than one policy or proposal. Below is a summary of the potential for cumulative effects on each site.

Table 7.2 Assessment of Cumulative Effects on designated sites

Designated Site	Policies/Proposals	Potential for Cumulative Impacts
Firth of Tay and Eden Estuary SAC & SPA	<p>Policy 1: Location Priorities (Dundee Core Area, Cupar, St Andrews, Carnoustie, Leuchars/Guardbridge and Newburgh)</p> <p>Policy 3: Managing TAYplan's assets - Employment Land</p> <p>Policy 3: Managing TAYplan's assets – Transport</p> <p>Policy 4 Strategic Development Areas:</p> <ul style="list-style-type: none"> - Dundee Centre & Port SDA - Dundee Linlathen SDA - Dundee Western Gateway SDA - Cupar North SDA - St. Andrews West SDA - JHI Invergowrie SDA <p>Policy 5: Housing (A)</p> <p>Policy 6: Energy & Waste/ Resource Management Infrastructure (B)</p>	<p>Mitigation measures outlined in Table 7.1 should ensure that there are no residual effects (including cumulative or in-combination effects) following mitigation.</p> <p>The potential for cumulative impacts will need to be assessed for Policies 1, 3, 4, 5 (A) and 6 through Appropriate Assessment of Local Development Plans as sites are identified, taking into account other relevant plans and strategies.</p>
Barry Links SAC	<p>Policy 1: Location Priorities (Dundee ore Area and Carnoustie)</p> <p>Dundee Centre & Port SDA</p> <p>Policy 5: Housing (A)</p> <p>Policy 6: Energy & Waste/ Resource Management Infrastructure (B)</p>	<p>Mitigation measures outlined in Table 7.1 should ensure that there are no residual effects (including cumulative or in-combination effects) following mitigation.</p> <p>The potential for cumulative impacts will need to be assessed for Policies 1, 3 (Employment Land), 5 (A) and 6 through Appropriate Assessment of Local Development Plans as sites are identified, taking into account other relevant plans and strategies.</p>
Montrose Basin SPA	<p>Policy 1: Location Priorities (Montrose)</p> <p>Montrose Port SDA</p> <p>Policy 3: Managing TAYplan's assets - Employment Land</p> <p>Policy 3: Managing TAYplan's assets – Transport</p> <p>Policy 5: Housing (A)</p>	<p>Mitigation measures outlined in Table 7.1 should ensure that there are no residual effects (including cumulative or in-combination effects) following mitigation.</p> <p>The potential for cumulative impacts will need to be assessed for Policies 1, 3 (Employment Land), 5 (A) and 6 through Appropriate Assessment of Local Development Plans as sites are identified, taking into account other relevant plans and strategies.</p>
River Tay SAC	<p>Policy 1: Location Priorities (Perth Core Area, Blairgowrie/Ratray, Forfar, Aberfeldy, Alyth, Coupar</p>	<p>Mitigation measures outlined in Table 7.1 should ensure that there are no residual effects (including cumulative or in-</p>

	<p>Angus, Dunkeld/Birnam and Pitlochry)</p> <p>Policy 3: Managing TAYplan's assets - Employment Land</p> <p>Policy 3: Managing TAYplan's assets – Green belt</p> <p>Policy 4 Strategic Development Areas:</p> <ul style="list-style-type: none"> - Orchard Bank (Forfar) - Forfar Regional Agricultural Service Centre - Dundee Centre & Port - Perth West/North West <p>Policy 5: Housing (A)</p> <p>Policy 6: Energy & Waste/Resource Management Infrastructure (B)</p>	<p>combination effects) following mitigation.</p> <p>The potential for cumulative impacts will need to be assessed for Policies 1, 3 (Employment Land), 4, 5 (A) and 6 through Appropriate Assessment of Local Development Plans as sites are identified including consideration of the potential for cumulative impacts alongside Perth West/North West SDA, and taking into account other relevant plans and strategies.</p>
Methven Moss SAC	<p>Policy 1: Location Priorities (Perth Core Area)</p> <p>Policy 3: Managing TAYplan's assets - Employment Land</p> <p>Policy 5: Housing (A)</p> <p>Policy 6: Energy & Waste/Resource Management Infrastructure (B)</p>	<p>Mitigation measures outlined in Table 7.1 should ensure that there are no residual effects (including cumulative or in-combination effects) following mitigation.</p> <p>The potential for cumulative impacts will need to be assessed for Policies 1, 3 (Employment Land), 5 (A) and 6 through Appropriate Assessment of Local Development Plans as sites are identified, taking into account other relevant plans and strategies.</p>
South Tay Goose Roosts SPA	<p>Policy 1: Location Priorities (Perth Core Area)</p> <p>Policy 3: Managing TAYplan's assets - Employment Land</p> <p>Policy 5: Housing (A)</p> <p>Policy 6: Energy & Waste/Resource Management Infrastructure (B)</p>	<p>Mitigation measures outlined in Table 7.1 should ensure that there are no residual effects (including cumulative or in-combination effects) following mitigation.</p> <p>The potential for cumulative impacts will need to be assessed for Policies 1, 3 (Employment Land), 5 (A) and 6 through Appropriate Assessment of Local Development Plans as sites are identified, taking into account other relevant plans and strategies.</p>

Summary

- 7.7 The assessment provided in Tables 7.1 and 7.2 indicates that it is possible for the policies and proposals within the Proposed Plan to be implemented whilst ensuring that these will not adversely affect the integrity of designated sites.
- 7.8 A series of mitigation measures has been identified for each policy/proposal which if taken forward will ensure no adverse effect on the integrity of a designated site. The majority of such mitigation measures will take place through the appropriate assessment of lower level plans and proposals reflecting the strategic nature of the Proposed Plan. Such mitigation will include appropriate allocation of land for development and development of the policy framework in order to ensure that there will be no adverse impact on designated sites.

7.9 In addition, an amendment has been made to the plan in order to strengthen policy. The following amendment to the plan has been made to strengthen protection given designated sites and ensure that the integrity of the sites will not be adversely affected:

- **New wording in Policy 3** – ‘Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets by ensuring development likely to have a significant effect on a designated or proposed Natura 2000 site (either alone or in combination will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of the Natura 2000 site in accordance with Scottish Planning Policy (2010).’

8. CONCLUSIONS

- 8.1 Under this Habitats Regulations Appraisal many policies and proposals were considered unlikely to significantly affect the qualifying interests of Natura sites in the TAYplan area. These were screened out of the appropriate assessment carried out for the Proposed Plan (see section 6 of this document).
- 8.2 The policies and proposals carried forward for the appropriate assessment, in section 7, are those that were considered to have the potential to impact on Natura sites.
- 8.3 The assessment has identified a series of mitigation measures for each policy/proposal. It can be concluded that with appropriate mitigation the Proposed Plan will not adversely affect the integrity of a Natura site.
- 8.4 The Habitats Regulations Appraisal process has considered the cumulative effects of the policies and proposals contained within the Proposed Plan at both the screening and appropriate assessment stages.
- 8.5 Further appropriate assessment will be required at the suitable level for many of the policies and proposals identified, for example, when sites are identified in Local Development Plans.

Appendix 1: Natura Sites Qualifying Interests and Conservation Objectives

Potentially Affected Site, Qualifying Interests and Conservation Objectives
<p>BARRY LINKS (SAC)</p> <p>Qualifying Features:</p> <ul style="list-style-type: none"> • Coastal dune heathland* • Shifting dunes • Dune grassland* • Humid dune slacks • Shifting dunes with marram <p>* denotes priority habitat</p> <p>Conservation Objectives</p> <p>To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Extent of the habitat on site ▪ Distribution of the habitat within site ▪ Structure and function of the habitat ▪ Processes supporting the habitat ▪ Distribution of typical species of the habitat ▪ Viability of typical species as components of the habitats ▪ No significant disturbance of typical species of the habitats
<p>MONTROSE BASIN SPA</p> <p><u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> ▪ Dunlin*, Eider*, Greylag goose, Knot, Oystercatcher*, Pink-footed goose, Redshank, Shelduck*, Wigeon* ▪ Waterfowl assemblage <p><i>*Indicates assemblage qualifier only</i></p> <p><u>Conservation Objectives:</u></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; and to ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species
<p>FIRTH OF TAY AND EDEN ESTUARY (SAC, SPA)</p> <p><u>SAC Qualifying Habitats</u></p> <ul style="list-style-type: none"> • Estuaries, Intertidal mudflats and sandflats, Subtidal sandbanks <p>Conservation Objectives:</p> <p>To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Extent of the habitat on site ▪ Distribution of the habitat within site ▪ Structure and function of the habitat ▪ Processes supporting the habitat ▪ Distribution of typical species of the habitat ▪ Viability of typical species as components of the habitats ▪ No significant disturbance of typical species of the habitats <p><u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> ▪ Common seal <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 and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species <p><u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> • Bar-tailed godwit, Black-tailed godwit*, Common scoter*, Cormorant*, Dunlin*, Eider*, Goldeneye*, Goosander*, Grey plover*, Greylag goose, Little tern, Long-tailed duck*, Marsh Harrier, Oystercatcher*, Pink-footed goose, Red-breasted merganser*, Redshank, Sanderling*, Shelduck*, Velvet scoter*,

- Waterfowl assemblage
- *Indicates assemblage qualifier only

Conservation Objectives:

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

To ensure for the qualifying species that the following are maintained in the long term:

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

FIRTH OF FORTH (SPA)

Qualifying Features

- Bar-tailed godwit *Limosa lapponica*
- Common scoter *Melanitta nigra**
- Cormorant *Phalacrocorax carbo**
- Curlew *Numenius arquata**
- Dunlin *Calidris alpina alpina**
- Eider *Somateria mollissima**
- Golden plover *Pluvialis apricaria*
- Goldeneye *Bucephala clangula**
- Great crested grebe *Podiceps cristatus**
- Grey plover *Pluvialis squatarola* *
- Knot *Calidris canutus*
- Lapwing *Vanellus vanellus*
- Long-tailed duck *Clangula himalayensis*
- Mallard *Anas platyrhynchos**
- Oystercatcher *Haematopus ostralegus**
- Pink-footed goose *Anser brachyrhynchus*
- Red-breasted merganser *Mergus serrator**
- Redshank *Tringa totanus*
- Red-throated diver *Gavia stellata*
- Ringed plover *Charadrius hiaticula**
- Sandwich tern *Sterna sandvicensis*
- Scaup *Aythya marila**
- Shelduck *Tadorna tadorna*
- Slavonian grebe *Podiceps auritus*
- Turnstone *Arenaria interpres*
- Velvet scoter *Melanitta fusca**
- Wigeon *Anas penelope**
- Waterfowl assemblage *

* indicates assemblage qualifier only

Conservation Objectives

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

To ensure for the qualifying species that the following are maintained in the long term:

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

DUNKELD-BLAIRGOWRIE LOCHS (SAC)

Qualifying Habitats

- Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels
- Very wet mires often identified by an unstable 'quaking' surface

Conservation Objectives:

To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and

To ensure for the qualifying habitats that the following are maintained in the long term:

- Extent of the habitat on site
- Distribution of the habitat within site
- Structure and function of the habitat
- Processes supporting the habitat
- Distribution of typical species of the habitat
- Viability of typical species as components of the habitats
- No significant disturbance of typical species of the habitats

Qualifying species

- Slender naiad
- Otter

<p>Conservation Objectives: 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species
<p>ISLE OF MAY SAC <u>SAC Qualifying species</u></p> <ul style="list-style-type: none"> ▪ Grey Seal <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 the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species
<p>LOCH LEVEN (SPA) SPA Qualifying Features</p> <ul style="list-style-type: none"> ▪ Cormorant <i>Phalacrocorax carbo</i> ▪ Gadwall <i>Anas strepera</i> ▪ Goldeneye <i>Bucephala clangula</i> ▪ Pink-footed goose <i>Anser brachyrhynchus</i> ▪ Pochard <i>Aythya ferina</i> ▪ Shoveler <i>Anas clypeata</i> ▪ Teal <i>Anas crecca</i> ▪ Tufted duck <i>Aythya fuligula</i> ▪ Whooper swan <i>Cygnus Cygnus</i> ▪ Waterfowl assemblage <p>SPA Conservation Objectives 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 To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species ▪ Structure, function and supporting processes of habitats supporting the species ▪ No significant disturbance of the species
<p>METHVEN MOSS (SAC) Qualifying Features</p> <ul style="list-style-type: none"> ▪ Active raised bogs* ▪ Degraded raised bogs capable of regeneration <p>* indicates a priority habitat</p> <p>Conservation Objectives To avoid deterioration of the qualifying habitats thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Extent of the habitat on site ▪ Distribution of the habitat within site ▪ Structure and function of the habitat ▪ Processes supporting the habitat ▪ Distribution of typical species of the habitat ▪ Viability of typical species as components of the habitats ▪ No significant disturbance of typical species of the habitats
<p>MORAY FIRTH SAC <u>SPA Qualifying Species</u></p> <ul style="list-style-type: none"> ▪ Bottlenose Dolphin <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 the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and To ensure for the qualifying species that the following are established then maintained in the long term:</p> <ul style="list-style-type: none"> ▪ Population of the species as a viable component of the site

- Distribution of the species within site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species

RIVER TAY (SAC)

Qualifying Habitat

- Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels

Conservation Objectives:

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 features; and
To ensure for the qualifying habitat that the following are maintained in the long term:

- Extent of the habitat on site
- Distribution of the habitat within site
- Structure and function of the habitat
- Processes supporting the habitat
- Distribution of typical species of the habitat
- Viability of typical species as components of the habitat
- No significant disturbance of typical species of the habitat

Qualifying Species

- Atlantic salmon, Brook lamprey, Otter, River lamprey, Sea lamprey

Conservation Objectives:

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

To ensure for the qualifying species that the following are maintained in the long term:

- Population of the species, including range of genetic types for salmon, as a viable component of the site
- Distribution of the species within site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species

SOUTH TAYSIDE GOOSE ROOSTS (SPA)

Qualifying Features

- Greylag goose *Anser anser*
- Pink-footed goose *Anser brachyrhynchos*
- Waterfowl assemblage

Conservation Objectives

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

To ensure for the qualifying species that the following are maintained in the long term:

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

RIVER SOUTH ESK (SAC)

Qualifying Species

- Atlantic Salmon
- Freshwater pearl mussel

Conservation Objectives

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

To ensure for the qualifying species that the following are maintained in the long term:

- Population of the species, including range of genetic types for salmon, as a viable component of the site
- Distribution of the species within site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species
- Distribution and viability of freshwater pearl mussel host species
- Structure, function and supporting processes of habitats supporting freshwater pearl mussel host species