

**Planning and Building Standards Services**



# **Proposed South Lanarkshire Local Development Plan**

**Habitats Regulations Appraisal**

**May 2013**



**Community and Enterprise Resources**



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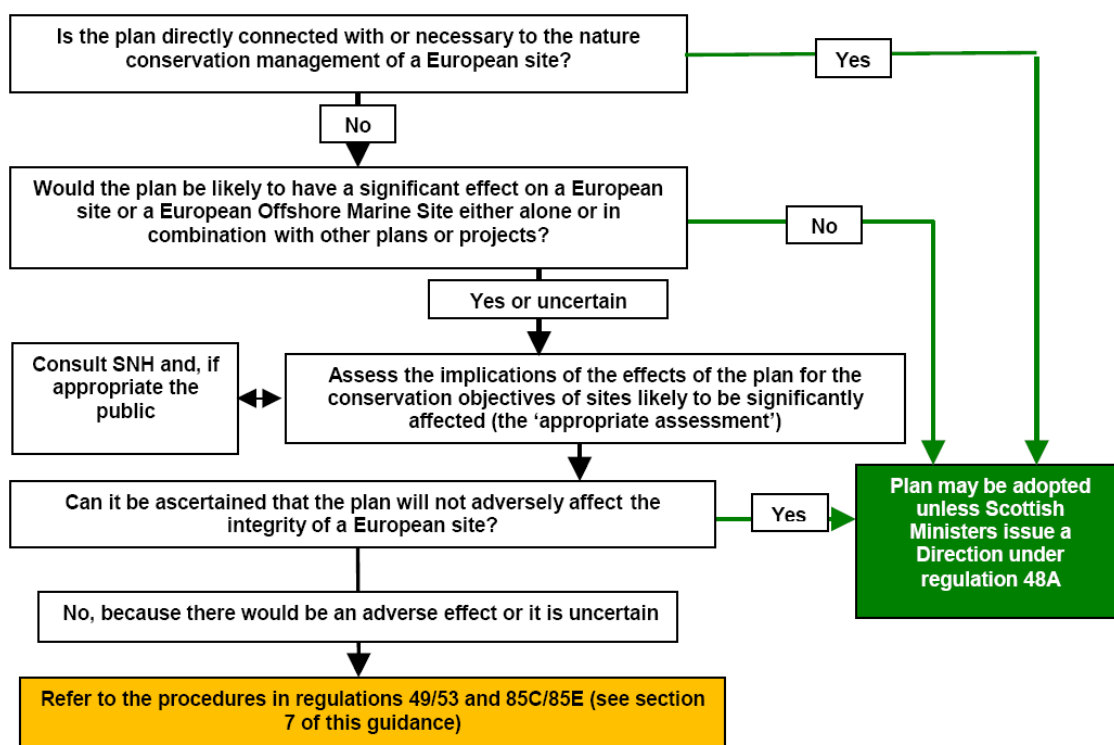
# 1 Introduction

1.1 The purpose of this Habitats Regulations Appraisal (HRA) Record is to set out sufficient information on the South Lanarkshire Local Development Plan (SLLDP) to satisfy the requirements of Article 6(3) of the EC Habitats Directive. This Plan will replace the existing South Lanarkshire Local Plan prepared by the Council and adopted in 2009.

## Requirements of the Habitats Regulations for Local Development Plan

Article 6(3) of the Habitats Directive requires that any plan or project, which is not directly connected with or necessary to the management of a European site, but would be likely to have a significant effect on such a site, either individually or in combination with other plans or projects, shall be subject to an 'appropriate assessment' of its implications for the European site in view of the site's conservation objectives. In the light of the conclusions of that assessment, and subject to the provisions of Article 6(4) of the Habitats Directive, the competent authority (i.e. in this context South Lanarkshire Council as the plan-making body) shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, having obtained the opinion of the general public.

1.2 The requirements of the Directive have been transposed into domestic legislation in Scotland by The Conservation (Natural Habitats, &c.) Regulations 1994, as amended (abbreviated here after as the 'the Habitats Regulations'). The process of a Habitats Regulations Appraisal encompasses the requirements of Article 6 of the Habitats Directive. The Habitats Regulations set out a step-by-step sequence of statutory procedures to be followed, which are designed to test the potential effects of plans and projects on European sites. This process provides a rigid structure, as shown in **Figure 1**, which is integrated into the plan-making procedure.



**Figure 1: Procedures required by Regulation 48 and 85B of the Habitats Regulations.**

1.3 Following a ruling by the European Court of Justice (ECJ) in October 2005, Development Plans, such as the proposed SLLDP should be subject to assessment in the same way as individual projects require assessment, under the provisions of Article 6(3) and (4) of the Habitats Directive.

1.4 The Habitats Regulations require the Council (as the Competent Authority) to consider prior to submitting the SLLDP:

- whether the plan is likely to have a significant effect on such site(s); and
- where this is the case an appropriate assessment has been carried out of the likely impacts.

1.5 The Council has followed this guidance in Habitats Regulations Appraisal of Plans: Guidance for Plan-Making bodies in Scotland Version 2.0 August 2012 in undertaking the HRA for the SLLDP.

Natura 2000 is a network of habitat sites designated for the conservational value across the European Community, comprising of Special Areas of Conservation (SACs) – designated under the Habitats Directive (92/43/EEC) and Special Protection Areas (SPAs) – designated under the Directive on the Conservation of Wild Birds (79/409/EEC). Under the requirements of Article 6 of the Habitats Directive 1992, Member States are to protect and restore the sites included in this network.

1.6 The Habitats Directive applies the precautionary principle to SPAs and SACs, therefore the SLLDP can only be permitted after ascertaining that all aspects of the plan will not adversely affect the integrity of any identified designated site(s) and that the interest features are maintained so as to avoid deterioration of both habitats and significant disturbance of species.

1.7 Under the provisions of Article 6(4) and regulation 49 of the Habitats Regulations, where it cannot be shown that a plan or project will not adversely affect the integrity of a site these may still be permitted if there are no alternative solutions and the 'imperative reasons of overriding public interest' test substantiates that they should go ahead. In such cases compensation will be required to ensure the overall coherence of the Natura 2000 network is protected.

1.8 There is a legislative requirement to assess the potential impacts associated with the development of the proposed SLLDP, as such the HRA was started at the early MIR stages with the appraisal of all potential development sites submitted through the 'call for sites' process. This stage in the process assesses the policies contained in the Proposed Plan, and the development proposals which have arisen from these policies.

## 2 Habitats Regulations Appraisal Process

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2.1 The purpose of this appraisal is to assess the impacts of the SLLDP Proposed Plan. At the MIR stage the HRA considered the potential for likely significant effects on European sites through the screening of the proposed pressure for change development sites and the development of the policy direction including the preferred and alternative options as set out in the MIR. At the Proposed Plan stage, the potential for likely significant effects on European sites is assessed for the policies set out within the SLLDP and the development sites taken forward (i.e. **Stage 5** onwards).

2.2 The aim of the HRA is to assess the SLLDP against the conservation objectives and qualifying features of the relevant European sites. The assessment will determine whether the proposed SLLDP would not adversely affect the integrity of any site within South Lanarkshire area (and adjacent Authorities) in terms of the nature conservation objectives of the site. If any negative effects remain after mitigation has been identified then other options will be examined to determine whether these would not have an adverse effect on the integrity of a European Site.

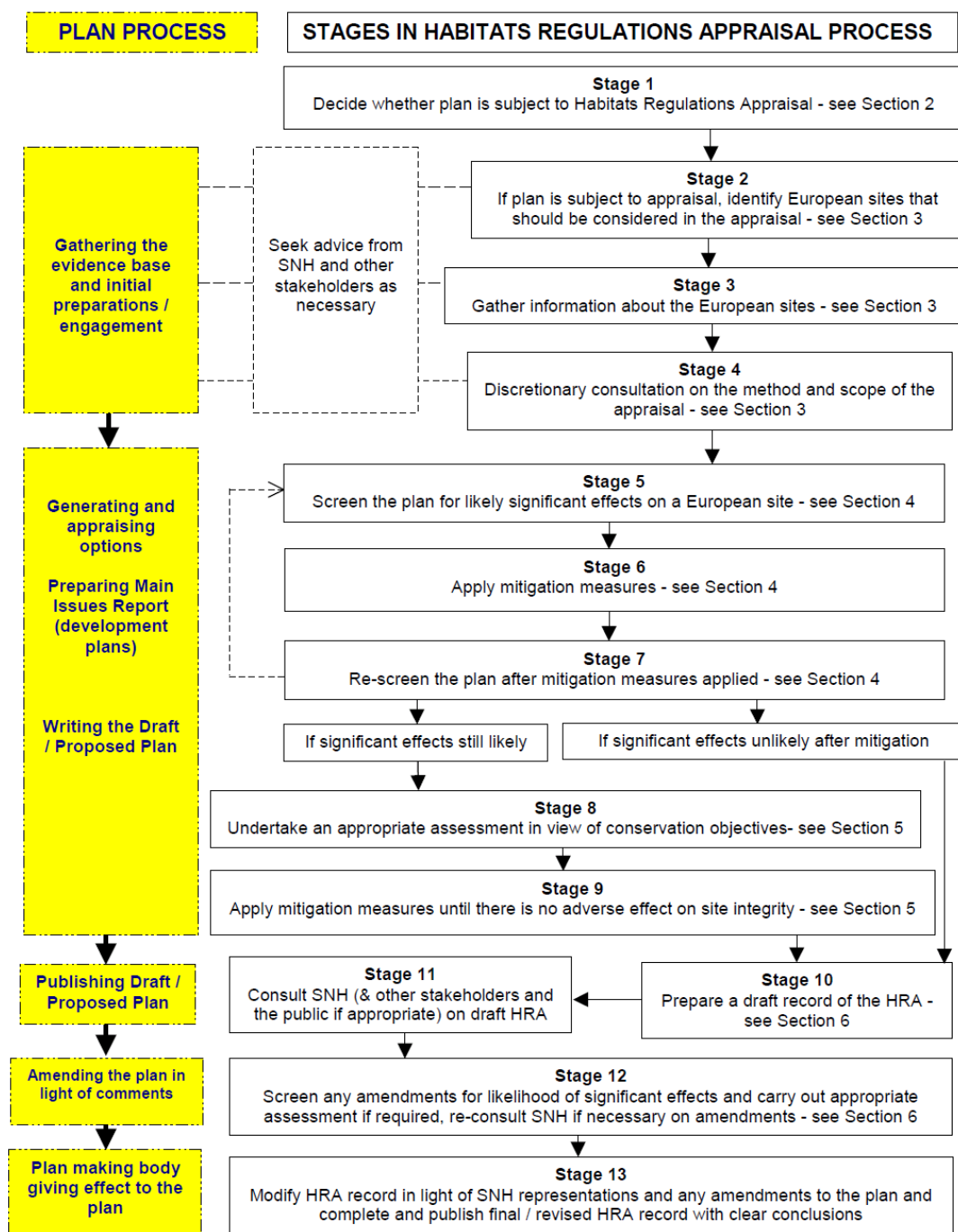
### Methodology of the Assessment Process

2.3 The Habitats Regulations set out a step-by-step sequence of statutory procedures to be followed. The sequence is a series of steps which are designed to test the potential effects of plans and projects on European sites. The HRA for the SLLDP has been followed in sequence as set out in the SNH Guidance in order to comply with the requirements of the Directive. The sequence set out in the SNH Guidance provides a systematic structure to the appraisal process, as shown in **Figure 2**. In preparing this HRA Record the stages set out in the SNH Guidance were followed.

2.4 Undertaking the HRA at the MIR stage allows for the assessment to include screening potential development sites, whilst at the same time inform the policy options that would be taken forward to the SLLDP. The Guidance prescribes a recommended methodology and reporting process, this procedure has been replicated within the HRA.

2.5 The scope and content of the HRA has been developed through consultation with SNH and by taking into consideration the following documents:

- European Commission, Managing Natura 2000 Sites. The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC;
- European Commission (2001), Assessment of plans and projects significantly affecting Nature 2000 sites: Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC;
- Scottish Government (2009) Circular 1 2009 Development Planning
- Scottish Government (2010) Circular 1 Appendix 1 : The Habitats Regulations
- Scottish Natural Heritage (2010) Habitats Regulations Appraisal of Plans: Guidance for plan-making bodies in Scotland. (updated 2012 Version 2.0)



**Figure 2. Key stages of the Habitats Regulations Appraisal Process followed through the development of the South Lanarkshire Local Development Plan**

## Strategic Environmental Assessment

2.6 The SLLDP has been subject to SEA in accordance with the requirements of the EC SEA Directive (2001/42/EC) and the Environmental Assessment (Scotland) Act 2005. This report has been prepared in conjunction with the SEA and provides a more detailed assessment of the potential impacts on Natura 2000 sites.

## 3 South Lanarkshire Local Development Plan

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### Background to the Local Development Plan

3.1 Preparation of the SLLDP is a requirement of Part 2 of the Planning etc. (Scotland) Act 2006. This requires planning authorities to prepare local development plans for all parts of their area and allows for different local development plans to be prepared for different purposes for the same part of any authority area, in this instance the specific issue is of development.

3.2 The proposed SLLDP will consist of a series of policies and justification for them, aimed at directing and managing developments that support the move towards a more economically, socially and environmentally sustainable society. The proposed SLLDP will, therefore, focus on supporting sustainable economic growth and the development of quality sustainable places. These policies will be supported by maps outlining proposed development sites and constraints.

### Content of the plan

3.3 The SLLDP is a spatial strategy based upon the Glasgow and the Clyde Valley Strategic Development Plan's wider framework for the development across the area which focuses on the principles of a low carbon economy, of competitiveness and growth based on sustainable development and emphasises the key future economic role of the city-regions. The SLLDP will build on these principles and develop a plan that conforms to the SDP principles and meets the aims and objectives of other South Lanarkshire strategies such as the Council Plan, the Sustainable Development Strategy, the Local Housing Strategy and the Local Transport Strategy. This will be presented by maps of the area and a written statement setting out the key policies and proposals of the SLLDP supported by supplementary guidance which sets out more detailed advice and guidance for a number of topics, including development management.

### Proposed policy context of the Local Development Plan

3.4 The SLLDP will link to existing Plans, Policies and Strategies (PPS), whilst at the same time it is intended that it will be influenced and have an influence on future strategic development planning by the Glasgow and the Clyde Valley Strategic Development Planning Authority in preparing and updating the Strategic Development Plan (GCVSDP). The SLLDP is directly and indirectly influenced by a number of international, national and regional PPS (see **Figure 3**).

3.6 Scottish planning authorities are legally required to prepare and keep up-to-date plans relating to the development and use of land within their boundaries, reflecting European and National legislative requirements. The South Lanarkshire Local Plan was legally adopted by the Council on 23rd March 2009, although the plan is only 3 years old, the publication of the GCVSDP requires South Lanarkshire to produce a new LDP within 2 years. Therefore the new LDP is currently being prepared to set the specific policy context for development in the area.

3.7 **Main Issues Report** - The MIR focused on areas where there is significant change in policy direction since the previous local plan was prepared and adopted. The MIR set out the main issues arising from both consultation and engagement with the community, key agencies and stakeholders and from the need to address the way in which economic, social and environmental conditions have changed since the preparation of the previous Local Plan. It described how these issues can be addressed in the SLLDP along with possible alternatives. It is important to note that



it was not a draft plan and did not include any policies and proposals; rather it set out the Council's preferred approach for dealing with the issues raised.

**3.8 Proposed Plan** – The SLLDP Proposed Plan took account of the consultation responses to the MIR and sets out the Council's spatial strategy for the next 10 years. This consists of 19 policies and proposals for the development and use of land in South Lanarkshire. The SLLDP is supported by a series of Supplementary Guidance which contain more detailed policies and guidance. These are being prepared and will be subject to committee approval and public consultation and will in due course form part of the Development Plan.

The Proposed Plan contains the following vision:

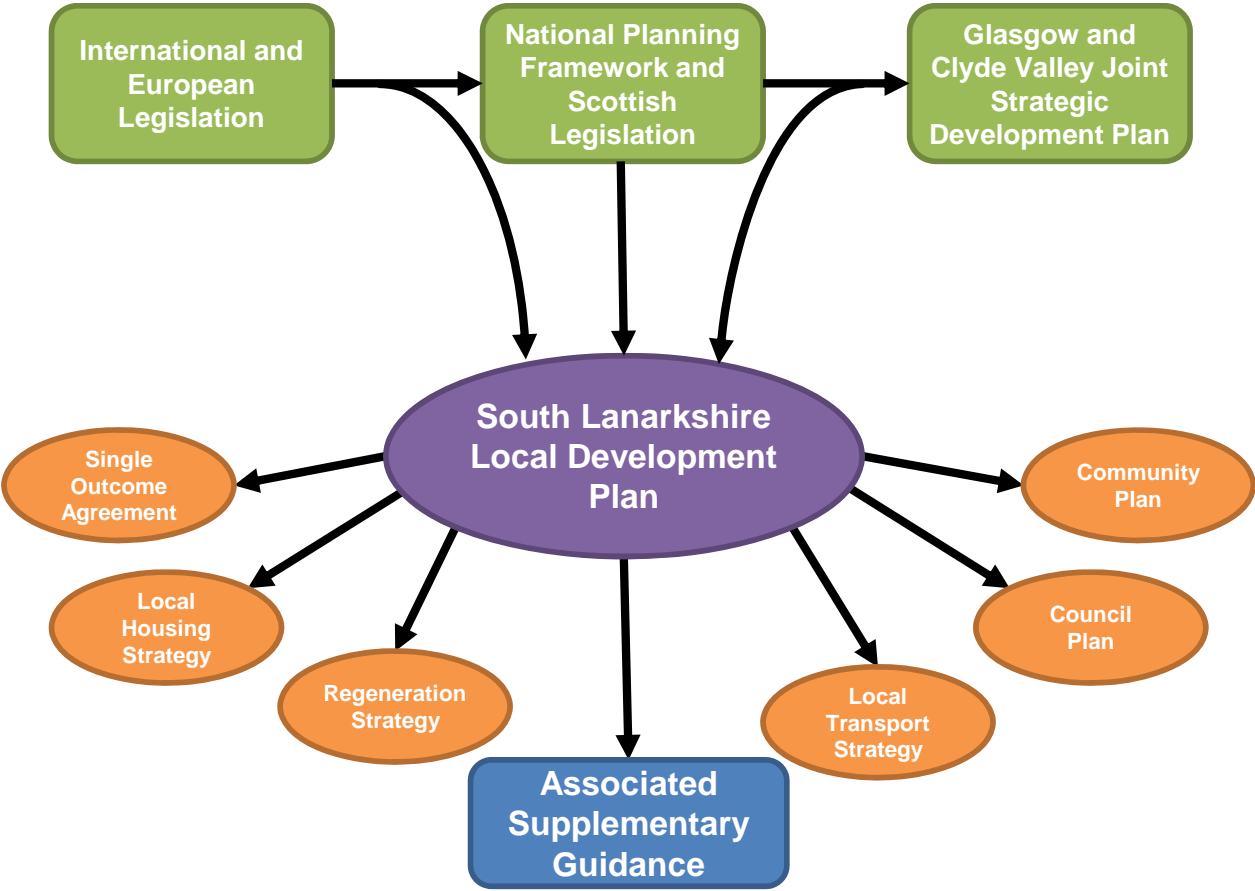
**'To promote the continued growth and regeneration of South Lanarkshire by seeking sustainable economic and social development within a low carbon economy whilst protecting and enhancing the environment.'**

This is supported by 19 policies as follows:

- Spatial Strategy
- Climate Change
- Green Belt and Rural Area
- Development Management and Place Making
- Community Infrastructure Assessment
- General Urban Areas/Settlements
- Employment
- Strategic and Town Centres
- Neighbourhood Centres
- New Retail/Commercial Proposals
- Economic Recovery and Regeneration
- Housing Land
- Affordable Housing and Housing Choice
- Green Network and Greenspace
- Natural and Historic Environment
- Travel and Transport
- Water Environment and Flooding
- Waste
- Wind Energy

A number of these policies contain more detailed proposals for new developments.

**Figure 3 General relationship between South Lanarkshire Local Development Plan and other International, National and Regional PPS.**



## 4 Habitats Regulations Appraisal of Local Development Plan

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4.1 The Scottish Government guidance requires the responsible authority to determine which, if any, elements of the plan would be likely to have a significant effect on any interest/feature of any European site.

4.2 The SLLDP is now at Proposed Plan Stage. The HRA stages remain valid for the Proposed Plan and are therefore replicated below.

### Stage 1 - Identifying the need for a HRA

4.3 In accordance with SNH guidance (**Stage 1** of the Guidance) the SLLDP was identified as a local development plan and therefore based on this information, a Habitats Regulations Appraisal was required.

### Stage 2 - Identifying European Sites

4.4 The first main stage of the HRA is to identify European sites that should be considered in the appraisal. The identification of relevant sites was conducted in consultation with SNH, through the initial SEA scoping process. Sites were identified both within the plan area and across adjacent Council boundaries, depending on the qualifying interests, significance to ecological links within the plan area and the potential for hydrological disturbance to the designated site from potential changes in land use in relation the plan and the plan area.

4.5 The SLLDP covers the entire South Lanarkshire area and as such the following designated sites were identified both within South Lanarkshire and neighbouring authorities:

#### **Special Areas of Conservation:**

**Braehead Moss** – Located within South Lanarkshire.

**Clyde Valley Woodlands** – Fragmented sites spread across the Clyde Valley within South Lanarkshire. This SAC also crosses into North Lanarkshire (small section of Garrion Gill SSSI).

**Coalburn Moss** – Located within South Lanarkshire.

**Craigengar** – Situated within West Lothian with small areas encroaching the Scottish Borders and South Lanarkshire.

**Cranley Moss** – Located within South Lanarkshire.

**Red Moss** – Located within South Lanarkshire.

**Waukenwae Moss** – Located within South Lanarkshire.

**River Tweed** – Located through the Scottish Borders and Northumberland, with small undesignated tributaries located within South Lanarkshire.

#### **Special Protection Areas:**

**Muirkirk and North Lowther Uplands** – Extensive site that straddles across several authority areas including; South Ayrshire, Dumfries and Galloway and South Lanarkshire.

**Westwater** – Located within the Scottish Borders, with areas of significant ecological links within South Lanarkshire.

4.6 There are no Ramsar sites identified within South Lanarkshire. Westwater is a Ramsar site. However all Ramsar sites are also Natura sites and/or Sites of Special Scientific Interest and are protected under the relevant statutory regimes - and therefore that Westwater only needs to be considered under the SPA designation. **Appendix 1** and **Appendix 2** provides detailed information for SAC and SPA sites (respectively) and their qualifying interests.

### Stage 3 – Gathering information about the European Sites

4.7 Information about the relevant European sites identified in **Stage 2**, including details of the qualifying interests, conservation objectives and site condition, was obtained from SNH's *SiteLink* with additional information obtained from the Joint Nature Conservation Committee (JNCC) and the Royal Society for the Protection of Birds (RSPB). See Appendix 1 and 2. Map based information on the presence and boundaries of European sites were originally obtained from SNH and subsequently provided through the Council's internal GIS system. This provided the identification of proposed development sites and their proximity to the European sites.

4.8 The qualifying interests potentially affected vary between the different European sites, with the effects relating to the interests for the site's classification (SPAs) or designation (SACs). It is necessary to consider how the plan's policies and proposals may affect the achievement of the conservation objectives. In undertaking the appraisal the following were considered;

- the condition of the sites
- the pressures for change acting upon them, and
- the ways in which they may be vulnerable to changes likely to come from the plan being assessed.

## Stage 4 – Discretionary discussion on the method and scope of the appraisal

4.10 Although there is no requirement to consult at the MIR stage, the draft HRA was submitted to provide SNH with a basis of the methodology for the MIR of the Local Development Plan. The draft HRA provided the initial scope for identifying the development sites within the MIR and the European sites potentially affected.

## Stage 5 – Screening the Proposed Plan for likely significant effects

4.11 This section sets out the Screening stage of the HRA in relation to the policies and proposals in the Proposed Plan (see paragraph 3.8 for list of policies). This works through the steps set out in paragraphs 4.6 – 4.33 of the Guidance and sets out the findings in a series of tables. Firstly the screening is applied to the policies, then to the detailed proposals emerging from these policies.

### HRA Stage 5 – Screening Step 1 - Identify and screen out general policy statements including 'general criteria based policies'

Policies that fall into the above category are listed in below:

Policy	Assessment
Policy 2 – Climate Change	General policy – not site specific. Sets out the Plan's strategic objectives in relation to climate change. Screened Out
Policy 4 - Development Management	General criteria based policy – not site specific. Does not in itself lead to development or other change. Screened Out
Policy 5 - Developer Contributions	General policy - Does not in itself lead to development or other change. Screened Out
Policy 13 - Affordable Housing and Housing Choice	General policy – Does not in itself lead to development or other change. Screened Out
Policy 17 - Water Environment and Flooding	General policy – not site specific. Does not in itself lead to development or other change. Screened Out

### HRA Stage 5 – Screening Step 2 Projects referred to in, but not proposed by, the plan.

<b>Project</b>	<b>Assessment</b>
Policy 16 - Travel and Transport	Policy 16 refers to the development of public transport, walking and cycling networks and the safeguarding of existing networks. These however originate from other Council Plans and Strategies. Policy can therefore be screened out
Community Growth Areas: - Hamilton West, Ferniegair, Larkhall, East Kilbride, Newton, Carluke	<p>These originated from the Glasgow and Clyde Valley Strategic Development Plan and were subject to HRA in 2011.</p> <p>For Hamilton West, Ferniegair, Larkhall, East Kilbride, and Newton, this concluded there would be no likely significant effect on any Natura 2000 site. These projects are therefore Screened Out.</p> <p>For Carluke, The HRA for the GCVSDP concluded <i>that this is gorge, mixed woodland and it is likely to be sufficient to ensure a reasonable buffer between it and the development. This should be secured through provisions in the Local Development Plan and associated Strategic Environmental Assessment and Habitats Regulations Appraisal. The Carluke CGA is therefore not screened out.</i></p>
Development Framework Sites – Clyde Gateway	Clyde Gateway is a national and strategic development priority and has been subject to HRA through the SDP which concluded there would no likely significant effect on any Natura 2000 site. The Clyde Gateway proposal is therefore screened out.
Strategic Economic Investment Locations Clyde Gateway Shawfield, Peel Park North, Hamilton International Technology Park, Scottish Enterprise Technology Park East Kilbride, Poniel.	These originated from the Glasgow and Clyde Valley Strategic Development Plan and were subject to HRA in 2011. This concluded there would be no likely significant effect on any Natura 2000 site. The SEIL locations have therefore been screened out.
Raith Interchange M8/M73/M74 Improvements, Stonehouse relief road, Stewartfield way east Kilbride, A726/Greenhill Road East Kilbride, Downiebrae Road, Rutherglen, Cathkin relief road, Lanark town centre circulatory system	These schemes originate from SLC local transport strategy which been subject to its own HRA. These schemes are therefore screened out.

#### **HRA Stage 5 – Screening Step 3 - No likely significant effects on any European site**

- a) **Aspects intended to protect the natural environment, including biodiversity, or to conserve or enhance the natural, built or historic environment.**

##### *Policies*

<b>Policy</b>	<b>Assessment</b>
Policy 14 - Green Network and Greenspace	Any effect would be a positive effect. Criterion added to ensure protection of Natura sites. Screened out
Policy 15 - Natural and Historic Environment	General protective policy. Screened out

### *Proposals*

There are no proposals which fall into this category.

#### **b) Which will not in themselves lead to development or other changes**

### *Policies*

Policies of this type have been screened out at screening step 1.

### *Proposals*

There are no proposals which fall into this category.

#### **c) Which make provision for change but which could have no conceivable effect on a European site because there is no link or pathway between them and the qualifying interests, or any effect would be a positive effect, or would not otherwise undermine the conservation objectives for the site.**

### *Policies*

<b>Policy</b>	<b>Assessment</b>
<b>Policy 6 - General Urban Area/Settlements</b>	General criteria based policy – makes provision for change but is not site specific. Screened Out
<b>Policy 7 – Employment Land</b>	The 2 new sites proposed by this policy, Caldwellside and Castlehill, do not affect any Natura sites. The policy also refers to maintaining a supply of industrial sites for future development. These are not specifically identified on the proposals maps. Screened out.
<b>Policy 8 - Strategic and Town Centres</b>	The policy makes provision for changes to some boundaries of town centres however these do not involve new development and have no link to any Natura sites. Screened out
<b>Policy 9 - Local and Neighbourhood Centres</b>	The policy makes provision for changes to some boundaries of local and neighbourhood centres however these do not involve new development and have no link to any Natura sites. Screened out
<b>Policy 10 – new retail/commercial Proposals</b>	General criteria based policy – makes provision for change but is not site specific. Screened Out

### *Proposals*

<b>Proposal</b>	<b>Assessment</b>
Designation of new settlement - Ponfeigh	No physical change on ground - new settlement boundary identified. No connectivity to Natura sites. Screened out.
Designation of new settlement – Kersewell, nr Carnwath	No physical change on ground - new settlement boundary identified.  The site is within the core winter foraging range of pink-footed geese, a qualifying interest of the Westwater SPA. The location and nature of the site makes it or its immediate surroundings unlikely to be used by foraging geese, although geese are known to feed in the wider area. However, following discussion

	with SNH it has been concluded that any development associated with this proposal would be unlikely to have any significant effect on the qualifying interests of the SPA. Screened out.
Designation of new settlement – Tanhill	No physical change on ground - new settlement boundary identified. No connectivity to Natura sites. Screened out
Settlement boundary changes - Auchengray, Carnwath (1-4), Carstairs (1-2), Covington, Elsrickle, Forth, Lamington (1-2), Wilsontown	<p>Minor amendments to settlement boundaries to reflect existing planning consents and new developments since previous local plan was adopted.</p> <p>These settlements are within the core winter foraging range of pink-footed geese, a qualifying interest of the Westwater SPA. However as the changes reflect existing planning consents and new developments, and any impacts on the SPA would have been assessed at this time, they are screened out</p>
Settlement boundary change – Symington	<p>Minor amendment to settlement boundary to include grounds of hotel within settlement boundary.</p> <p>The site is within the core winter foraging range of pink-footed geese, a qualifying interest of the Westwater SPA. The location and nature of the site makes it or its immediate surroundings unlikely to be used by foraging geese, although geese are known to feed in the wider area. However, following discussion with SNH it has been concluded that any development associated with this proposal would be unlikely to have any significant effect on the qualifying interests of the SPA. Screened out.</p>
Boundary changes to Hamilton strategic town centre	No connectivity to Natura sites. Screened out.
Boundary changes to East Kilbride strategic town centre	No connectivity to Natura sites. Screened out.
Boundary changes to Lanark strategic town centre	No connectivity to Natura sites. Screened out.
Boundary changes to Biggar strategic town centre	No connectivity to Natura sites. Screened out.
Boundary changes to Cambuslang strategic town centre	No connectivity to Natura sites. Screened out.
Boundary changes to Larkhall strategic town centre	No connectivity to Natura sites. Screened out.
Boundary changes to Carluke strategic town centre	No connectivity to Natura sites. Screened out.
Boundary changes to Rutherglen strategic town centre	No connectivity to Natura sites. Screened out.
Bothwell Road, Uddingston	Development Framework Site - Former gasworks site change from residential to mixed use proposal. No connectivity to Natura Sites. Screened Out
DAKs Site, Larkhall	Development Framework Site - Change from industrial designation to mixed use proposal. No connectivity to Natura Sites. Screened Out
Wellburn Farm, Lesmahagow	Development Framework Site - Change from industrial designation to mixed use proposal. No connectivity to Natura Sites. Screened Out
Langlands West, East Kilbride	Development Framework Site - Change from industrial

	designation to mixed use proposal. No connectivity to Natura Sites. Screened Out
Craighead, Blantyre	Development Framework Site - Legacy item from adopted Local Plan – mixed use development. No connectivity to Natura Sites. Screened Out
East Kilbride Town centre, East Kilbride	Development Framework Site - Change from industrial designation to mixed use proposal. No connectivity to Natura Sites. Screened Out
Rolls Royce, East Kilbride	Development Framework Site - Legacy item from adopted Local Plan – mixed use development. No connectivity to Natura Sites. Screened Out
Mavor Avenue, East Kilbride	Development Framework Site - Legacy item from adopted Local Plan – mixed use development. No connectivity to Natura Sites. Screened Out
Bellshill Road, Uddingston	Residential masterplan Site - Change from industrial designation to residential/health use. No connectivity to Natura Sites. Screened Out
Strathaven West, Strathaven	Residential masterplan Site - Green Belt to residential use with associated open space and infrastructure requirements. No connectivity to Natura Sites. Screened Out
Peel Road, Thorntonhall	Residential masterplan Site - Green Belt to residential and open space use. No connectivity to Natura Sites. Screened Out
Bothwellbank, Bothwell	Residential masterplan Site - Green Belt to residential and open space use. No connectivity to Natura Sites. Screened Out
Gilbertfield, Cambuslang	Residential masterplan Site - Legacy item from adopted local plan. Green Belt to residential and open space use. No connectivity to Natura Sites. Screened Out
Upper Braidwood, Braidwood	Residential masterplan Site. No connectivity to Natura Sites. Screened Out
James St Carluke, Carluke	Residential masterplan Site - Legacy item from adopted Local Plan. Housing/retail adjacent to town centre. No connectivity to Natura Sites. Screened Out
Manse Rd Forth	<p>Residential masterplan Site - Legacy item from adopted Local Plan. Residential development on edge of settlement.</p> <p>The site is within the core winter foraging range of pink-footed geese, a qualifying interest of the Westwater SPA, but there are no records of feeding birds in this area. Following discussion with SNH it has been concluded that any development associated with this proposal would be unlikely to have any significant effect on the qualifying interests of the SPA. Screened out.</p>
Angus Terrace, Douglas	Residential masterplan Site - Residential Masterplan site – former industrial use now proposed for residential development. No connectivity to Natura Sites. Screened Out
Edinburgh Road, Biggar	Residential Masterplan Site. Subject of current application (now consented?). No likely significant effect on Natura sites identified in consultation process. Screened out



Birkwood Hospital, Lesmahagow	Residential masterplan Site – Existing consent. No connectivity to Natura Sites. Screened Out
Boghall Rd, Carluke	Residential masterplan Site – Existing consent. No likely significant effect on Natura sites identified during consultation process. Screened Out
Caldwellside, Lanark	Extension to existing industrial estate within settlement. No connectivity to Natura Sites. Screened Out
Castlehill, Carluke	Extension to existing industrial estate into green belt. No connectivity to Natura Sites. Screened Out
Peel Park Retail Area, East Kilbride	New retail/commercial development – Existing consent. No likely significant effect on Natura sites identified during consultation process. Screened Out
Stanmore Rd, Lanark	New retail/commercial development – Existing consent. No likely significant effect on Natura sites identified during consultation process. Screened Out
Lightburn Road, Cambuslang	Green Belt to housing. No connectivity to Natura Sites. Screened Out
Greenlees Farm, Cambuslang	Green Belt to housing. No connectivity to Natura Sites. Screened Out
Boghead, Boghead, Lesmahagow	Rural Area to housing. No connectivity to Natura Sites. Screened Out
Manse Rd, Carstairs	Rural Area to housing.  The site is within the core winter foraging range of pink-footed geese, a qualifying interest of the Westwater SPA. The location and nature of the site makes it or its immediate surroundings unlikely to be used by foraging geese, although geese are known to feed in the wider area. However, following discussion with SNH it has been concluded that any development associated with this proposal would be unlikely to have any significant effect on the qualifying interests of the SPA. Screened out.
Hyndfordbridge, nr Lanark	Rural Area to housing. No connectivity to Natura Sites. Screened Out
Milton Farm, Lesmahagow	Rural Area to housing. No connectivity to Natura Sites. Screened Out
Birks Farm, Law	Greenbelt to housing. No connectivity to Natura Sites. Screened Out
West of Bellfield Rd, Lanark	Rural Area to housing. No connectivity to Natura Sites. Screened Out
Carlisle Rd, Kirkmuirhill	Rural Area to housing. No connectivity to Natura Sites. Screened Out
Newbigging, Newbigging	Rural Area to housing.  The site is within the core winter foraging range of pink-footed geese, a qualifying interest of the Westwater SPA. The location and nature of the site makes it or its immediate surroundings unlikely to be used by foraging geese, although geese are known to feed in the wider area. However, following discussion with SNH it has been concluded that any development associated with this proposal would be unlikely to have any significant effect on the qualifying interests of the SPA. Screened out.

Kaimend	Rural Area to housing.  The site is within the core winter foraging range of pink-footed geese, a qualifying interest of the Westwater SPA. The location and nature of the site makes it or its immediate surroundings unlikely to be used by foraging geese, although geese are known to feed in the wider area. However, following discussion with SNH it has been concluded that any development associated with this proposal would be unlikely to have any significant effect on the qualifying interests of the SPA. Screened out.
Mounthilly Road, Chapelton	Green Belt to housing. No connectivity to Natura Sites. Screened Out
Shields Road, East Kilbride	Green Belt to housing. No connectivity to Natura Sites. Screened Out
Sandford East, Sandford	Green Belt to housing. No connectivity to Natura Sites. Screened Out
Shott Farm, Blantyre	Green Belt to housing. No connectivity to Natura Sites. Screened Out
North Garrion, Garrion	Green Belt to housing. No connectivity to Natura Sites. Screened Out
North West Garrion, Garrion	Green Belt to housing. No connectivity to Natura Sites. Screened Out

- d) which make provision for change but which could have no significant effect on a European site (and hence is a minor residual effect) because any potential effects would be insignificant, being so restricted or remote from the site that they would not undermine the conservation objectives for the site.**

4.12 A number of policies which have site specific proposals associated with them fall into this category. These are discussed later.

- e) for which effects on any particular European site cannot be identified, because the policy is too general, for example, it is not possible to identify where, when or how the policy may be implemented, or where effects may occur, or which sites, if any, may be affected.**

#### *Policies*

<b>Policy</b>	<b>Assessment</b>
Policy 3 - Green Belt and Rural Area	General policy – makes provision for change but is not site specific. Screened out
Policy 18 – Waste	The policy safeguards existing sites and makes provision for change but does not identify new sites. Screened out

#### *Proposals*

There are no proposals which fall into this category.

4.13 Aspects of the plan which have not been screened out under Step 3

Following the assessment above, it has not been possible to screen the following Policies and proposals out under Step 3

Policy	Assessment
Policy 1 – Spatial Strategy	<p>This policy identifies a series of strategic development opportunities – development framework sites, residential masterplan sites, strategic employment investment locations, community growth areas, strategic centres – as identified in Table 2 and Appendix 3 of the LDP. It has not been possible to discount the possibility of significant effects arising from the following proposals associated with this Policy:</p> <ul style="list-style-type: none"> <li>• Carluke Community Growth Area – potentially affecting the Clyde Valley Woods SAC</li> <li>• Bellfield, Coalburn – Potentially affecting Coalburn Moss SAC</li> </ul>
Policy 11 - Regeneration	<p>This policy details the Council's support for activities that maximise economic recovery, with particular emphasis to the implementation of the proposals listed in Appendix 3 of the LDP. . It has not been possible discount the possibility of significant effects arising from the following proposals associated with this Policy:</p> <ul style="list-style-type: none"> <li>• Carluke Community Growth Area – potentially affecting the Clyde Valley Woods SAC</li> <li>• Bellfield, Coalburn – Potentially Affecting Coalburn Moss SAC</li> </ul>
Policy 12 – Housing land	<p>A number of proposed development sites are identified under this policy. It has not been possible under the stages above to discount the possibility of significant effects arising from the following proposals:</p> <p><i>Westwater SPA</i></p> <ul style="list-style-type: none"> <li>• Somerville Drive, Carnwath – proposed housing site (10 units)</li> <li>• Heads Inn, Carnwath, proposed housing site c20 units</li> <li>• Market Road Biggar -Development Framework site</li> <li>• Carmaben Brae Dolphinton – proposed housing site (10 units)</li> <li>• West of Mill Road Thankerton – proposed housing site (10 units)</li> <li>• Settlement boundary amendment Carnwath west</li> </ul>
Policy 19 – Wind Energy	The policy identifies areas of significant

	<p>protection from wind farm developments including Natura sites and cross refers to policy15 natural and historic environments which sets out the specific requirements for protecting the interests of these sites. The areas of search for wind farms proposed by this policy are a refinement of those identified in the Renewable Energy Supplementary Planning Guidance approved 2010. An HRA was done as part of the preparation of the SPG process and concluded no adverse impacts on integrity of Natura sites subject to mitigation measures specified in SPG.</p>
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## Stage 6/7 – Mitigation

### Mitigation measures

4.14 Following the identification of the above, consideration was given to mitigation measures which would allow these to be screened out on the basis that they would no longer be likely to have a significant effect on any Natura site. The results of this are given below;

Proposal	Natura site affected and Possible Impacts	Assessment	Mitigation
<b>Carluke Community Growth Area</b>	<p>Clyde Valley Woods SAC</p> <p>i) Direct impacts from additional public access from residents of the development</p> <p>ii) Deposition of dust from site construction*</p> <p>iii) dumping of garden waste introducing non native species</p>	<p>The HRA for the GCVSDP concluded <i>that this is gorge, mixed woodland and it is likely to be sufficient to ensure a reasonable buffer between it and the development. This should be secured through provisions in the Local Development Plan and associated Strategic Environmental Assessment and Habitats Regulations Appraisal.</i></p> <p>A closer assessment of the proposal indicates that at its nearest point the CGA is 1.4km from the SAC. The SAC is located to the south west of the CGA and is separated from it by agricultural fields. It is therefore difficult to show any connectivity. Also the prevailing</p>	<p>The CGA masterplan requirements, as detailed in Appendix 3 of the LDP include the provision of new landscape measures to consolidate new Green Belt edges and establish green networks within the development. This would meet the SDP requirements to provide a buffer zone and it is therefore concluded that the likelihood of any significant effect is removed.</p>

		wind direction is west/south west so it is considered there is negligible likelihood of dust deposition. The extension to the CGA is to the north east of Carluke at least 3.5km from the SAC.	
<b>Development Framework Site – Bellfield, Coalburn</b>	<p>Coalburn Moss SAC</p> <p>i) disturbance to the hydrology of the raised bog</p> <p>ii) Direct impacts from additional public access from residents of the development</p> <p>iii) Deposition of dust from site construction</p>	<p>This proposal was subject to HRA through the South Lanarkshire Local Plan. It is retained in the new LDP as a legacy item. The LDP HRA identified potential issues with regard to additional public use of the SAC via the railway track and potential for construction dust to affect the SAC and noted that mitigation may be required to ensure best practice is followed.</p> <p>metre buffer zone from the edge of the SAC where there should be no development'</p>	<p>It has been agreed with SNH that provision of a 500m buffer between the development site and Coalburn Moss Special Area of Conservation is sufficient to avoid any likely significant effect on the SAC. This requirement has been written into the Development Framework requirements for the site, as set out in Appendix 3 of the Proposed Plan.</p>
<b>Broad Areas of Search for Windfarms - Policy 19</b>	<p>Muirkirk and North Lowther Uplands SPA</p> <p>i) Loss of habitats out with the designated site which support the species</p> <p>(ii) Negative effects on the structure, function and supporting processes of habitats supporting the qualifying species out with the site and</p> <p>(iii) Disturbance to foraging birds</p>	<p>The LDP identifies Broad Areas of Search for Windfarms but does not identify specific sites for windfarm developments. It is therefore not possible to reach a definitive conclusion with regard to LSE. It was recognised by the Council in its previous SPG on Renewable Energy that the Broad Areas of Search were subject to a number of constraints which must be addressed by applicants – these were listed in table 5.1 in the SG. This</p>	<p>Wording in table 5.1 of SG to ensure that any impacts are addressed at project level HRA.</p>

		<p>approach has been carried forward to the LDP and its associated SG on Wind Energy. There is evidence available on the foraging ranges of the SPA qualifying species however as specific development site locations are not identified through this policy firm conclusions on LSE cannot be drawn.</p> <p>It is therefore considered that the complex ornithological issues associated with the SPA can only be properly addressed at the project HRA stage. Such proposals are also required to assess cumulative impacts.</p>	
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4.15 On the basis of the above, it is concluded that with the implementation of the mitigation specified, these proposals will have no likely significant effect on any Natura site. Accordingly, it can also be concluded that with the implementation of this mitigation Policies 1 and 11 will also have no likely significant effect on any Natura site.

## Stage 8 – Appropriate Assessment

4.16 Following the screening stage, the following Policies and Proposals have been identified as having a likely significant effect on Natura Sites and are therefore taken forward to the appropriate assessment stage

Policy	Proposals	Natura Site Affected	Reason for Likely Significant Effect
Policy 12 – Housing land	<ul style="list-style-type: none"> <li>Somerville Drive, Carnwath – proposed housing site (10 units)</li> <li>Heads Inn, Carnwath, proposed housing site c20 units</li> <li>Market Road Biggar - Development</li> </ul>	Westwater SPA	<p>These proposals, which are specifically proposed under Policy 12, lie within 20km of the Westwater Reservoir Special Protection Area (SPA). This places them within the core winter foraging range of pink-footed geese, one of the qualifying interests of the SPA. This means that there is potential connectivity between the proposal and the SPA.</p> <p>Analysis of goose distribution</p>

	<p>Framework site</p> <ul style="list-style-type: none"> <li>• Carmaben Brae Dolphinton – proposed housing site (10 units)</li> <li>• West of Mill Road Thankerton – proposed housing site (10 units)</li> <li>• Settlement boundary amendment Carnwath west</li> </ul>		<p>data prepared by the WWT shows that there are records of feeding geese in close proximity to all of these sites.</p> <p>Development of these sites could therefore lead to:</p> <p>i) Loss of feeding habitats supporting pink-footed geese</p> <p>(ii) Negative effects on the structure, function and supporting processes of habitats supporting feeding pink-footed geese</p> <p>(iii) Disturbance of feeding pink-footed geese</p>
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## Westwater SPA

This SPA is located x km from the South Lanarkshire boundary within West Lothian. As noted in section xx of this Record, the qualifying interest for Westwater SPA relevant to South Lanarkshire relates to **aggregations of non breeding birds** Pink footed goose (*Anser Brachyrhynchus*). The Conservation Objectives for the species are:

**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**

The issues in South Lanarkshire relate to the effect on geese when they are outwith the SPA. Due to the distant location of the proposed developments from the SPA, it is clear that no direct or indirect influences on the SPA itself would occur. When considering the effect on habitat outwith a site and disturbance outwith a site this relates to the conservation objectives on population viability and possibly also distribution of the species within the site, rather than the habitat and disturbance elements of the conservation objectives.

It is therefore considered that the proposed development would have no impact on maintenance of the following SPA conservation objectives and that no further consideration requires to be given to these in this assessment:

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

Consideration is therefore given to impacts of the proposals on the following 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

A reduction in available feeding areas, either through direct habitat loss or displacement rising from disturbance associated with construction activities and occupation of the developments, could lead to a reduction in the numbers of geese that habitat outwith the SPA could support. This could affect the population of the species as a viable component of the SPA and consequently adverse impact on the distribution of the species within the site.

Noise generated from these types of sites (i.e. housing sites), will mainly be in the early stages of construction when ground works are being undertaken and will therefore be comparatively short lived. In addition, the noise produced by this kind of work does not generally involve the percussive types of sound that are the most disturbing to birds e.g. blasting or pile driving. Disturbance is therefore unlikely to be significant. Even if this does occur, it would only result in the temporary displacement of geese during the construction period. The potential for temporary displacement of geese means the proposals should be regarded as being likely to have a significant effect on the SPA. However, a temporary displacing of birds from a particular feeding area would only lead to an adverse impact on the integrity of the SPA if the availability of feeding areas was a limiting factor on the number of geese using the SPA as a roost. There does not appear to be a shortage of suitable foraging habitat in a 20km radius of the Westwater SPA therefore the proposals themselves are not considered likely to lead effects which in themselves will limit the number of geese the SPA can support. As such, it is concluded that the proposals will not adversely impact on the population viability of the species. As such, there is no reason why the proposals themselves would influence the distribution of the species within the site. It is therefore concluded that these conservation objectives for the SPA and the overarching objective of avoiding 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 will not be undermined by these proposals, either alone or in combination with each other. As such, it is concluded that Policy 12 and the proposals associated with it will have no adverse impact on the integrity of the SPA.

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## 5 Supplementary Guidance

5.1 Under the terms of Section 22 of the Planning etc. Scotland Act 2006 Supplementary Guidance (SG) will be produced on a number of topics. It will form part of the proposed Local Development Plan. Supplementary Guidance contains more detailed information and policies allowing the SLLDP to focus on key policies and proposals. In accordance with the legislation the SG are limited to the provision of further information or detail in respect of policies or proposals set out in the LDP. They do not therefore introduce any additional areas of policy, or new development proposals.

5.2 Supplementary Guidance on Development Management, Design and Placemaking and Wind Energy will be produced alongside the local development plan Proposed Plan and are discussed below. Further supplementary guidance currently being produced and will be subject to HRA screening at the appropriate time.

5.3 This section therefore contains the HRA screening justification for the Development Management Design and Place Making and Wind Energy SGs.

Supplementary Guidance	Associated LDP Policy	justification
Development Management, Design and Place Making	Policy 4	Policy 4 which is the LDP link policy for this SG is screened out due to being a general criteria based policy – not site specific and does not in itself lead to development or other change. The Development Management, Design and Place Making SG contains a number of supplementary criteria-based policies for assessing specific development types – again these are not site specific and do not in themselves lead to development or other change. In order to ensure that the protection of Natura sites is taken into account when development proposals are assessed a criterion has been added to policy 4. It is therefore considered that the SG would not give rise to likely significant effects on any Natura 2000 site .
Wind Energy	Policy 19	Policy 19 which is the LDP link policy for this SG is considered above . The SG provides the background for the spatial framework for wind energy set out in policy 19 and provides additional technical guidance for developers which is set out in a detailed checklist for assessment of wind energy developments. The Checklist includes criteria for protecting Natura 2000 sites and such sites are also identified as areas of significant protection for windfarm development in accordance with SPP.

		<p>The SG does not identify any additional proposals that are not already identified in Policy 19. The assessment of policy 19 indicated that the Broad Areas of Search for Windfarms could potentially impact on the foraging ranges of SPA qualifying species associated with Muirkirk and North Lowther Uplands SPA. However as the BAOS do not identify specific sites for development a detailed assessment of impacts cannot be undertaken. It is therefore considered that the HRA of complex ornithological issues associated with the SPA can only be properly addressed at the project stage.</p> <p>The SG sets out in table 5.1 the requirements for developers of windfarms in the BAOS. This contains requirements in relation to the constraints to be addressed and includes proximity to the SPA as a factor that must be addressed. The wording in this table has been updated to be more specific about the requirements for protecting the SPA and its qualifying interests.</p> <p>It is therefore concluded that there will be no likely significant effect on the SPA qualifying interests.</p>
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## 6 Conclusions


It is therefore concluded that the majority of policies and proposals in the Proposed Plan can immediately be screened out on the basis that they will have no likely significant effects on Natura 2000 sites. A small number of policies contain proposals where mitigation measures can be applied to ensure no LSE. Finally, there is a policy with a number of proposals where it was not possible to rule out the risk of LSE; these were the subject to Appropriate Assessment as set out above. The Appropriate Assessment concluded that Policy 12 and the proposals associated with it will have no adverse impact on the integrity of any Natura 2000 site. The table below summarises the HRA findings for each policy

Policy	HRA conclusions
Policy 1 – Spatial Strategy	This Policy could not be screened out under Stage 5 step 3 due to specific proposals arising from the policy having possible LSE. Following the application of Mitigation measures the policy can be screened out at stage 6.
Policy 2 – Climate Change	General policy - Does not in itself lead to development or other change. Screened Out HRA Stage 5 – Screening Step 1
Policy 3 - Green Belt and Rural Area	General policy – makes provision for change but is not site specific. Screened out Stage 5 –Screening step 3e
Policy 4 - Development Management, Design and Placemaking	General policy - Does not in itself lead to development or other change. Screened Out HRA Stage 5 – Screening Step 1
Policy 5 – Community Infrastructure Assessment	General policy - Does not in itself lead to development or other change. Screened Out HRA Stage 5 – Screening Step 1
Policy 6 - General Urban Areas/Settlements	General criteria based policy – makes provision for change but is not site specific. Screened out Stage 5 –Screening step 3c
Policy 7 – Employment Land	The policy makes provision for new industrial sites however these have no link to any Natura sites. Screened out Stage 5 –Screening step 3c
Policy 8 - Strategic and Town Centres	The policy makes provision for changes to some boundaries of town centres however these do not involve new development and have no link to any Natura sites. Screened out Stage 5 –Screening step 3c
Policy 9 - Neighbourhood Centres	The policy makes provision for changes to some boundaries of town centres however these do not involve new development and have no link to any Natura sites. Screened out Stage 5 –Screening step 3c
Policy 10 – New Retail/Commercial	General criteria based policy – makes provision for change

Proposals	but is not site specific. Screened out Stage 5 –Screening step 3c
Policy 11 – Economic Development & Regeneration	This Policy could not be screened out under Stage 5 step 3 due to specific proposals arising from the policy having possible LSE. Following the application of Mitigation measures the policy can be screened out at stage 6.
Policy 12- Housing Land	This Policy could not be screened out under Stage 5 step 3 due to specific proposals arising from the policy having possible LSE. Application of Mitigation measures was not relevant. This policy and associated proposals therefore required Appropriate Assessment.
Policy 13 – Affordable Housing and Housing Choice	General policy - Does not in itself lead to development or other change. Screened Out Stage 5 – Screening Step 1
Policy 14 – Green Networks and Greenspace.	This policy is intended to protect the natural environment, including biodiversity, or to conserve or enhance the natural, built or historic environment. Screened out Stage 5 – Screening step 3a
Policy 15 – Natural and Historic Environment	This policy is intended to protect the natural environment, including biodiversity, and to conserve or enhance the natural, built or historic environment. Screened out Stage 5 – Screening step 3a
Policy 16 – Travel and Transport	Policy which refers to proposals set out in other plans. Screened Out Screening Step 2 Projects referred to in, but not proposed by, the plan.
Policy 17 – Water Environment and Flooding	General policy - Does not in itself lead to development or other change. Screened Out HRA Stage 5 – Screening Step 1
Policy 18 - Waste	The policy safeguards existing sites and makes provision for change but does not identify new sites. Screened out Stage 5 –Screening step 3e
Policy 19 – Wind Energy	This Policy could not be screened out under Stage 5 step 3 due to specific proposals arising from the policy having possible LSE. Following the application of Mitigation measures the policy can be screened out at stage 6.

## Appendix 1 – Special Area of Conservation

**Braehead Moss** (122.6ha). This site is designated for supporting extensive areas of Active Raised Bog and areas of degraded bog that has potential for regeneration. The peat bog has arisen from peat developing in two separate basins, which have now fused. The upper and lower bogs are dominated by hummocks largely formed of *Sphagnum* spp., including *S. fuscum* and *S. imbricatum*, and are rich in heather *Calluna vulgaris* and cottongrasses *Eriophorum* spp. Soft *S. cuspidatum* hollows also occur.

	<p><b>Qualifying Interests</b></p> <p><b>Annex I Habitats</b></p> <p>Active Raised Bog*</p> <p>Degraded raised bog still capable of natural regeneration</p> <p>(*Priority Habitat)</p>	<p><b>Site Condition</b></p> <p><b>Bogs (wetland)</b> - Active Raised Bog – Unfavourable no change</p> <p><b>Bogs (wetland)</b> - Degraded Raised Bog – Favourable recovered</p>
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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:

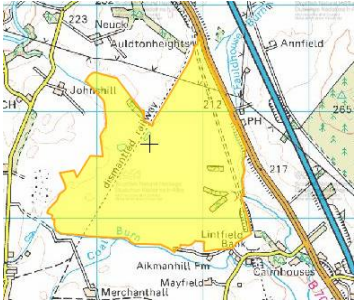
- Extent of the habitat on site
- Distribution of the habitat within site
- Structure and function of the habitat
- Processes supporting the habitat
- Distribution of typical species of the habitat
- Viability of typical species as components of the habitat
- No significant disturbance of typical species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

### Vulnerability Status

Most of this intermediate raised bog with peripheral areas of degraded bog is owned by Scottish Natural Heritage. SNH has taken steps to increase public awareness of the site through liaison with schools and villages in the area. It is essential that water levels within the main expanse of the bog are maintained at current levels and raised where possible. Grazing levels need to be controlled at appropriate levels to ensure the bog surface does not become damaged through poaching. Areas of birch and conifer scrub developing on the bog need to be removed as they will result in the further modification of the vegetation in these areas (in particular the loss of bog mosses) through shading and nutrient enrichment from the accumulation of fallen needles/leaves. A high density of scrub on a bog also causes the bog to dry out through evapo-transpiration and interception of rainfall. Heather should also be controlled as although it is a typical part of raised bog vegetation, too much of it reduces the opportunities for other flowering plants and bog mosses to grow.

<p><b>Clyde Valley Woods</b> (434.66ha) This SAC is designated as it supports the Annex 1 habitat: Tilio-Acerion forests of slopes, screes and ravines. The site represents the most extensive complex of woodland gorges with Tilio-Acerion forests in Scotland. Although, like all Scottish sites, Clyde Valley Woods is beyond the northern distribution limit of lime Tilia spp. it possesses otherwise characteristic features of the Tilio-Acerion. Ground flora typical of the Tilio-Acerion is found in these woods, with some southern species such as Herb Paris Paris <i>quadrifolia</i> and pendulous sedge <i>Carex pendula</i> also present.</p>		
	<p><b>Qualifying Interests</b></p> <p><b>Annex I Habitats</b></p> <p>Tilio-Acerion forests of slopes, screes and ravines*</p> <p>(*Priority Habitat)</p>	<p><b>Site Condition:</b></p> <p><b>Broadleaved, mixed and yew woodland</b> – Mixed woodland on base-rich soils associated with rocky slopes - Favourable Maintained</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</p> <p>To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Extent of the habitat on site</li> <li>• Distribution of the habitat within site</li> <li>• Structure and function of the habitat</li> <li>• Processes supporting the habitat</li> <li>• Distribution of typical species of the habitat</li> <li>• Viability of typical species as components of the habitat</li> <li>• No significant disturbance of typical species of the habitat</li> </ul>		
<p><b>Vulnerability Status</b></p> <p>Invasion of woodlands by non-native tree and shrub species and to a lesser extent non-native herbs can lead to changes in the character and diversity of ground flora and prevent the regeneration of native species. In this case, the extent of the spread of non-native species is localised and occurs mainly near the edges of the woods. In some localised areas there is grazing pressure from sheep or cows and there is also some uncontrolled dumping of refuse. The newly revised National Nature Reserve management plan aims to encourage native broad-leaved woodlands, as do management plans and management agreements covering other parts of the site</p>		

**Coalburn Moss** (224.32ha). This site is designated as it supports extensive areas of the Annex 1 habitat, Active Raised Bog, as well as also supporting areas of degraded bog that has potential for regeneration. Coalburn Moss retains an extensive primary dome, although this is now confined by two abandoned railway lines. The site contains one of the larger tracts of vigorous bog-moss-dominated vegetation in the Central Belt of Scotland, with distinctive wet Sphagnum hollows. Typical bog-mosses include *Sphagnum papillosum* and *S. magellanicum*. Hare's-tail cottongrass *Eriophorum vaginatum*, cranberry *Vaccinium oxycoccos* and reindeer-moss lichen *Cladonia* spp. are also common. The hollows, rich in *S. cuspidatum*, are occasionally fringed by great sundew *Drosera anglica*. Some of the margins of the site also support wetland communities.

	Qualifying Interests	Site Condition
	<p><b>Annex I Habitats</b></p> <p>Active Raised Bog*</p> <p>Degraded raised bog still capable of natural regeneration</p> <p>(*Priority Habitat)</p>	<p><b>Bog (wetland)</b> - Active Raised Bog – Favourable Maintained</p> <p><b>Bog (wetland)</b> - Degraded Raised Bog – Unfavourable Recovering</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:


- 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

#### Vulnerability Status

The majority of this raised bog is owned by Forestry Commission Scotland and a Management Plan has been developed for the site. Ditch damming, tree and scrub removal and the replacement of stock-proof boundary fencing has been carried out recently. Controlled grazing has also been re-introduced to the site.



**Craigengar** (37.31ha) The majority of this site is situated in West Lothian with only small sections encroaching in to South Lanarkshire and the Scottish Borders. This site maintains a number of habitats present as a qualifying feature but the primary reason for site selection is that it contains the largest population of marsh saxifrage *Saxifraga hirculus* in Scotland. It is the largest single colony outside the North Pennines, supporting, in 1999, an estimated 9,666 plants in base-rich flushes in an area of upland heather moorland.

	<p><b>Annex I Habitats</b></p> <p>European dry heaths</p> <p>Species-rich <i>nardus</i> grassland, on siliceous substrates in mountain areas (and sub mountain areas in continental Europe)*</p> <p><b>Annex II Species</b></p> <p>Marsh Saxifrage (<i>saxifraga hirculus</i>) (largest population in Scotland)</p> <p>(*Priority Habitat)</p>	<p><b>Site Condition</b></p> <p><b>Dwarf shrub heath (Upland)</b> – Dry heaths - Unfavourable No Change</p> <p><b>Calcareous grassland (Upland)</b> – Species-rich grassland with mat-grass in upland areas - Unfavourable No Change</p> <p><b>Vascular plants</b> – Marsh saxifrage (<i>Saxifraga hirculus</i>) - Unfavourable No Change</p>
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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

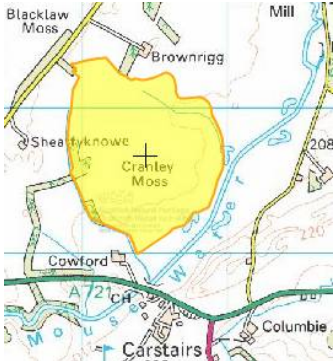
To ensure for the qualifying habitats that the following are maintained in the long term:

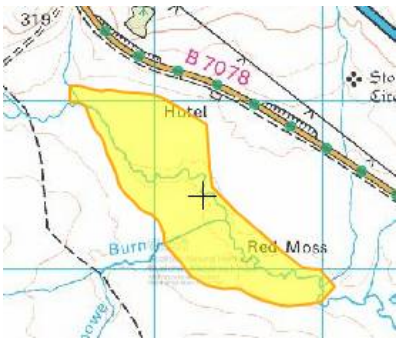
- Extent of the habitat on site
- Distribution of the habitat within site
- Structure and function of the habitat
- Processes supporting the habitat
- Distribution of typical species of the habitat
- Viability of typical species as components of the habitat
- No significant disturbance of typical species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

#### **Vulnerability Status**

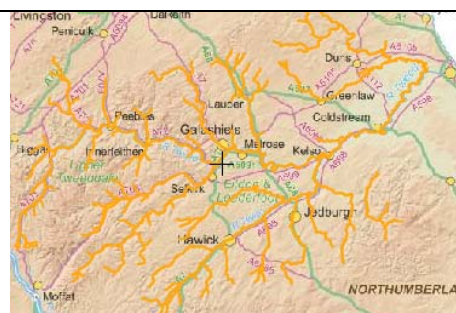
Continued management of burning, grazing and relict drainage plays an important role in maintaining site interests. It is important that any changes to the current regime are carefully considered, particularly in relation to those features currently in unfavourable condition. A Management Agreement is in place.



<p><b>Cranley Moss</b> (101.27ha). This site is designated as it supports extensive areas of the Annex 1 habitat, Active Raised Bog, as well as also supporting areas of degraded bog that has potential for regeneration. Cranley Moss in the central belt of Scotland is important because it is a 'classic' raised bog, with a distinct and clearly defined active dome rising from a flat flood-plain long since converted to agricultural use. Much of the bog margin is intact, but although marshy ground surrounds parts of the site, most of the original lagg fen transition is thought to have been re-claimed. The bog has extensive <i>Sphagnum</i> carpets, which show vigorous growth throughout. <i>Sphagnum imbricatum</i> is found here.</p>		
	<p><b>Qualifying Interests</b></p> <p><b>Annex I Habitats</b></p> <p>Active Raised Bog*</p> <p>Degraded raised bog still capable of natural regeneration</p> <p>(*Priority Habitat)</p>	<p><b>Site Condition</b></p> <p><b>Bog (wetland)</b> - Active Raised Bog – Favourable Maintained</p> <p><b>Bog (wetland)</b> - Degraded Raised Bog – Unfavourable Recovering</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</p> <p>To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Extent of the habitat on site</li> <li>• Distribution of the habitat within site</li> <li>• Structure and function of the habitat</li> <li>• Processes supporting the habitat</li> <li>• Distribution of typical species of the habitat</li> <li>• Viability of typical species as components of the habitat</li> <li>• No significant disturbance of typical species of the habitat</li> </ul>		
<p><b>Vulnerability Status</b></p> <p>This active raised bog and areas of degraded bog are the subject of management agreements to conserve and promote the development of the diversity of peatland habitats. The agreements control drainage and grazing, make provision for the removal of invasive tree scrub and protect the site from the burning of vegetation and the extraction of peat. It is essential that water levels within the main expanse of the bog are maintained at current levels and raised where possible. Grazing levels need to be controlled at appropriate levels to ensure the bog surface does not become damaged through poaching. Areas of birch and conifer scrub developing on the bog need to be removed as they will result in the further modification of the vegetation in these areas (in particular the loss of bog mosses) through shading and nutrient enrichment from the accumulation of fallen needles/leaves. A high density of scrub on a bog also causes the bog to dry out through evapo-transpiration and interception of rainfall.</p>		

<p><b>Red Moss</b> (75.86ha). Red Moss is a small site in the central belt of Scotland comprising three areas of active raised bog together with associated lagg fen communities. The slightly domed areas of mire support typical raised bog vegetation with a good cover of <i>Sphagnum</i> including frequent <i>S. imbricatum</i> hummocks and occasional <i>S. fuscum</i>. Cranberry <i>Vaccinium oxycoccos</i> also occurs.</p>		
	<p><b>Annex I Habitats</b></p> <p>Active Raised Bog* (*Priority Habitat)</p>	<p><b>Site Condition</b></p> <p><b>Bog (wetland)</b> - Active Raised Bog – Unfavourable Recovering</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</p> <p>To ensure for the qualifying habitats that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Extent of the habitat on site</li> <li>• Distribution of the habitat within site</li> <li>• Structure and function of the habitat</li> <li>• Processes supporting the habitat</li> <li>• Distribution of typical species of the habitat</li> <li>• Viability of typical species as components of the habitat</li> <li>• No significant disturbance of typical species of the habitat</li> </ul>		
<p><b>Vulnerability Status</b></p> <p>All but 0.5 hectares of the site has been managed under three Management Agreements (which expire in 2012 and 2013). Management measures are part of the SNH South Scotland Bog Scheme (SSBS) and include: the installation of approximately 80 plastic piling dams within eroding ditch areas of the site; fencing off dangerous wet areas of the site; maintaining light grazing access throughout the site; opening up access to the areas of willow scrub to allow controlled grazing which should suppress undesirable expansion of the scrub.</p>		

**River Tweed** (3379.59ha). The River Tweed SAC expands across several borders including Northumberland, Scottish Borders with the upper tributary water bodies encroaching into South Lanarkshire. The SAC consists of tidal rivers, estuaries, mud flats, sand flats, lagoons (including saltwork basins), inland water bodies (standing water, running water), bogs, marshes, water fringed vegetation, fens and broad-leaved deciduous woodland. The Tweed is the most species-rich example, of a river with *Ranunculus* in Scotland, and the only selected in Scotland. The river has a high ecological diversity which reflects the mixed geology of the catchment. The river supports a very large, high-quality salmon population, with sub-catchments in both Scotland and England. The river system provides extensive habitat for otters, with the extensive tributary burns provide good feeding habitat.



#### Annex I Habitats

Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation

#### Annex II Species

Atlantic salmon *Salmo salar*

Otter *Lutra lutra*

River lamprey *Lampetra fluviatilis*

Sea Lamprey

Brook Lamprey

#### Site Condition

**Atlantic salmon** - Unfavourable Recovering

**Rivers with floating vegetation often dominated by water-crowfoot** - Unfavourable No change

**Sea lamprey** - Unfavourable No change

**Brook lamprey** - Unfavourable No change

**River lamprey** - Unfavourable No change

**Otter** - Favourable Maintained

#### Conservation objectives for the following Qualifying Habitat:

- Rivers with floating vegetation often dominated by water-crowfoot

To avoid deterioration of the qualifying habitat (listed below) 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

#### Conservation objectives for the following Qualifying Species:

- Atlantic salmon (*Salmo salar*)
- Sea lamprey (*Petromyzon marinus*)
- Brook lamprey (*Lampetra planeri*)
- River lamprey (*Lampetra fluviatilis*)
- Otter (*Lutra lutra*)

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

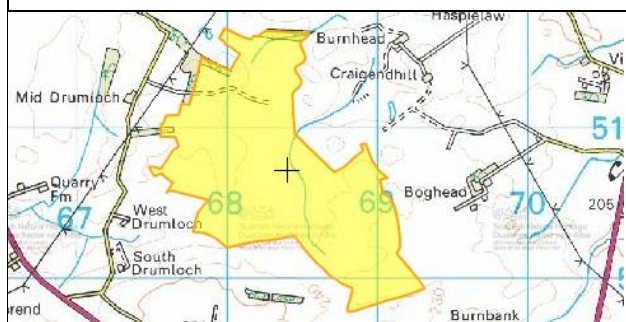
To ensure for the qualifying species that the following are maintained in the long term:

- Population of the species, 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

#### Vulnerability Status

The main impacts on the river are from pollution, acidification and eutrophication, river-works and bankside management, genetic pollution and disease, abstraction and impoundment management. Aspects of pollution and eutrophication from point-sources are addressed in Scotland through current SEPA regulations and will be enhanced through the Water Framework Directive which will also tackle diffuse pollution. River-works are controlled by fisheries legislation, planning control and guidance through Tweed Forum River-Works Subgroup. Water resource management will also be addressed by WFD. Problems arising from potential genetic pollution of native fish populations will also be subject to existing statutory controls. Current standards of forestry practice already minimise impacts. In England, aspects of pollution and eutrophication from point sources, impoundment management and river-works are addressed by the Environment Agency. The River Tweed Catchment Management Plan, SSSI consents and Habitats Directive regulation will combine to effect long-term protection of the site and its features.

**Waukenwae Moss** (155.49ha). Waukenwae Moss has extensive areas of active raised bog. It displays some of the best Sphagnum-hollow patterning to be found in bogs in this part of Scotland and also has several hummocks of *Sphagnum imbricatum*. The bulk of the site is relatively intact, having suffered little from marginal domestic peat-cutting.



#### Annex I Habitats

Active Raised Bog\*  
Degraded raised bog still capable of natural regeneration  
(\*Priority Habitat)

#### Site Condition

**Bogs (wetland)** -  
Active Raised Bog – Favourable recovered  
  
**Bog (wetland)** -  
Degraded Raised Bog – Unfavourable Recovering

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 habitat
- No significant disturbance of typical species of the habitat

#### Vulnerability Status

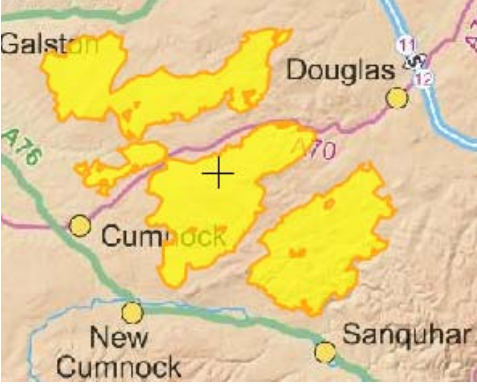
There has been recent work under SNH's South Scotland Bogs Scheme to block ditches using plastic piling dams. In some other areas, ditches dug across the middle of the bog have naturally become

blocked with bog mosses, and this process of natural recovery is likely to continue without active intervention. Besides the support for land managers through SNH's South Scotland Bog Scheme (SSBS), positive management works have been funded on some parts of the site through a variety of schemes including Countryside Premium Scheme, Rural Stewardship Scheme (RSS) and SNH Management Agreements. These schemes have allowed for a reduction in stocking levels and the erection of fencing to control grazing on parts of the site.

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## Appendix 2 – Special Protection Area

**Muirkirk & North Lowther Uplands** (26,330 ha) The SPA is an extensive area of moorland extending south from near Darvel in South Ayrshire to near Kirkconnel in Dumfries and Galloway. Three areas of the SPA lie within South Lanarkshire – south of Glentagart, west of Glespin, around Logan Reservoir and west of Glengavel Reservoir. It is of outstanding interest for its variety of upland habitats and breeding birds. There are large tracts of blanket bog, wet and dry heaths and upland grasslands which support a rich variety of moorland breeding birds. The SPA has been designated international importance and for its breeding short eared owl, hen harrier, merlin, peregrine and golden plover and its wintering population of hen harriers. The SPA takes in the Muirkirk Uplands Site of Special Scientific Interest (SSSI) and North Lowther Uplands SSSI together with Blood Moss and Slot Burn SSSI, Garpel Water SSSI and Ree Burn and Glenbuck Loch SSSI.

	<p><b>Qualifying Species</b></p> <p>Golden plover (<i>Pluvialis apricaria</i>), breeding Birds</p> <p>Hen harrier (<i>Circus cyaneus</i>), breeding Birds</p> <p>Hen harrier (<i>Circus cyaneus</i>), non-breeding Birds</p> <p>Merlin (<i>Falco columbarius</i>), breeding Birds</p> <p>Peregrine (<i>Falco peregrinus</i>), breeding Birds</p> <p>Short-eared Owl (<i>Asio flammeus</i>), breeding Birds</p>	<p><b>Site Condition</b></p> <p><b>Golden plover (<i>Pluvialis apricaria</i>)</b> – Favourable Maintained</p> <p><b>Hen harrier (<i>Circus cyaneus</i>) (breeding and non-breeding)</b> – Unfavourable Declining</p> <p><b>Merlin (<i>Falco columbarius</i>)</b> – Unfavourable No change</p> <p><b>Peregrine (<i>Falco peregrinus</i>)</b> – Unfavourable No change</p> <p><b>Short-eared owl (<i>Asio flammeus</i>)</b> – Favourable Maintained</p>
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### Conservation objective for the following Qualifying Species:

Golden plover (*Pluvialis apricaria*)

Hen harrier (*Circus cyaneus*)

Merlin (*Falco columbarius*)

Peregrine (*Falco peregrinus*)

Short-eared owl (*Asio flammeus*)

To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and

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

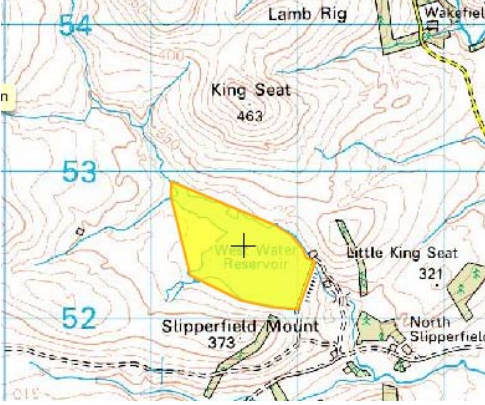
- Population of the species as a viable component of the site
- Distribution of the species within site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species

**Vulnerability Status**

Breeding raptors and golden plover are potentially vulnerable to disturbance from agricultural practices, game management and recreational activities (including walking and birdwatching) on the site. Potential threats to the moorland include degradation, loss of heather and peat erosion through inappropriate muirburn, overgrazing, public/vehicular access and the spread of bracken. It is important that any land management practices – existing and proposed – and any land use changes are carefully planned to avoid disturbance to nesting and wintering locations.



**Westwater** (49.77 ha) Westwater Reservoir is located in the Pentland Hills of southern Scotland. It is an artificial reservoir forming part of the Lothian water supply. Westwater regularly provides a winter roost for many wildfowl, including large numbers of Pink-footed Geese *Anser brachyrhynchus*. The geese feed in surrounding areas of agricultural land outside the SPA.

	Qualifying Species	Site Condition
	<p>Pink-footed goose (<i>Anser brachyrhynchus</i>), non-breeding</p> <p>Waterfowl assemblage, non-breeding</p>	<p><b>Pink-footed goose (<i>Anser brachyrhynchus</i>), non-breeding – Favourable Maintained</b></p> <p><b>Waterfowl assemblage, non-breeding – Favourable Maintained</b></p>

**Conservation objective for the following Qualifying Species:**

Pink-footed goose (*Anser brachyrhynchus*), non-breeding

Waterfowl assemblage, non-breeding

To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and

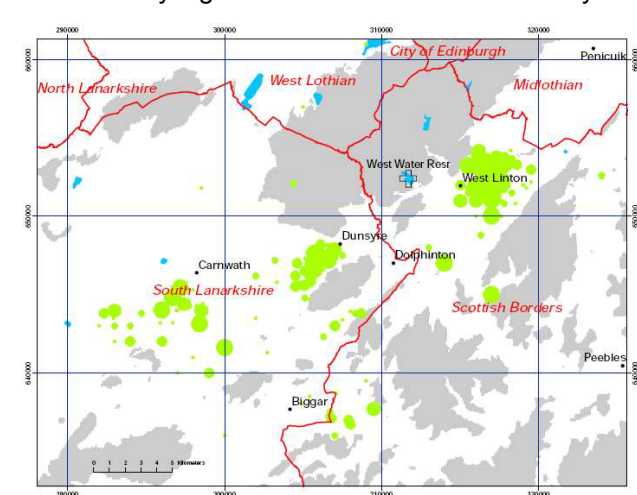
To ensure for the qualifying species that the following are maintained in the long term:

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

**Vulnerability Status**

Shooting is now prohibited within the SPA boundary although consents are in place to allow for legal pest control. Shooting continues to take place outwith the site boundary on flight paths leaving the roost. Fishing currently has a closed period over the critical winter months for the bird interests. This should continue in order to minimise disturbance to the roost. Public access has previously been discouraged for understandable reasons. However, the site and its features can be enjoyed if access is taken responsibly in line with the Scottish Outdoor Access Code. Information boards, signage and publications may help to promote a greater understanding of the site and prevent unintentional disturbance.

Pink-footed geese are one of the qualifying interests of the Westwater Reservoir SPA. The geese are generally present between September and April. Areas of South Lanarkshire within 20km of the SPA are within the core winter foraging range of the geese. Individual development proposals within this area could have a likely significant effect on the SPA. Early autumn (late Sept/early Oct) appears to be the peak arrival



time for geese at the SPA. The two main directions geese arrived from are south/south-south west/south west (relating to the Biggar/Broughton, Dunsyre valley and Carnwarth/Libberton areas) and the North East/East-North East/East (relating to the West Linton area), with approximately 70% of the geese arrived at the roost from the South Lanarkshire side.



The Map shows the locations of the main feeding areas for the geese found in South Lanarkshire. The feeding areas are particularly concentrated around:

- Biggar/Broughton valley
- Dunsyre valley
- The Meetings/Carnwath to Libberton and Carstairs

The initial arrival of the birds in autumn can lead to the occurrence of some substantial feeding flocks, in particular in the Meetings area of the Clyde. More recently reduced flock numbers have been observed.





## **South Lanarkshire Local Development Plan**

South Lanarkshire Council  
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Planning and Building Standards Services  
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