

**AYRSHIRE JOINT STRUCTURE PLAN 2025:  
“Growing a Sustainable Ayrshire”**

**REPORT OF SURVEY  
TECHNICAL REPORT TR09/2006**

**AN ASSESSMENT OF THE IMPACT OF THE  
AYRSHIRE JOINT STRUCTURE PLAN  
ON NATURA 2000  
(APPROPRIATE ASSESSMENT)**

**FOREWORD**

This technical report is part of the Report of Survey for the Ayrshire Joint Structure Plan. The full list of technical reports is appended to the back of this document. They are available on request, and in some instances will be subject to a minimum charge.

The purpose of these documents is to provide the reader with the evidence used in determining the policies that go to make up the structure plan. It is intended they will be updated as necessary.

Further information about the contents of this document, together with information about the Ayrshire Joint Structure Plan process and timescale can be obtained from the Ayrshire Joint Structure Plan & Transportation Committee at the address noted below.

Ayrshire Joint Structure Plan & Transportation Committee  
Prestwick Municipal Chambers  
15 Links Road  
Prestwick  
Ayrshire  
KA9 1QG

Tel: 01292 673760  
Fax: 01292 671455  
E-Mail: [AJSPmail@south-ayrshire.gov.uk](mailto:AJSPmail@south-ayrshire.gov.uk)

© May 2006

**CONTENTS**

	<b>Page</b>
1 INTRODUCTION	4
2 IDENTIFICATION OF POTENTIAL IMPACTS	4
3 PROTECTION OF NATURA 2000 SITES IN THE AYRSHIRE JOINT STRUCTURE PLAN 2025	5
4 ASSESSMENT METHODOLOGY	6
5 FINDINGS	7
6 CONCLUSION	8
APPENDIX 1	9
APPENDIX 2	25
APPENDIX 3	26
APPENDIX 4	28

## 1 INTRODUCTION

Following a ruling by the European Court of Justice (ECJ) in October 2005, plans which are likely to have a significant effect on Special Protection Areas (SPAs) or Special Areas of Conservation (SACs) can be approved only after an appropriate assessment of the implications for the policies or proposals on the sites has been carried out, under the provisions of Article 6(3) and (4) of the Habitats Directive 1992. The requirements are transposed into UK law, in this context, primarily by Regulations 48, 49 and 53 of the *Conservation (Natural Habitats & c) Regulations 1994*. Scottish Ministers have also extended the requirement for assessment to Ramsar sites, listed under the international convention on the conservation of wetlands of international importance, and potential SPAs, before they are fully classified. The Scottish Executive conveyed the outcome of this ruling to local authority planners in December 2006. By this time the Ayrshire Joint Structure Plan 2025 had been finalised. The assessment examines each policy against the twelve Natura 2000 sites in and around Ayrshire to identify whether it would have an impact on them.

## 2 IDENTIFICATION OF POTENTIAL IMPACTS

In the area covered by the Ayrshire Joint Structure Plan there are five Special Protection Areas, including one that is going through the process of designation and six Special Areas of Conservation. These are listed below:

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

Merrick Kells  
Bankhead Moss  
Cockinhead Moss  
Dykeneuk Moss  
Airds Moss  
Lendalfoot Hills Complex

### **Special Protection Areas:**

Muirkirk and North Lowther Uplands  
Arran Moors  
Ailsa Craig  
Glen App and Galloway Moors  
Renfrewshire Heights – currently going through the designation process.

There are no Ramsar sites in Ayrshire.

Clyde Valley Woods cSAC (which is out with the Plan area) also has the potential to be affected by one of the Structure Plan policies.

There are no other Natura 2000 sites that could be influenced by the Structure Plan's policies.

Scottish Natural Heritage (SNH), the appropriate advisory body on nature conservation, responded to the consultation draft Ayrshire Joint Structure Plan and commented on the potential impacts of the Plan's policies on Natura 2000 sites.

Particular reference was made to the potential for two proposed road schemes – the A77 and the M74 link, to have impacts on a number of Natura 2000 sites. SNH also noted that the M74 scheme could have an effect on the Clyde Valley Wood cSAC, which is not within the Ayrshire boundaries. SNH’s only other comments regarding Natura 2000 sites mentioned the need to ensure that the development of recreational and tourism facilities do not have an adverse effect on them and that references to the Habitats Regulations should indicate the importance of this legislation.

A number of the policies, such as ECON 3 – Local and Business Opportunities, apply to large parts of the Structure Plan area, potentially including Natura 2000 sites. However, because of overarching policies elsewhere in the Plan that safeguard these sites (see below), they would remain outside the scope of any adverse developments. These policies are identified in the tables in Appendix 1, where the ‘Likely effect’ on the Natura 2000 site is recorded as ‘N/K’ and ‘Yes’ is recorded under ‘Impacts avoided in the context of other policies’. Issues that need to be examined when deciding whether or not to approve applications for development are listed in Appendix 2.

### **3 PROTECTION OF NATURA 2000 SITES IN THE AYRSHIRE JOINT STRUCTURE PLAN 2025**

A key aim of the Structure Plan is to ensure that new development does not have adverse effects on the environment, particularly sites of national and international importance. One of the key objectives of the Plan is to ‘safeguard and enhance the quality of the environment’. The Plan also contains two overarching policies that aim to protect the natural environment:

Policy STRAT 1 says that:

“Development should not lead to any unacceptable damage to priority species and habitats.”\*

Policy ENV 7 says that:

“The three Ayrshire Councils shall ‘recognise international and national heritage designations and the statutory protection afforded by them’” and “Local plans shall prepare detailed policies for the protection of all sites of recognised international and national natural heritage importance.”

All development proposals, whether on allocated sites or not, are required to comply with the above policies. Under these policies, if a development were put forward which would adversely affect the integrity of any European site and where imperative reasons of overriding public interest (IROPI) have not been agreed with the Scottish Executive, it would not comply with the Structure Plan and an objection would be raised.

---

\* Unacceptable damage to priority species and habitats would include an adverse affect on the integrity of a European site except where in exceptional circumstances imperative reasons of overriding public interest have been agreed with the Scottish Executive

Natura 2000 sites were identified early on in the process of preparing the Plan to ensure that any locationally specific policies would avoid adversely impacting on them. An illustration of this is the establishment of a buffer area around Glen App and Galloway Moors SPA so that the Preferred Area for windfarms did not abut it. The majority of the development proposed by the Structure Plan is contained within the urban envelope or existing communities and well away from Natura 2000 sites.

#### **4 ASSESSMENT METHODOLOGY**

The five Special Protection Areas and seven Special Areas of Conservation were identified and the boundaries highlighted. The reason for their designation was also noted, as this would affect their sensitivity to certain types of impact.

The following stages were carried out to assess the impacts of the Ayrshire Joint Structure Plan's policies on Natura 2000 sites.

- (a) Each policy was assessed against each Natura 2000 site to see whether it would be likely to have a significant effect on the site. The information for this assessment was gathered partly from SNH's response to the consultation draft Structure Plan and partly from an internal exercise which mapped the Natura 2000 sites on to a GIS system and identified whether there was any potential for the locationally specific policies in the Plan to impact on them. The officer from the responsible authority used a degree of judgement in this assessment but this was only in cases where it was felt that SNH may have overlooked a potential impact, either because the policy had changed since the consultation draft, or because the ECJ ruling altered the way in which the Structure Plan needed to be assessed. Only those policies which were likely to have a significant effect on a Natura 2000 site were taken forward to be examined by an appropriate assessment.

Where there was a possibility that a policy might adversely impact on the integrity of the Natura 2000 site, the impact was further examined to see whether it would be avoided due to other policies within the Plan. The assessments against specific policies were made in the context of the whole Structure Plan, so that if a specific policy might have had the potential in itself to negatively impact on a Natura 2000 site but another policy in the Plan, particularly the overarching environmental policies, guarded against this, then it was regarded as not having an effect on the sites, as it had, in effect, been vetoed (See example in Appendix 3). This rationale was only used in the case of general, rather than locationally specific policies, where the policy could still be delivered in the context of the overarching environmental policies.

- (b) If it was uncertain as to whether adverse effects on the site would be avoided through other policies in the Plan, this was recorded and a more detailed assessment of whether the policy would adversely affect the Natura 2000 site was undertaken. It would also have been recorded if there had been a high likelihood of one of the policies having a negative affect on Natura 2000 sites. At this stage of the appropriate assessment it was necessary to examine whether the potential impact of the policies could be avoided if modifications, conditions or restrictions were put in place. Because of the strategic nature of

structure plan policies, details of developments were not available and for this reason the appropriate assessment examined whether there were options available, including safeguarding wording, at a more detailed level to avoid adverse effects on Natura 2000 sites and still deliver the policy. If there were, these options would have to be taken, though this did not preclude an assessment at a more detailed level.

## 5 FINDINGS

As noted above, in its response to the consultation draft, SNH indicated that there was the potential for two road schemes, the A77 and the M74 link, to impact on Natura 2000 sites. The wording of the policy TRANS 3 in the Structure Plan, which supports these two schemes, indicates that there is a need for further study of the routes, including a feasibility study, which would take into account the need for an appropriate assessment if one were required at this more detailed level. A study is currently being carried out by Scottish Executive to investigate the potential for widening a section of the A77 that runs alongside Lendalfoot Hills Complex SAC. However, because the site is set a considerable distance from this particular section of the road and at a different contour level, it is not considered that it will have likely significant effect on it.

There is a proposal in the 1997 A77 Route Action Plan to add a climbing lane on to the section of the A77 that passes through Glen App and Galloway Moors SPA. This is currently being progressed by Transport Scotland and consultants are already in the process of carrying out an appropriate assessment of the scheme, where it will be possible to assess the options and possible effects on the SPA in more detail. For this reason and the fact that the Scottish Executive through Transport Scotland is ultimately responsible for the scheme, it was felt that it was unnecessary to go into any further detail in this assessment.

In discussion with SNH it was agreed that the M74 link scheme was not at a stage where a detailed appropriate assessment could be carried out, however one is likely to be needed further on in the scheme's development. There are viable options, including taking the route along the A71, which would be unlikely to have a significant affect on Natura 2000 sites. The A71 is a considerable distance away from the SPA. Issues pertaining to the scheme are described in more detail in Appendix 4.

It should be noted that whilst the Structure Plan is supporting improvements to these schemes, responsibility for the design, development and implementation of trunk roads falls to the Scottish Executive through Transport Scotland. This means that the road improvements could be carried out without the support of the Structure Plan.

The other policy area where SNH raised the issue of Natura 2000 sites regarded strategic recreational opportunities. Policy ECON 13 specifically refers to the Isle of Arran and Ailsa Craig, both of which are covered by SPAs, Ailsa Craig wholly and Arran partly. However, the wording of the policy and the context of other policies in the Structure Plan would preclude recreational developments that would have an adverse effect on the integrity of these sites.

Policies where there is an uncertainty about whether they will have an adverse impact on the integrity of a Natura 2000 have been highlighted in red in the matrices in Appendix 1.

## **6 CONCLUSION**

It is concluded that with mitigating policies and the alternative options available, the adoption and implementation of the Ayrshire Joint Structure Plan would not adversely affect the integrity of the Natura 2000 sites in Ayrshire or nearby where influenced by the Plan. The assessment has been carried to the degree that is appropriate to this Plan and a more detailed assessment will have to be carried out a later stage for certain developments as the proposals are developed. Any proposal which proceeds to further detailed development will only be compliant with the Plan where it can be ascertained, following further assessment, that it will not adversely affect the integrity of any European site, or where in exceptional circumstances IROPI have been agreed with the Scottish Executive.



**APPENDIX 1**

- N = Policy will not have an impact on the Natura 2000 site.  
 N/K = There is an uncertainty as to whether the policy will have an impact on a Natura 2000 site.  
 + = The policy is likely to have a positive impact on a Natura 2000 site.  
 - = The policy is likely to have a negative impact on a Natura 2000 site.  
 ? = There is an uncertainty over whether the effects of the policy can be fully mitigated or avoided in the context of other policies in the Plan.

**Glen App and Galloway Moors SPA**

<b>Policy Number</b>	<b>Likely effect on SPA</b>	<b>Impacts avoided in context of other policies?</b>	<b>Reasons /Comments</b>
STRAT 1	+		
STRAT 2	N/K	Yes	
ECON 1	N		
ECON 2	N		
ECON 3	N/K	Yes	
ECON 4	N		
ECON 5	N		
ECON 6	N/K	Yes	
ECON 7	N		One of the Preferred Areas for wind farms was located in the general area of the SPA at the consultation draft stage of the plan. After further consideration the boundary to the Preferred Area was pulled back to allow a significant buffer zone with the SPA. It is thus not have a significant effect.
ECON 8	N/K	Yes	
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N/K	Yes	Proposals for tourism developments would only be supported if ascertained that they do not adversely affect the integrity of the site.
ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 +	N		

COMM 3			
COMM 4	N		
COMM 5	N/K	Yes	
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N/K	Yes	In accordance with the Ayrshire and Arran Woodland Strategy, further planting would in general be severely limited and only be supported if it positively contributed to the integrity of the site.
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	N		
ENV 10	N/K	Yes	
ENV 11	+		
ENV 12 + 13 + 14	N/K	Yes	
TRANS 1	N		
TRANS 2	N		
TRANS 3	Y	?	The A77 runs through the SPA but options exist for the road improvements to take place while avoiding having an adverse effect on the integrity of the site. Consultants are currently undertaking an appropriate assessment of the scheme. See Findings.
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		
IMP 1	N		
IMP 2	N		

### Arran Moors SPA

Policy Number	Likely effect on SPA	Impacts avoided in context of other policies?	Reasons /Comments
STRAT 1	+		
START 2	N/K	Yes	
ECON 1	N		

ECON 2	N		
ECON 3	N/K	Yes	
ECON 4	N		
ECON 5	N		
ECON 6	N/K	Yes	
ECON 7	N		
ECON 8	N/K	Yes	
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N/K	Yes	Policy refers to the development of an integrated coast based tourist, leisure and recreational area which includes Arran, however tourism developments would only be supported if it is ascertained that they do not adversely affect the integrity of the site.
ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N/K	Yes	
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N/K	Yes	In accordance with the Ayrshire and Arran Woodland Strategy, further planting would in general be severely limited and only be supported if it positively contributed to the integrity of the site.
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	N		
ENV 10	N/K	Yes	
ENV 11	+		
ENV 12 + 13 + 14	N/K	Yes	
TRANS 1	N		
TRANS 2	N		
TRANS 3	N/K	Yes	
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		

IMP 1	N		
IMP 2	N		

### Ailsa Craig SPA

Policy Number	Likely effect on SPA	Impacts avoided in context of other policies?	Reasons /Comments
STRAT 1	+		
STRAT 2	N/K	Yes	
ECON 1	N		
ECON 2	N		
ECON 3	N		
ECON 4	N		
ECON 5	N		
ECON 6	N		
ECON 7	N		
ECON 8	N		
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N/K	Yes	Policy refers to the development of an integrated coast based tourist, leisure and recreational area which includes Ailsa Craig, however tourism developments would only be supported if it is ascertained that they do not adversely affect the integrity of the site.
ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N		
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N		
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	N		
ENV 10	+		ICZM is likely to assist in the management of the marine

			environment.
ENV 11	+		
ENV 12 + 13 + 14	N		
TRANS 1	N		
TRANS 2	N		
TRANS 3	N		
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		
IMP 1	N		
IMP 2	N		

### **Muirkirk and North Lowther Uplands SPA**

<b>Policy Number</b>	<b>Likely effect on SPA</b>	<b>Impacts avoided in context of other policies?</b>	<b>Reasons /Comments</b>
STRAT 1	+		
STRAT 2	N/K	Yes	
ECON 1	N		
ECON 2	N		
ECON 3	N/K	Yes	
ECON 4	N		
ECON 5	N		
ECON 6	N/K	Yes	
ECON 7	N		
ECON 8	N/K	Yes	
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N/K	Yes	Proposals for tourism developments would only be supported if ascertained that they do not adversely affect the integrity of the site.
ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N/K	Yes	
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N/K	Yes	In accordance with the Ayrshire and

			Arran Woodland Strategy, further planting would in general be severely limited and only be supported if it positively contributed to the integrity of the site.
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	N		
ENV 10	N/K	Yes	
ENV 11	+		
ENV 12 + 13 + 14	N/K	Yes	
TRANS 1	N		
TRANS 2	N		
<b>TRANS 3</b>	<b>Y</b>	<b>?</b>	<b>The M74 link could potentially have impacts on SPA. This will largely depend on route selection and the impacts would need to be assessed at a more detailed scale as indicated in the policy. See Findings.</b>
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		
IMP 1	N		
IMP 2	N		

### **Renfrewshire Heights SPA**

<b>Policy Number</b>	<b>Likely effect on SPA</b>	<b>Impacts avoided in context of other policies?</b>	<b>Reasons /Comments</b>
STRAT 1	+		
STRAT 2	N/K	Yes	
ECON 1	N		
ECON 2	N		
ECON 3	N/K	Yes	
ECON 4	N		
ECON 5	N		
ECON 6	N/K	Yes	
ECON 7	N		
ECON 8	N		
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N/K	Yes	Proposals for tourism developments would only be supported if they do not

			adversely affect the integrity of the site.
ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N/K	Yes	
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N/K	Yes	In accordance with the Ayrshire and Arran Woodland Strategy, further planting would in general be severely limited and only be supported if it positively contributed to the integrity of the site.
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	N		
ENV 10	N/K	Yes	
ENV 11	+		
ENV 12 + 13 + 14	N/K	Yes	
TRANS 1	N		
TRANS 2	N		
TRANS 3	N/K	Yes	
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		
IMP 1	N		
IMP 2	N		

### Cockinhead Moss SAC

Policy Number	Likely effect on SAC	Impacts avoided in context of other policies?	Reasons /Comments
STRAT 1	+		
STRAT 2	N/K	Yes	
ECON 1	N		
ECON 2	N		
ECON 3	N/K	Yes	
ECON 4	N		

ECON 5	N		
ECON 6	N/K	Yes	
ECON 7	N		
ECON 8	N		
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N/K	Yes	Proposals for tourism developments would only be supported if they do not adversely affect the integrity of the site.
ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N/K	Yes	
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N		
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	+		Water Framework Directive is likely to make it easier to safeguard and enhance sites that are closely linked with the water environment such as Cockinhead Moss SAC.
ENV 10	N/K	Yes	
ENV 11	+		
ENV 12 + 13 + 14	N/K	Yes	
TRANS 1	N		
TRANS 2	N		
TRANS 3	N/K	Yes	
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		
IMP 1	N		
IMP 2	N		

**Bankhead Moss, Beith SAC**

Policy Number	Likely effect on SAC	Impacts avoided in	Reasons /Comments
---------------	----------------------	--------------------	-------------------



		context of other policies?	
STRAT 1	+		
STRAT 2	N/K	Yes	
ECON 1	N		
ECON 2	N		
ECON 3	N/K	Yes	
ECON 4	N		
ECON 5	N		
ECON 6	N/K	Yes	
ECON 7	N		
ECON 8	N		
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N/K	Yes	Proposals for tourism developments would only be supported if they do not adversely affect the integrity of the site.
ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N/K	Yes	
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N/K	Yes	
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	+		Water Framework Directive is likely to make it easier to safeguard and enhance sites that are closely linked with the water environment.
ENV 10	N/K	Yes	
ENV 11	+		
ENV 12 + 13 + 14	N/K	Yes	
TRANS 1	N		
TRANS 2	N		
TRANS 3	N/K	Yes	
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		

IMP 1	N		
IMP 2	N		

**Dykeneuk Moss SAC**

Policy Number	Likely effect on SAC	Impacts avoided in context of other policies?	Reasons /Comments
STRAT 1	+		
STRAT 2	N/K	Yes	
ECON 1	N		
ECON 2	N		
ECON 3	N/K	Yes	
ECON 4	N		
ECON 5	N		
ECON 6	N/K	Yes	
ECON 7	N		
ECON 8	N		
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N/K	Yes	Proposals for tourism developments would only be supported if they do not adversely affect the integrity of the site.
ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N/K	Yes	
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N/K	Yes	
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	+		Water Framework Directive is likely to make it easier to safeguard and enhance sites that are closely linked with the water environment.
ENV 10	N/K	Yes	
ENV 11	+		

ENV 12 + 13 + 14	N/K	Yes	
TRANS 1	N		
TRANS 2	N		
TRANS 3	N/K	Yes	
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		
IMP 1	N		
IMP 2	N		

### Airds Moss SAC

Policy Number	Likely effect on SAC	Impacts avoided in context of other policies?	Reasons /Comments
STRAT 1	+		
STRAT 2	N/K	Yes	
ECON 1	N		
ECON 2	N		
ECON 3	N/K	Yes	
ECON 4	N		
ECON 5	N		
ECON 6	N/K	Yes	
ECON 7	N		
ECON 8	N		
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N/K	Yes	Proposals for tourism developments would only be supported if they do not adversely affect the integrity of the site.
ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N		
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N/K	Yes	
ENV 6	N		

ENV 7	+		
ENV 8	N		
ENV 9	+		Water Framework Directive is likely to make it easier to safeguard and enhance sites that are closely linked with the water environment.
ENV 10	N/K	Yes	
ENV 11	+		
ENV 12 + 13 + 14	N/K	Yes	
TRANS 1	N/K	Yes	
TRANS 2	N		
<b>TRANS 3</b>	<b>Y</b>	<b>?</b>	<b>The M74 link could potentially have impacts on SAC. This will largely depend on route selection and the impacts would need to be assessed at a more detailed scale as indicated in the policy. See Findings.</b>
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		
IMP 1	N		
IMP 2	N		

### **Lendalfoot Hills Complex SAC**

<b>Policy Number</b>	<b>Likely effect on SAC</b>	<b>Impacts avoided in context of other policies?</b>	<b>Reasons /Comments</b>
STRAT 1	+		
STRAT2	N/K	Yes	
ECON 1	N		
ECON 2	N		
ECON 3	N/K	Yes	
ECON 4	N		
ECON 5	N		
ECON 6	N/K	Yes	
ECON 7	N		
ECON 8	N		
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N/K	Yes	Proposals for tourism developments would only be supported if they do not adversely affect the integrity of the site.

ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N/K	Yes	
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N/K	Yes	
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	+		Water Framework Directive is likely to make it easier to safeguard and enhance sites that are closely linked with the water environment.
ENV 10	N/K	Yes	
ENV 11	+		
ENV 12 + 13 + 14	N/K	Yes	
TRANS 1	N/K	Yes	
TRANS 2	N		
TRANS 3	N		Section of the A77 identified for improvement is set well away from SAC.
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		
IMP 1	N		
IMP 2	N		

### Merrick Kells SAC

Policy Number	Likely effect on SAC	Impacts avoided in context of other policies?	Reasons /Comments
STRAT 1	+		
STRAT 2	N/K	Yes	
ECON 1	N		
ECON 2	N		
ECON 3	N/K	Yes	
ECON 4	N		
ECON 5	N		

ECON 6	N/K	Yes	
ECON 7	N		
ECON 8	N		
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	+		Proposals for tourism developments would only be supported if they do not adversely affect the integrity of the site. This SAC is likely to be incorporated within the proposed Biosphere Reserve in southern Ayrshire, however this would be likely to have a positive effect on it.
ECON 14	N/K	Yes	
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N/K	Yes	
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N/K	Yes	
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	+		Water Framework Directive is likely to make it easier to safeguard and enhance sites that are closely linked with the water environment.
ENV 10	N/K	Yes	
ENV 11	+		
ENV 12 + 13 + 14	N/K	Yes	
TRANS 1	N/K	Yes	
TRANS 2	N		
TRANS 3	N		
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		
IMP 1	N		
IMP 2	N		

**Clyde Valley Woodlands SAC**

<b>Policy Number</b>	<b>Likely effect on SAC</b>	<b>Impacts avoided in context of other policies?</b>	<b>Reasons /Comments</b>
STRAT 1	+		
STRAT 2	N		
ECON 1	N		
ECON 2	N		
ECON 3	N		
ECON 4	N		
ECON 5	N		
ECON 6	N		
ECON 7	N		
ECON 8	N		
ECON 9	N		
ECON 10	N		
ECON 11	N		
ECON 12 + 13	N		
ECON 14	N		
COMM 1	N		
COMM 2 + COMM 3	N		
COMM 4	N		
COMM 5	N		
COMM 6	N		
ENV 1	N		
ENV 2	N		
ENV 3	N		
ENV 4	N		
ENV 5	N		
ENV 6	N		
ENV 7	+		
ENV 8	N		
ENV 9	N		
ENV 10	N		
ENV 11	N		
ENV 12 + 13 + 14	N		
TRANS 1	N		
TRANS 2	N		
<b>TRANS 3</b>	<b>Y</b>	<b>?</b>	<b>The M74 link could potentially have impacts on SAC. This will largely depend on route selection and the</b>

			impacts would need to be assessed at a more detailed scale as indicated in the policy. See Findings
TRANS 4	N		
TRANS 5	N		
TRANS 6	N		
IMP 1	N		
IMP 2	N		



## APPENDIX 2

### **Issues that need to be examined at a project stage to ensure that developments will not have any adverse effect on the integrity of a European site:**

- Landtake from a Natura 2000 site
- Noise disturbance
- Hydrological effects
- Air pollution
- Barrier effects, where the development prevents or hinders the movement of a qualifying species.
- Light pollution
- Whether the development will lead to an increase in disturbance to the site as a result of the numbers of people using it, or predation from pets. This may be the case with housing close to sites.

See also:

SNH's 'Conservation Objectives and Site Integrity and their link to Favourable Conservation Status' Table: *Checklist of elements for construction of conservation objectives and consideration of impact upon integrity.*

### APPENDIX 3

Worked example:

*ECON 3      Local and Other Business Opportunities*

*The three Ayrshire Councils shall make provision for an adequate supply of land for office, business and industrial use throughout their areas to cater for locally based services and other business development opportunities providing the development is small and in keeping with the character of the surrounding area.*

- The policy is not directly connected with or necessary to the management of the site for nature conservation.
- It cannot be demonstrated that the policy *in itself* is not likely to have a significant effect on a Natura 2000 site. Interpreted in isolation, land for office, business and industrial use could be identified in areas which may result in impacts on a Natura 2000 site.

However..

- The policy must be viewed in the context of the whole Structure Plan.
- Policy STRAT 1 states that “The three Ayrshire Councils shall regard the Guiding Principles of Sustainable Development as identified in Schedule 1 as prime considerations in preparing local plans/ local development plans”
- Schedule 1 states that “Development should not lead to unacceptable damage to priority species and habitats.”
- If the three Ayrshire Councils made provision for land for office, business and industrial use that may adversely affect the integrity of a Natura 2000 site, this would be overridden by the *prime consideration* of Schedule 1 and it would not be in accordance with the Structure Plan.

Furthermore:

- Policy ENV 7 states that “The three Ayrshire Councils shall recognise international and national natural heritage designations and the statutory protection afforded by them.”
- Natura 2000 sites are statutorily protected and so it would not be in accordance with the Structure Plan if provision were made for land for office, business and industrial use that may adversely affect the integrity of a Natura 2000 site without agreed IROPI.

To conclude, policy ECON 3 can still be delivered whilst remaining and in accordance with policies STRAT 1 and ENV 7, not to have an adverse affect on the integrity of a Natura 2000 site.

## APPENDIX 4

### Issues which need to be examined at a later stage in the development of the M74 scheme to ensure that it would not have an adverse affect on a Natura 2000 site.

Three Natura 2000 sites in the area:

#### **Muirkirk and North Lowther Uplands SPA**

Notified features:

- Golden plover – aggregations of breeding birds
- Hen harrier – aggregations of breeding birds
- Hen harrier – aggregations of non-breeding birds
- Merlin – aggregations of non-breeding birds
- Peregrine – aggregations of non-breeding birds
- Short - eared owl – aggregations of non-breeding birds

Because of the birds interest, a more detailed appropriate assessment must pay particular attention to\*:

- Habitat loss
- Noise disturbance
- Light pollution
- Road kill
- Access

#### **Airds Moss SAC**

Notified features:

Blanket bog

Because of the blanket bog interest, a more detailed appropriate assessment must pay particular attention to\*:

- Habitat loss
- Hydrological impacts
- Air pollution
- Access

Note: Airds Moss SSSI is currently in unfavourable condition as a result of grazing pressure and burning.

#### **Clyde Valley Woods SAC**

Notified features:

Mixed woodland on base rich soils associated with rocky slopes

A more detailed appropriate assessment must pay particular attention to\*:

- Habitat loss
- Hydrological impacts
- Noise disturbance
- Light pollution
- Air pollution
- Road kill
- Access
- 

\*Note that these are not definitive lists and the potential impacts will have to be examined at a more detailed level.

## **Ayrshire Joint Structure Plan 2025: Growing a Sustainable Ayrshire**

### **Publicity Statement & Summary of Consultation**

- 1 AJSP 2025 – Results of Consultation
- 2 AJSP 2025 – Results of Consultation Appendix 1 - 7

### **Technical Reports**

- 1 Strategic Assessment of Housing Land Requirements
- 2 Study of Urban Capacity within Ayrshire
- 3 Renewables
- 4 Community Profiles
- 5 Retail Capacity Assessment - East, North & South Ayrshire 2004 to 2012
- 6 New Housing – The Key to Developing a Sustainable Ayrshire
- 7 Distribution of Population and Development Land for Housing between Core Area, Investment Corridors and Non-Corridor Communities

### **Supporting Environmental Information**

- 1 Environmental Assessment
- 2 An Assessment of the Impact of the AJSP on Natura 2000 (Appropriate Assessment)

### **Background Reports**

- 1 Ayrshire Development Study (Drainage)
- 2 Housing Land Supply 2005 (Draft)
- 3 Sustainability Report
- 4 Scottish Executive Form for Objections or Representations