Cairngorms
NATIONAL PARK
Pàirc Nàiseanta a' Mhonaidh Ruaidh

PLANNING

Cairngorms National Park
Local Development Plan

POLICY 4 - NATURAL HERITAGE
Supplementary Guidance

Cairngorms National Park Local Development Plan
Supplementary Guidance
Policy 4 – Natural Heritage

This Supplementary Guidance provides further information and detail on how to comply with **Policy 4 – Natural Heritage** in the Cairngorms National Park Local Development Plan 2015. It forms part of the Local Development Plan and carries that weight in decision making. This Supplementary Guidance should be read alongside the Local Development Plan policy.

This document is available in large print on request. Please contact the Cairngorms National Park Authority on 01479 873535. It is also available to view at **www.cairngorms.co.uk**

Published by
Cairngorms National Park Authority
14 The Square
Grantown-on-Spey PH26 3HG

Email: planning@cairngorms.co.uk
Tel: 01479 873535
Fax: 01479 873527

www.cairngorms.co.uk

Policy 4 Natural Heritage Supplementary Guidance

Policy Requirements	Information Required
Principle 1 Ensure no net loss of natural heritage value	• A description of the natural heritage on the site and possibly the surrounding area, including its significance and value • A survey which considers as a minimum: Site designations Protected species / habitats Other priority species / habitats Landforms and geodiversity Soils and soil carbon Connectivity of habitat and fragmentation Invasive non-native species Bio security • An assessment of any effect the proposed development will have on the natural heritage • If adverse effects are found within this assessment, details of mitigation or compensation measures to avoid or minimise these effects, including management and maintenance information • An assessment of any residual effects
Principle 2 Enhance existing natural heritage value	• Identify any opportunities to enhance the natural heritage of the development site
Principle 3 Manage and maintain natural heritage value	• A monitoring and maintenance programme

International and National Designations	• Supply sufficient information to allow the planning authority to carry out a Habitats Regulation Appraisal for any qualifying interests including:
	  • where relevant, criteria setting out necessary mitigation associated with recreational disturbance to capercaillie caused as a result of your development;
	  • where relevant, criteria regarding necessary mitigation associated with water flow and quality and the impact of development on otters.

1. All planning applications are assessed against the impacts that the proposed development will potentially have on the natural, cultural and earth heritage resources of the National Park. You will therefore need to consider the impact of your proposed development on the natural heritage as an integral part of your design and planning processes. Your planning application should include information on how your development proposal has been designed to accord with the three natural heritage principles set out below.

How to meet the requirements of the policy

2. Planning application will be assessed using the three principles set out in the following checklist which must be addressed in turn. You should provide evidence of how your proposal meets all three principles. If you cannot achieve any of the three steps for Principle 1 your development proposal will not be considered appropriate. The sequence by which this hierarchy will be applied is shown in Figure 1 (p6). All decisions will be informed by the Cairngorms Nature Action Plan (2013).

Principle 1 – ENSURE NO NET LOSS

3. There is a presumption that all development should meet Principle 1. It comprises a hierarchy of three steps on which you should base your decisions regarding development design and site layout considerations. All development should meet the terms of Step 1. Only where evidence confirms this is not possible should you consider trying to achieve the requirements set out in Step 2. If this is not possible evidence must be provided to explain why it is necessary to use Step 3.

Step 1 – Protect

4. Development should result in no net loss of the natural heritage interest of the National Park. This includes natural heritage interests that may be outside the boundaries of the development site. Your development proposal should therefore be designed to protect existing natural heritage features within the development site and its surroundings.

5. Clear justification as to why any development cannot meet Step 1 of the first principle will be required. Without such justification a proposal will be recommended for refusal. The validity of such justifications will be assessed in line with all current policies.

Step 2 – Minimise and mitigate

6. In any situation where loss of, or damage to, natural heritage interest is unavoidable from a proposed development then the loss or damage must be minimised as far as possible through appropriate design. Where loss of or damage to the natural heritage is still unavoidable then this loss must be fully mitigated on the development site.

Step 3 – Compensate

7. If full mitigation is not possible on-site then it must be achieved using off-site compensation.

8. Compensation must be appropriate and proportionate to offset the likely impacts of a development proposal on a specific habitat. Compensation measures must reflect the quality, amount and type of the habitat being compensated for and the length of time it will take to re-instate a habitat of equal value on an alternative site. This is likely to require a larger area to offset the loss over time. All proposals requiring compensation will be assessed on a case by case basis.

Principle 2 – ENHANCE

9. You must then assess and deliver the potential to enhance the natural heritage as an integral element of the design of your development proposal.

10. Many habitats and species within the National Park whilst not benefiting from protection through a designation are important to the overall biodiversity and ecosystems of the National Park. The enhancement and restoration of such habitats, habitat networks and species is encouraged in line with the first aim of the National Park to conserve and enhance the natural and cultural heritage of the area.

11. As well as providing important natural heritage benefits, this approach will often also contribute towards a high quality, and aesthetically pleasing development. You must therefore demonstrate how you have sought to conserve and enhance the existing natural heritage value of the development site and its connections with its wider surroundings.

Principle 3 – MANAGE

12. Essential to the success of any mitigation, compensation, or enhancement scheme is routine management and maintenance. An agreed monitoring and / or maintenance programme will need to be put in place. This must include monitoring to identify whether the proposed scheme has been successful and mechanisms whereby should it be shown that the scheme is not successful that appropriate action will be taken in a timely manner to rectify the situation.

Precautionary principle

13. In line with the first aim of the National Park, a precautionary approach to the assessment of impacts upon a site will be applied. Where there are gaps in knowledge or uncertainty about mitigation or compensation proposals then additional information may be requested. Where uncertainty remains, the precautionary principle will be applied and planning permission will not be granted.

14. The level of information required will depend on the significance of the proposal. For example, in some instances a professional survey may be required. For European protected species, surveys must be submitted along with applications for planning permission in principle, as well as full planning permission. It is strongly advised that other required surveys are submitted with the application in order to avoid delays in the determination process.

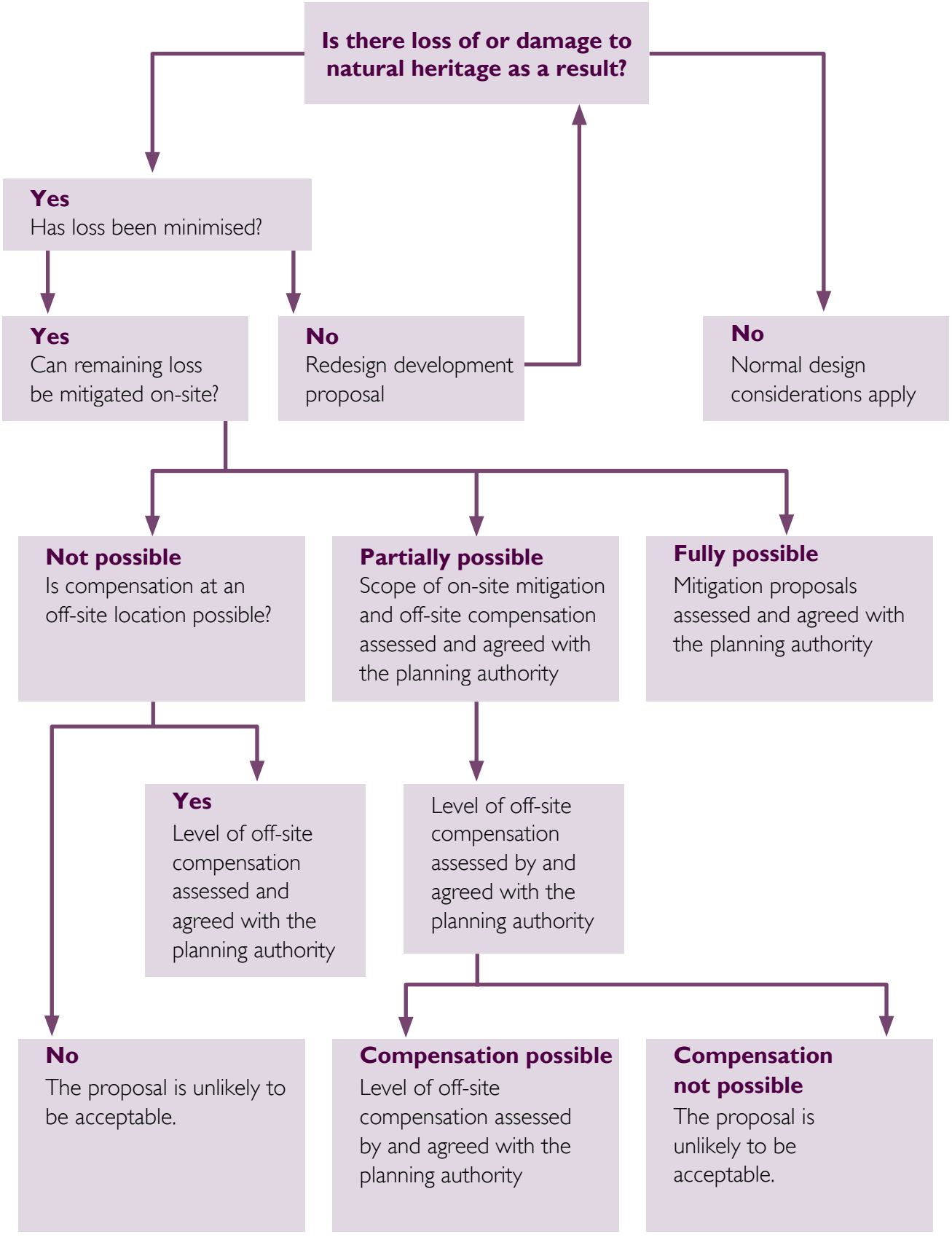

Figure 1: Principle 1 - Hierarchy of steps to be applied

How to compile the required survey evidence

15. You are required to submit evidence with your planning application which demonstrates that you have identified the habitats and species on and adjacent to the development site and have assessed the effects of the proposed development on the natural heritage. In order to do this and when preparing a planning submission, you may follow the following approach to ensure you comply with this requirement.

Step 1: Survey and assess impacts

16. Conducting an initial site audit will help you to determine the scope of any formal surveys and assessments that will be required to describe the natural heritage on the site and surrounding area, including its significance and value.

17. You should look at existing sources of information in the first instance, for example – historic records held by regional record centres. Others include: (SNHi) **www.snh.org.uk/snhi** and **www.nesbrec.org.uk**.

18. Ensuring that the survey for a particular species is carried out at the right time of year is crucial to ensuring that appropriate information can be collected. Table 1 (p12) shows the best time of year to carry out surveys for important species in the National Park. These must be completed at the times of year shown.

19. It is recommend that biological and ecological surveys are carried out by members of the Chartered Institute of Ecology and Environmental Management (CIEEM) and Chartered Environmentalists. Surveys for other natural heritage interests, such as geology, geomorphology and soils, must also be undertaken by a suitably qualified and / or experienced person. Surveys should be carried out according to current best practice for the habitats or species being surveyed. For some species a licence will be required from Scottish Natural Heritage (SNH). A CIEEM accredited surveyor will be able to advise you on this. For more details, please see: **www.snh.gov.uk**.

20. It is expected that surveys for various species and habitats may be required over a number of seasons, and possibly up to one year before applications can be considered, for example to reflect the lifecycle of fish. Therefore it is strongly recommended that surveys required are agreed with us in advance of carrying them out. This will help you to ensure that you are able to provide the necessary natural heritage information with the minimum of survey work. It will also eliminate or limit the need for more surveying at a later stage and consequently reduce time taken in determining the application. In certain circumstances, for example where there has been a time lag since planning consent was granted, resurveying prior to commencement of works may be required.

21. Site surveys should consider the following eight issues as a minimum:

1. Site designations

22. There are a number of designated sites in the National Park that carry UK and European natural heritage designations. SNH hold up to date information on the boundaries of these designated areas - **www.snh.org.uk/snhi**.

23. Information and assessments for designated sites, or developments close to one, must pay particular attention to notified and qualifying interests of their designation. Other natural heritage interests also need to be considered. Good information is essential to assess the development. This information must be submitted when you lodge your application.

2. Protected species

24. UK and European legislation protects a number of species found in the National Park. The presence of these species will affect the level of information required, how the application is considered and the criteria by which decisions are made.

25. Where a European Protected Species is present on or adjacent to the site, the planning authority will require a Species Protection Plan (SPP) that contains survey information and details of mitigation measures before it is able to make a decision. European Protected Species (EPS) found in the Cairngorms National Park are:

- bats – nathusius, soprano and common pipistrelle, Daubenton's, Natterer's and brown long-eared
- Scottish wildcat
- great crested newt
- otter
- yellow marsh saxifrage

26. In addition to European Protected Species, development must avoid adverse impacts upon species listed in:

- Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 as amended;
- Annexes II and V of the EC Habitats directive;
- Annex I of EC Birds Directive;
- Protection of Badgers Act 1993 as amended; and
- Conservation (Natural Habitats, & c.)

27. A species licence may be obtained from SNH to permit activities that may affect protected species. Information about this can be found in the planning advice note at **www.cairngorms.co.uk** and **www.snh.gov.uk.**

3. Other priority habitats and species

28. Within the National Park there are a range of habitats and species that are nationally and / or locally important, but that are neither European Protected Species nor notified features of designated sites. These priority habitats and species will be given greater weight by the planning authority when determining an application. Examples include native pine forest, mixed birch and aspen woodland, juniper woodland, oak/hazel woodland, lowland heath, lowland species, rich grassland both riparian and otherwise, groundwater dependent wetlands, red squirrel, lapwing oystercatcher, osprey, capercaillie, salmon, fresh water pearl mussel, crossbill and crested tit. Your survey must pick up any impact made on these priority species.

4. Landforms and geodiversity

29. The National Park has the largest collection of different glacial landforms outside arctic Canada some of which are within designated sites. Some sites are designated as a Site of Special Scientific Interest or a Geological Conservation Review site, and in these circumstances a full assessment will be

required. This should include survey, assessment and mitigation measures. Further information can be found at: **www.snh.org.uk/snhi** and **www.jncc.gov.uk**. For large development and extraction applications, applicants are advised to employ a qualified geologist or geomorphologist to prepare the required information.

30. The planning authority will take these landforms and other geological features into account when determining applications.

5. Soils and soil carbon

31. The National Park contains a diversity of soils and the principles applied to biodiversity apply equally to soils. Developments on peat soils in particular will require a soil survey and assessment. Mitigation and residual effects following all potential mitigation measures must also be identified within the assessment. This may include removal and temporary storage of soils where long-term damage is likely to occur.

32. Soils must be assessed for:

- functional role in supporting habitats and species;
- rarity of their intrinsic physical, chemical and biological features;
- contribution to ecosystem services such as water purification, flood mitigation and carbon storage; and
- peat depth and basic peatland characteristics, where appropriate.

33. You should adopt an approach which minimises disturbance or disruption to peatland areas and other organic soils where possible, as these soils are valuable for carbon storage and habitat support.

34. By adopting this approach, the volume of excavated peat can be minimised and the commonly experienced difficulties in dealing with surplus peat waste reduced. The generation of surplus peat waste is a difficult area which needs to be addressed from the outset, given the limited scope for re-use. Landscaping with waste peat (or soil) may not be of ecological benefit and consequently a waste management exemption from SEPA may not apply.

35. Further guidance, in relation to peat can be found in SEPA's Regulatory Position Statement – Developments on Peat, and early consultation with SEPA should be undertaken on sites which contain peat soils or potential Groundwater Dependant Terrestrial Ecosystems. Guidance in identification of peat bogs can also be found in a Functional Wetland Typology for Scotland. See **www.sniffer.org.uk**.

6. Connectivity of habitat and fragmentation

36. Habitats are often linked to each other and are usually of greater ecological value as a consequence. Developments should maintain existing connections and seek to create more wherever possible. The movement of species along these habitat networks should be considered, and creating barriers to movement avoided. Fragmentation of existing habitats and habitat networks must be avoided. The assessment of a site must include analysis of the connectivity.

7. Invasive non-native species

37. The National Park has populations of some invasive, non-native species, which include: Japanese knotweed (Fallopia japonica), giant hogweed (Heracleum mantegiazzanum) and Himalayan balsam (Impatiens glandulifera).

38. If a survey shows these or other invasive non-native species are present on a site, the developers must remove them and ensure that they do not spread from the site. There are also a number of invasive non-native species in Scotland which are not currently in the National Park. You must ensure no invasive non-native species are introduced into the National Park as a consequence of development works. This commonly occurs through soil contaminated with seed or root material. Where large volumes of soil are moved or introduced to a site, you may be required to submit a soil management plan to guard against this possibility.

39. Japanese knotweed, giant hogweed and Himalayan balsam are regarded as controlled waste. It can be controlled or disposed of on-site but if plant, material or soil polluted with this species is sent for disposal elsewhere it must be accompanied by appropriate Waste Transfer documentation and disposed of in a licensed, lined landfill site. Developers should seek advice on the disposal of these plants from the Scottish Environment Protection Agency (SEPA), see **www.sepa. org.uk** and **www.netregs.gov.uk**.

40. If a development is responsible for the introduction of an invasive non-native species either within or outwith the site, the developer will be required to remove the species and dispose of material. You must set out how you intend to do this in information supplied with your planning application.

8. Bio security

41. There are particular bio security issues associated with proposals close to standing or running water. Applicants must take care not to introduce invasive non-native species such as plants or parasites.

42. Equipment and machinery should be cleaned away from the water course, especially if it has been used in another water body within 14 days or has recently been used overseas. You must set out how you intend to deal with this issue in information supplied with your planning application.

Step 2: Factor in constraints and opportunities

43. The information provided in the survey must be assessed against the possible effects of the development on the natural heritage interests identified. If adverse effects are found, the assessment must include details of steps to be taken to minimise and mitigate any damage arising. The assessment must also consider any leftover effects to be addressed.

44. Opportunities for natural heritage enhancement or restoration should be sought at this stage. You are encouraged to identify as part of the supporting information submitted with your application, steps to be taken to restore or enhance the existing natural heritage value of the site.

45. Most developments are suitable for the incorporation of a range of measures for positive effects on the natural heritage. It is expected that such measures are incorporated and early discussions on your proposals are welcomed. Examples include the incorporation of swift nest spaces or bat roost sites, use of local provenance trees and seeds or maintaining and enhancing wildlife corridors through sites and buffer strips around developments.

Step 3:
Plan for monitoring and management

46. All mitigation, compensation and enhancement measures, whether on-site or off-site, will need ongoing management. You should draw up schemes for monitoring and management and include these with the development proposal. This might for example include landscape management plans.

Examples of developments and requirements for natural heritage

47. The following examples explain what information is required by the planning authority in support of your planning application. They are not exhaustive, but simply reflect frequently received applications for development.

Development on greenfield site	Phase 1 survey, notable species and mammal survey
Development close to or on Ancient Woodland sites	National Vegetation Classification Survey* Insects Fungi Bryophytes Nesting Birds Notable species and mammal survey
Conversions of old or abandoned buildings including barns and steadings	Bat survey, barn owl survey
Domestic extensions for example conservatories, outhouses, etc	Bat survey
Conversion of loft space or change to roofs	Bat survey
Other surveys which may be necessary depending on the nature of the site, the development, and its setting	Reptile Amphibians Invertebrates Nesting birds National Vegetation Classification Survey*

* In accordance with the "Inspire"Directive (2007/2/EC) of the European Parliament where an NVC survey is required EUNIS coding must be attributed to each NVC community type.

Table 1: Survey calendar for natural heritage interests in the Cairngorms National Park

This survey calendar is a general guide only. The timing of surveys can be affected by weather and may be specific to location (particularly vegetation surveys). Certain bird species, for example raptors or waders will require species specific surveys at defined times of year. Surveys should be conducted during suitable conditions, i.e. otter surveys undertaken during normal or low flow and not when water is high.

KEY

- Optimum survey period
- Sub-optimal survey period
- Unsuitable survey period

Species	January	February	March	April	May	June	July	August	September	October	November	December
Habitats/ Vegetation	Phase I			Phase I & NVC Survey						Phase I		
Amphibians	Hibernating		Pond surveys-eggs in April				Larvae surveys		Terrestrial habitat survey		Hibernating	
Badgers	Sett survey	Bait marking			Sett survey and bait marking				Bait marking		Sett survey	
Bats	Hibernation roost survey				Emergence surveys, summer and maternity roost						Hibernation roost survey	
Birds	Winter species		Breeding birds						Migrant species		Winter species	
Fish	Timing dependant on migration and breeding of species concerned											
Fungi								Survey period				
Invertebrates			A number of surveys may be required in this period									
Lichens	Surveys can be carried out all year											
Mosses & Liverworts	Fruiting bodies may be required for identification-species dependant											
Otter	Limited by vegetation cover and weather rather than seasons											
Pine Marten			Surveys all year - Optimum survey period is spring									
Red Squirrel			Surveys all year-optimum spring/summer									
Reptiles							Reduced basking time					
Water vole		Habitat survey		Habitat, field signs and activity surveys							Habitat survey	
Wildcat	Surveys can be conducted throughout the year											

This information should be used as a guide only and some surveys may be required to be undertaken outwith specified months.

Requirements for applications affecting an International or National Designation (Natura 2000) site

48. Specific issues must be addressed where your application has, or may have, an impact on a Natura site. These issues are specific to the relevant site, the reason for its designation and its qualifying features. The tests for considering proposals affecting Natura sites are strict and the planning authority must be satisfied that the proposal will not have an adverse effect upon the integrity of any Natura site.

49. Natura Sites are:

- Special Area of Conservation (SAC and pSAC) – a European designation which protects natural habitats and wild flora and fauna other than birds
- Special Protection Area (SPA and pSPA) – a European designation which protects wild birds
- Ramsar Site – an international designation which protects wetlands through the accompanying SPA/SSSI designation and is given equivalent protection as Natura as a matter of policy

How to comply with the requirements of the policy

50. Almost half of National Park's area (49 percent) is covered by Natura designated sites. In addition, river SACs are extensive throughout the National Park. For maps and details of all Natura sites, please see SNH's website www.snh.gov.uk. Many developments have potential to affect them, both directly as a result of site specific impacts, and indirectly as a result of impacts of development on the qualifying features beyond the boundary of the designated sites. You must ensure that you consider all possible impacts as a result of your application.

51. While each designated site has its own qualifying features which must be appropriately considered and managed, there are two particular issues which affect many sites and therefore communities as a result of their wide ranging and, often, off site, impacts. These are impacts on river SAC sites and impacts on SPAs with capercaillie as a result of recreational disturbance. Both these types of Natura site and their qualifying interests extend throughout much of the National Park where development is likely to occur. In addition, some non designated woodlands host capercaillie that are the qualifying feature of SPAs nearby. The impact of development can in certain circumstances be mitigated to ensure no adverse impact on the integrity of Natura site/s. Your proposal must therefore comply with the mitigation measures set out here, in addition to any other measures required to ensure no adverse impact on the qualifying features of the site.

52. A suite of possible mitigation measures to address these potential impacts has been devised for developers to provide the necessary information to allow the determination of their application. To comply with the policy you must provide the following information and meet the requirements of the criteria listed. Please note that you must consider similar effects of other developments (approved or submitted) in combination with your own development where necessary.

Impact on the river SAC sites

1. Pollution and siltation from construction sites

53. Contamination of a protected water course can arise from chemical pollutants or particles washed into it from construction sites.

54. Mitigation required: that site operations are managed in a way that the likelihood is removed. This should be achieved through safe handling of potential pollutants and provision of interceptor drains, filters and other measures on site. These measures must be set out in a construction method statement (CMS) which should be submitted with your planning application and must follow recognised guidelines and best practice. The CMS must clearly demonstrate that risks to water courses and ground water are eliminated through application of good site management in accordance with accepted best practice and guidelines. Development may not commence until it has been demonstrated to the planning authority that the measures in the CMS have been adopted for onsite management. Where required through statute controlled activity regulations (CAR) must be complied with.

2. Requirement for Sustainable Urban Drainage Scheme (SuDS)

55. The use of hard impervious surfaces within development is likely to increase the speed that rainfall enters watercourses. This can increase flood events causing damage to river habitats. This rainfall may also bring particles from these surfaces which may cloud water and reduce its quality.

56. A Sustainable Drainage Scheme (SuDS) must be submitted with your planning application and thereafter implemented. The SuDS will intercept water and either allow increased infiltration rates by using porous surfaces or slow runoff rates through storage mechanisms.

3. Pollution from waste water

57. Waste water from development contains a number of chemicals that could pollute water courses.

58. Mitigation required: All waste water from developments must be treated at waste water treatment works to remove harmful levels of pollutants. There must be capacity within water treatment works for the volume of material generated by developments and the facilities needed to remove pollutants to a level where there will be no adverse effects upon the integrity of Natura sites. Development may not commence until it has been demonstrated to the planning authority that there is sufficient capacity in local waste water treatment works in terms of capacity and ability to remove pollutants to recommended standards at the time of commencement.

4. Water extraction

59. Water for developments will be supplied from public or private systems. The increase in water extraction may reduce water level in protected water courses and this may affect the integrity of the site, through changes in temperature, water level itself, or other effects of a reduced flow.

60. Mitigation required: the water supply must be available for the development from known sources and these must have a demonstrated capacity to supply the required water without adverse effects that would affect the integrity of the Natura site. If the capacity has not been demonstrated then development will be refused until it is in place.

5. Disturbance to otter

61. Otters may be disturbed by construction activity, noise, lighting and other features of the development design or by activity from the development following its construction.

62. Mitigation required: a full survey is undertaken, in accordance with a recognised methodology, to determine if there are otters in the vicinity of the development or its provisions. An appraisal will be required of the construction activity, design and use of the development to see if there would be any effect upon otters. Any identified effects must be eliminated through modifications to proposals and detailed within a Species Protection Plan (SPP). Survey, appraisal and SPP must be submitted with planning application.

Impact on SPAs with capercaillie as a result of recreational disturbance

6. Disturbance to capercaillie

63. Capercaillie are particularly sensitive to disturbance caused as a result of people recreating in pine woodland where their ground based lifestyle makes them particularly vulnerable to dogs. Capercaillie move between forests in a particular locality, so that they may also need to be protected in non-designated woodland as part of the protection for SPA's.

64. Mitigation required: the mitigation measures must include an approved on-site Recreation Management Plan and an agreed contribution (assessed on a case by case basis) to off-site mitigation works through the Cairngorms Capercaillie Action Plan, to comply with the following criteria. Such mitigation must be assessed as sufficient to ensure that there would be no adverse effect on the integrity of the site/s, either alone or in combination with other plans or projects.

Criteria 1: Current and estimated recreational use and provision

65. The mitigation proposals should be based on a detailed and evidence-based understanding of current recreational use of the area, (both spatially and over time) in terms of numbers, distribution, behaviour and reasons and take account of the predicted future recreation demand arising from the proposed development.

Criteria 2: Capercaillie population and site issues

66. The mitigation proposals should be based on a detailed and evidence-based understanding of current recreational use of the area, (both spatially and over time) in terms of numbers, distribution and behavior and take account of the predicted future recreation demand arising from the proposed development. This should give an understanding of current capercaillie population within the affected sites and within connected non-designated woodland.

Criteria 3: Best practice

67. The mitigation proposals should be built on best practice as agreed with the local planning authority and Scottish Natural Heritage.

Criteria 4: Location and time-specific

68. The mitigation proposals should be designed to avoid an increase in disturbance throughout different times of the day and year, alongside adequate consideration of current and likely future levels and patterns of recreational use.

Criteria 5: Deliver targeted site specific mitigation

69. The Recreation Management Plan should include a detailed package of on-site mitigation measures that address the issues raised in criteria 1-4. They must clearly demonstrate that the combination of mitigations will ensure that there is no adverse effect upon the integrity of any Natura site. The measures for mitigation are likely to include:

- awareness raising through ranger activity, leaflets, signage and media communications
- provision of alternative footpaths, other routes or green space
- path removal to increase core refuge areas
- habitat improvement
- habitat expansion
- screening within woodland areas
- specific measures to increase dog control

Criteria 6: Community engagement and support

70. The proposals should demonstrate effective engagement with the community and recreational users and a sufficient degree of support to ensure the proposals are effective.

Criteria 7: Practical enforcement

71. The mitigation proposals should demonstrate that the measures will be practically and legally enforceable and maintained for the lifetime of the development.

Criteria 8: Phasing

72. For development of more than 50 units a phasing approach should be adopted. The delivery of subsequent phases will be conditioned upon the successful delivery of mitigation proposals for the previous phases. The criteria for success will be part of the Appropriate Assessment and conditioned to any approval. The mitigation proposals should identify how mitigation measures will be effective at the appropriate time in line with the construction and development phasing.

Criteria 9: Monitoring, review and adaptive management

73. The mitigation and management measures must be monitored and reviewed in a manner agreed with the local planning authority and Scottish Natural Heritage to ensure effectiveness for the lifetime of the development and a mechanism put in place to take further management measures to reduce disturbance if necessary.

Criteria 10: Co-ordinated action

74. Mitigation measures must demonstrate awareness of other developments and projects proposed, submitted for permission and approved but not yet built, that may affect the same designated sites and to ensure that in-combination effects are included. Any conflicts in effectiveness or delivery must be managed within the mitigation measures to ensure no adverse effect upon any sites integrity.

Criteria 11: Proportionality

75. The evidence base, information and subsequent mitigation measures must be proportionate to the level of potential effect and size of development, always however having regard to the fact that they must be sufficient to demonstrate that there would be no adverse effect on the integrity of any Natura site, either along or in combination with other plans or projects.