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Introduction

In October 2005 the European Court of Justice ruled that all Development Plans that are likely to have a significant effect on Special Protection Area's (SPA's) or Special Areas of Conservation (SAC's) can only be approved if an appropriate assessment of the policies and proposals has been undertaken. This has been extended to Ramsar sites and potential SPA's. These are collectively known as Natura 2000 sites.

This requirement has been transposed into UK Law by Regulations 48, 49 & 53 of the Conservation (Natural Habitats) Regulations 1994.

The following assessment considers the local impacts of the policies, proposals and designations within the Moray Local Development Plan against the qualifying interests and conservation objectives of the Natura 2000 sites. This document has been prepared with the assistance of SNH and the Main Issues Report was subject to consultation with SNH, SEPA and Scottish Water.

Natura 2000 sites within the Moray Local Plan Area

Special Areas of Conservation (SAC)

Culbin Bar
Hill Of Towanreef
Lower Findhorn Woods
Lower River Spey – Spey Bay
Moidach More
Moray Firth
River Spey

Special Protection Areas (SPA)

Loch Spynie
Moray and Nairn Coast
Tips of Corsemaul and Tomore
Darnaway and Lethen

Ramsar

Loch Spynie
Moray and Nairn Coast

Aims and Scope of the Moray Local Development Plan- Proposed Plan

The Moray Local Development Plan Proposed Plan covers the whole of Moray Authority with the exception of the area within the remit of the Cairngorms National Park. The Plan is not considered to have any significant effects on any of the Natura sites outwith the Local Authority boundary.

The Proposed Plan comprises a Written Statement and Proposals Map. The Written Statement consists of a policy framework covering a wide range of issues including, Development and Community, Environment and Resources and Implementation. There are settlement and rural community statements that define objectives for each town and proposal maps that depict the land use designations.

The strategic aims for Moray are set out in the Vision for Moray. The Plan also provides policy criteria for the assessment of development proposals and identifies land use designations for the delivery of key objectives.

The main aims of the Moray Local Development Plan are summarised as follows:

It seeks to have:

- A growing population which retain more of its younger people and attract new residents to the area.
- A broad business base with stable well paid employment, a focus on high quality jobs in engineering, science and technology, growth of established tourism, food, drinks sectors.
- Sufficient housing land to meet housing needs and demand assessment, that will facilitate the provision of affordable housing, and to ensure high quality residential developments.
- Attractive, sustainable environment, where people will wish to live and work which incorporate high quality design, green corridors and open space.
- Good, efficient transport links to the rest of the country, with the encouragement of active travel and an alternative to journey by car.
- Renewable energy technologies and reduced carbon emissions; embedded with all new development.

Methodology for Assessment of Natura Sites

The Council has taken account of the Scottish Natural Heritage Guidance on Habitat Regulations Appraisal of Plans, Guidance for Plan-making Bodies in Scotland, August 2012.

The methodology is as follows:

All of the Proposed Plan policies have been screened in order to determine whether or not there would be a potential impact on Natura sites (see table 1). Tables 2 and 3 list settlements and rural communities and these have been screened on the basis of potential connectivity to Natura sites. Those policies, settlements and rural communities not considered to have an impact have been identified and the reasons for this given.

The remaining policies are identified as requiring further consideration to determine whether or not an Appropriate Assessment is required. The identification process has been based on the intent of the policy, location of designations, application of policy as well as magnitude, duration and extent of effects. The potential impact has been assessed based on the Planning Officer's professional judgement and consultation with SNH.

Information has been depicted in the form of matrices showing site specific designations and policies against Natura sites. Where it has been concluded that there is a potential significant effect an Appropriate Assessment has been undertaken.

The Appropriate Assessment is in the form of matrices and considers the qualifying interests of the sites, their sensitivities and potential development affecting the sites. The matrices also identify the policies within the Local Plan that safeguard the sites from development and other forms of mitigation. Where there are any residual affects after safeguarding a modification to the plan is proposed. The final column of the matrix draws conclusions.

The tables 1, 2 and 3 list all Moray Local Development Plan policies, settlements and rural communities and identifies those with a potential to impact on Natura sites. The reasoning for specific policies, settlements and rural communities not being identified as impacting on Natura sites is given in the fourth column of the table. The remaining policies, settlements and rural communities are to be considered further to determine whether an Appropriate Assessment is required.

Table 1 Development Plan Policies

Policy	Policy	Appropriate Assessment Required	Reasoning
PP1	Sustainable Economic Growth	No	Strategic policies with no proposals
PP2	Climate Change	No	Strategic policies with no proposals
PP3	Placemaking	No	Strategic policies with no proposals
ED1	Development of New Employment Land	No	This policy is not designating land but setting out requirements for designated employment land to meet.
ED2	Business Uses on Industrial Estates	No	Clarifying the types of uses on industrial land, subsidiary to ED1
ED3	Business Parks	No	Specifying requirements on business parks subsidiary to main employment policies ED1 & ED2
ED4	Existing Business Areas	No	Specifying uses within existing business areas, subsidiary to ED1
ED5	Opportunity Sites	No	Specific opportunities designations will be assessed under settlement and rural communities.
ED6	Digital Communications	Yes	
ED7	Rural Business Proposals	Yes	
ED8	Tourism Facilities and Accommodation	Yes	
ED9	Tourism Roadside Signs	No	Sets out procedure for applying for consent to erect tourist signage.
H1	Housing Land	No	Housing land allocations will be dealt with on a settlement and rural basis.
H2	Long Term Housing	No	Housing land allocations will be dealt with on a settlement and rural basis.
H3	Sub Division for House Plots	No	Concentrated in built up areas sub-dividing existing house plots.
H4	House Alterations and Extensions	No	Relates to extensions of existing dwellings
H5	Development within Rural Communities	No	Note: development of rural communities will be dealt with individuals.
H6	Re Use and Replacement of Existing Buildings in the Countryside	No	Redevelopment of existing sites
H7	New Housing in the Open Countryside	Yes	
H8	Affordable and Special needs Housing	No	Specifies requirements for affordable housing and is subsidiary to main housing policies

Policy	Policy	Appropriate Assessment Required	Reasoning
H9	Housing Mix/Accessible Housing	No	Specifies housing mix
H10	Residential and Nursing Homes for the Elderly and Disabled	No	Specifies requirements for nursing homes etc and is subsidiary to main housing policies
H11	Residential Caravans and Sites	Yes	
H12	Gypsy/Traveller Sites	Yes	
R1	Town Centre Development	No	Development confined to the core of the five main towns (Elgin, Forres, Keith, Buckie & Lossiemouth)
R2	Out of Centre Development of Retail, Commercial and Leisure Proposals	No	This policy only applies to development outwith the defined core of the five main towns (Elgin, Forres, Keith, Buckie and Lossiemouth)
R3	Neighbourhood and Local Shops, Ancillary Retailing, and Recreation or Tourist Related Retailing.	Yes	
T1	Transport Infrastructure improvements	Yes	
T2	Provision of Roads Access	Yes	
T3	Roadside Facilities	Yes	
T4	Safeguarding Bus, Rail and Harbour Facilities	Yes	
T5	Parking Standards	No	Parking requirements only
T6	Traffic Management	No	Subsidiary of T1 relates to development of a roads hierarchy
T7	Cycling, Walking and Equestrian Networks	Yes	
E1	Natura 2000 Sites	No	Safeguarding policy
E2	Local Nature Conservation Sites and Biodiversity	No	Safeguarding policy
E3	Protected Species	No	Safeguarding Policy
E4	Trees and Development	No	Requirements for TPO's and control of works on trees
E5	Open Spaces	No	Safeguarding existing open spaces and seeks creation of new open spaces in new development
E6	National Parks and National Scenic Areas	No	Safeguarding policy
E7	Areas of Great Landscape Value	No	Sets out criteria for development within Areas of Great Landscape Value
E8	Coastal Protection Zone	Yes	
E9	Settlement Boundaries	No	Precludes development immediately outwith settlement boundaries

Policy	Policy	Appropriate Assessment Required	Reasoning
E10	Countryside Around Towns	No	Precludes certain types of development around 5 main towns. Re-habitation, conversion, rural business operations will be considered under other policies
BE1	Scheduled Ancient Monuments and National Designations	No	Sets out criteria for protection of SAM's (Scheduled Ancient Monuments)
BE2	Listed Buildings	No	Sets out criteria for development affecting listed buildings
BE3	Conservation Areas	No	Sets out requirements for development in conservation areas
BE4	Installation of Micro-renewable	No	Specifies appropriate use of renewable on listed building and conservation area.
BE5	Gardens and Designed Landscapes	No	Sets out requirements for development within Designed Gardens
BE6	Pluscarden Area of Special Control	No	Sets out area of control around rural community of Pluscarden. Does not promote development of any kind. This would be addressed through other policies such as H8 - Housing in the Countryside
EP1	Waste Management and Disposal Facilities	Yes	
EP2	Recycling Facilities	No	Related to housing developments over 10 and is a subsidiary of main housing policies
EP3	Identifying and safeguarding key waste sites	No	Safeguards key waste sites in towns with no connectivity to Natura sites.
EP4	Private Water Supplies	No	Relates to ensuring adequate and wholesome supply.
EP5	Surface Water Drainage: SUDS	No	Dealing with surface water runoff within sites should not have impact on site. Construction of dwellings dealt with under separate housing policies identified above
EP6	Waterbodies	No	Safeguarding Policy
EP7	Control of Development in Flood Risk Areas	Yes	
EP8	Pollution	No	Safeguarding policy
EP9	Contaminated Land	No	Relates to investigation and remediation of sites
EP10	Foul Drainage	Yes	
EP11	Hazardous Sites	No	Procedural policy requiring consultation with Health and Safety Executive
EP12	Air Quality	No	Safeguarding Policy
EP 13	Ministry of Defence Safeguarding Areas	No	Procedural policy requiring consultation with the Ministry of Defence on certain types of proposals.
ER1	Renewable Energy Proposals	Yes	
ER2	Carbon Emission	No	Relates to installation of renewable

Policy	Policy	Appropriate Assessment Required	Reasoning
	Reduction		technologies in new development
ER3	Development in Woodlands	No	Safeguarding policy
ER4	Safeguarding Mineral Reserves	No	Relates to existing consented quarries
ER5	Minerals	Yes	
ER6	Agriculture	No	General policy supportive of agriculture any diversification issues will be dealt with under policy ED 8 Rural Businesses.
ER7	Soil Resources	No	Safeguarding policy to protect peat and carbon rich soils from unnecessary disturbance.
IMP1	Development Requirements	No	Relates to implementation of housing and employment land policies above. Subsidiary policy that does not propose development. Safeguarding policy.
IMP2	Development Impact Assessments	No	Relates to implementation of policies as above. Subsidiary policy that does not propose development. Safeguarding policy.
IMP3	Developer Obligations	No	Relates to implementation of policies as above. Subsidiary policy that does not propose development.
IMP4	Development Plan Monitoring	No	Relates to implementation of policies as above and does not propose development.

The Development Plan policies, all of the settlements and rural communities have been screened to identify those that could potentially have a significant effect on Natura sites. These have been identified through proximity to Natura sites and Planning Officers local knowledge of the area.

Table 2 – Settlements

Settlement	Connectivity	Natura Site
Aberlour	Yes	River Spey SAC(Aberlour Burn)
Alves	No	No proximity to Natura
Archiestown	Yes	Site drains to River Spey SAC
Buckie	No	No proximity to Natura
Burghead	Yes	Moray Firth SAC
Craigellachie	Yes	River Spey SAC (River Fiddich)
Cullen	No	No proximity to Natura
Cummingston	Yes	Moray Firth SAC
Dallas	No	No proximity to Natura
Dufftown	Yes	River Spey SAC
Duffus	No	No proximity to Natura
Dyke	No	No proximity to Natura
Elgin	Yes	Loch Spynie SPA
Findhorn	Yes	Moray Firth SAC, Moray and Nairn Coast SPA
Findochty	No	No proximity to Natura
Fochabers	Yes	River Spey SAC (Burn of Fochabers)
Forres	Yes	Moray and Nairn coast
Garmouth	Yes	Spey Bay SAC, River Spey SAC, Moray and Nairn Coast SPA
Hopeman	Yes	Moray Firth SAC
Keith	No	No proximity to Natura
Kingston on Spey	Yes	Moray and Nairn Coast SPA, Lower River Spey- Spey Bay SAC, River Spey SAC
Kinloss	Yes	Moray & Nairn Coast SPA, Moray Firth SAC
Lhanbryde	No	No proximity to Natura
Lossiemouth	Yes	Moray Firth SAC
Mosstodloch	Yes	River Spey SAC
Newmill	No	No proximity to Natura
Portgordon	No	No proximity to Natura
Portknockie	No	No proximity to Natura
Rafford	No	No proximity to Natura
Rothies	Yes	River Spey SAC
Rothiemay	No	No proximity to Natura
Urquhart	No	No proximity to Natura

Table 3 - Rural Communities

Rural Community	Connectivity	Comments
Aberlour Gardens	Yes	River Spey SAC
Arradoul	No	
Auchbreck	Yes	River Spey SAC
Auchenhalrig	No	
Aultmore	No	
Berryhillock	No	
Blinkbonnie (Kingston)	Yes	Lower Spey - Spey Bay SAC
Bogmoor	Yes	River Spey SAC, Lower River Spey – Spey Bay SAC, Moray and Nairn Coast SPA
Bridgend of Glenlivet	Yes	River Spey SAC
Broadley	No	
Brodie	No	
Broom Of Moy	No	
Burgie	No	
Cardhu	Yes	River Spey SAC
Carron	Yes	River Spey SAC
	Yes	River Spey SAC
Clackmarras	No	
Clochan	No	
Coltfield	No	
Conicavel	Yes	Darnaway and Lethen SPA
Cragganmore	Yes	River Spey SAC
Craighead	No	
Crofts of Dipple	No	
Dailuaine	Yes	River Spey SAC
Darklands (north)	No	
Drummuir	No	
Drybridge	No	
Easter Lawrenceton	No	
Edinville	Yes	River Spey SAC
Enzie	No	
Farmtown, Grange	No	
Fogwatt	No	
Glenfarclas	No	
Glentauchers	No	
Grange, Crossroads	No	
Grange Station	No	
Kellas	No	
Kintessack	No	
Kirktown of Deskford	No	
Knock	No	
Knockando (lower)	Yes	River Spey SAC
Knockando (upper)	Yes	River Spey SAC
Lintmill	No	
Lintmill Nursery	No	
Lochhills	No	
Logie	No	
Longhill	No	

Rural Community	Connectivity	Comments
Longmorn	No	
Maggielockater	Yes	River Spey SAC
Mains of Moy	No	
Marypark	Yes	River Spey SAC
Miltontuff (north)	No	
Miltontuff (south)	No	
Muir of Lochs	No	
Muirton	No	
Mulben	Yes	River Spey SAC
Mundole	No	
Nether Dallachy	Yes	River Spey SAC
Newton	No	
Pluscarden	No	
Quarrywood	No	
Rathven	No	
Redcraig	No	
Roseisle	No	
Ruthrie	Yes	River Spey
Slackhead	No	
Thomshill	No	
Tomnabent	No	
Towiemore	No	
Troves	No	
Tugnet	Yes	Lower River Spey - Spey Bay SAC River Spey SAC, Moray and Nairn Coast SPA
Upper Dallachy	Yes	River Spey SAC
Whitemire	Yes	Darnaway and Lethen SPA
Woodside of Ballintomb	No	

Assessment of whether Policies and Designations will have a likely Significant Effect on Natura Sites

The first set of matrices on the following pages set out an assessment of Development Plan policies requiring further consideration as identified in table 1. The purpose of the matrices is to identify policies that may potentially have a significant effect on Natura sites.

Matrices 1 & 2 have been coded red and green. Red indicates a likely significant effect on the Natura site while green indicates no likely significant effect on natura. A precautionary approach has been used and where it has not been possible to establish whether or not a particular policy would have an impact an Appropriate Assessment has been undertaken.

Appendix A sets out the reasoning for the policies where it has been concluded there will be no likely significant effect



Matrix 1 - Development and Community

Policies	SPA's				SAC's						
	Loch Spynie (Ramsar)	Moray & Nairn Coast (Ramsar)	Tips of Corsemaul & Tom Mor	Darnaway & Lethen	Culbin Bar	Hill of Towanreef	Lower Findhorn Woods	Lower River Spey - Spey Bay	Moidach More	Moray Firth	River Spey
ED6 – Digital Communications											
ED7 - Rural Business Operations											
ED8 - Tourist Facilities											
H7 - New Housing in the Countryside											
R3 – Neighbourhood and local shops, ancillary retailing and recreation on tourist related retail											
T1- Transport Infrastructure											
T2 – Road access provision											
T3 - Roadside Facilities											
T4 – Bus, Rail, Harbour Facilities											
T7 - Cycling, walking & equestrian networks											
H10 – Residential Caravans and sites											
H11 – Gypsy Travellers											

Note: Full policy text in Appendix?

Note; Full policy text available in Appendix A

Matrix 2 - Environment & Resources

Policies	SPA's				SAC's						
	Loch Spynie (Ramsar)	Moray & Nairn Coast (Ramsar)	Tips of Corsemaul & Tomore	Darnaway & Lethen	Culbin Bar	Hill of Towanreef	Lower Findhorn Woods	Lower River Spey - Spey Bay	Moidach More	Moray Firth	River Spey
E8 - Coastal Protection Zone											
EP1 - Waste Management											
EP7 - Flooding											
EP10 - Foul Drainage											
ER1 - Renewable Energy Proposals											
ER5 – Minerals											

Note: The full policy text is set out in Appendix B

Interpretation of Matrices 1 & 2

The matrices have identified that all the Natura sites require some level of Appropriate Assessment. Those Natura sites in close proximity to the towns and villages have been highlighted as potentially being the most affected. The sites are as follows, Moray and Nairn Coast SPA and Ramsar, Moray Firth SAC, River Spey SAC, Lower River Spey – Spey Bay (SAC) and Loch Spynie SPA and Ramsar

The first stages of the Appropriate Assessment will concentrate on these five Natura sites and assess the potential impact of proposed specific designations and general policies as identified in matrices 1 & 2.

The Appropriate Assessment for the remaining more rural Natura sites where there are no specific designations will focus on the policies identified in Matrices 1 & 2.

Safeguarding Policies

The principle Moray Local Development Plan safeguarding policies are E1 Natura 2000 sites and Natural Nature Conservation Sites & EP6 Waterbodies. There is a secondary tier of safeguarding within policies, although these may promote development they also require environmental protection to be addressed. These policies may be subject to slight modification as the plan progresses from Proposed Plan stage through to adoption. Table 4 below summarises these policies.

Table 4 – Safeguarding Policies

All sensitivities - Adverse affect on integrity of Natura Sites	E1 Natura 2000 Sites and Natural Nature Conservation Sites sets out a framework for assessing proposals that will affect international, national nature conservation designations. Proposals which will affect a designated or proposed SAC, SPA or Ramsar site will be refused unless the developer demonstrates that it will not adversely affect the integrity of the site or there is no alternative solution and there are imperative reasons of overriding public interest in support of the development.
All sensitivities - Increased siltation during construction, water quality, flow rate - River engineering	EP 6 Waterbodies This policy supports the protection and enhancement of the water environment. There is a presumption against cultivating a watercourse and unnecessary engineering works.
All sensitivities	E6 National Parks and National Scenic Areas sets out a framework for considering proposals that adversely affect National Parks and National Scenic Areas.
All sensitivities	E9 Settlement Boundaries sets the limit to which settlements can expand during the Local Plan period. Development proposals immediately

	outwith the boundaries will not be acceptable.
Coastal development Run off/ pollution of watercourses	E8 Coastal Protection Zone identifies the types of development proposals which will be acceptable within the identified Coastal Protection Zone.
All sensitivities - Disturbance to habitats	E10 Countryside Around Towns identifies the types of development proposals acceptable within the CAT areas around the five main towns.
All sensitivities	EP8 Pollution requires that a detailed assessment be undertaken where there is likely to be significant pollution and appropriate mitigation identified.
All sensitivities	IMP1 Development Requirements sets out a list of criteria for new development to meet including, “conservation of natural and built environment resources” and “pollution, including groundwater must be avoided”
All sensitivities	Policy IMP2 Development Impact Assessments requires applicants to provide further detailed assessments including Environmental Assessment which will be required for all developments within or adjacent to international or national natural heritage designations and for other major proposals that are likely to have significant environmental effects under the terms of the EA regulations.
All sensitivities	Policy ED8 Rural Business Proposals sets out criteria for considering new/extensions to business activities in the countryside including, “environmental considerations, including the impact upon natural and built heritage designations.”
All sensitivities	ED9 Tourism Facilities and Accommodation sets out criteria for supporting proposals which contribute towards Moray’s role and image as a tourist area. Includes the requirement to “be compatible with policies to safeguard and enhance the built and natural environment.”
Blanket Bog - Adverse impact on air quality	EP12 Air Quality seeks to ensure that proposals do not adversely affect air quality which could cause harm to the natural environment.
Landfill/Energy from Waste Facilities	EP1 Waste Management and Disposal Facilities sets out a framework for considering proposals for the development of new facilities for the management or disposal of waste. The policy includes criteria on “the proposal should be located where it will not generate a significant adverse impact on international, national, regional or locally significant designated areas.
Windfarm developments close to SPAs.	ER1 Renewable Energy Proposals sets out a framework for considering renewable energy

Flightpaths	proposals including criteria on “compatibility with policies to safeguard and enhance the built and natural environment.”
Disturbance to and loss of nesting/feeding sites through tree removal and construction	ER3 Development in Woodlands aims to protect the biodiversity, recreational and commercial value of woodlands.
Mineral extraction destruction of habitats, disturbance to habitats.	ER5 Minerals proposals need to mitigate the impact on natural heritage
Disturbance to habitats Destruction of habitats	ER7 Soil Resources seeks to ensure that peat and carbon risks soils are not disturbed by new developments

Other Safeguarding

- Environmental Impact Assessment (EIA) Regulations
- Supplementary Guidance - Moray Council’s Supplementary Guidance on Wind Energy and Climate Change
- The Moray Firth Special Area of Conservation Management Scheme
- The River Spey Catchment Management Plan.
- Moray Council’s Core Paths Plan

Windfarms developments close to SPA’s Flightpaths	Wind Energy Policy Guidance – approved March 2013. The Guidance identifies Preferred Search areas for small, medium and large scale wind farms. Constraints including international, national and local nature conservation designations are identified as unsuitable.
Discharges, sedimentation, water quality, abstraction, loss & disturbance to qualifying interests and disturbance to qualifying interests	River Spey Catchment Management Plan
All sensitivities	Environmental Impact Assessment Regulations
All sensitivities	Climate Change SPG – Promotes the use of SUDS, increasing biodiversity, creation of green corridors and buffers to watercourses.
Disturbance to qualifying species and habitats	The Moray Firth Special Area of Conservation Management Scheme

Mitigation

There are various mitigation measures that can be employed to reduce the potential impact of proposals. This would extend to planning conditions on the timing of works to minimise disturbance to qualifying interests. In particular circumstances developments may require a construction method statement to be prepared, the use of strategic SUDS and buffer zones to watercourses also produce adequate mitigation.

Matrix 3 - River Spey SAC

The qualifying interests of the River Spey are the freshwater pearl mussel, otter, sea lamprey, and Atlantic salmon all of which are non-priority. Freshwater pearl mussels and sea lamprey are known to be present only within the main River Spey. Atlantic salmon and otters are more widely distributed and can be found in the main stem and many of the tributaries.

The 3 wholly aquatic species depend upon a range of instream habitats to support their life cycles and a water quality and quantity that supports them. These species are very vulnerable to deterioration in water quality either through pollutants or sediment input which can arise during development if unmanaged. Otters rely on the food resources within the rivers and also habitat adjacent to watercourses in which to breed and rest. Often areas of riparian woodland are a valuable habitat for otters as they can offer shelter and the opportunity for breeding holts (under trees for example).

We expect that water abstraction from the catchment as a whole to become a more significant issue in the future. Distilleries abstract water for cooling processes often returning it but at raised temperatures that can have impacts for the aquatic life. Scottish Water abstract water for drinking from the Dipple Wellfield by Fochabers. There are also several major abstractions from the upper catchment within Highland.

The conservation objectives for the River Spey SAC are;

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
- Distribution and viability of freshwater pearl mussel host species
- Structure, function and supporting processes of habitats supporting freshwater pearl mussel host species

The River Spey SAC includes the main stem of the River Spey from Cragganmore (in Moray) to the mouth of the river at Spey Bay. It also includes several major and minor tributaries. Larger settlements that have potential to influence the SAC are Dufftown, Aberlour, Craigellachie, Rothes, Fochabers and Mosstodloch. Numerous smaller communities also have potential but the scale of development normally experienced is smaller and therefore the risk of impacts is much lower.

The sort of development that has potential to impact on the 4 species and their habitats are water and waste water treatment facilities and upgrades, renewables, distillery proposals, multiple housing developments, road and other infrastructure projects (including bridges, safety barriers), flood management proposals, works at the coast and river works. Smaller scale development like single housing in the countryside should be able to avoid impacts on the SAC through appropriate siting to avoid flood plains and steep slopes above watercourses and by implementing careful construction to avoid sediment and adopting appropriate design of foul drainage to meet SEPA and Building Regs.

Predominantly the mitigation required to eliminate the risk to the 4 species, their habitats and the processes that support them is to ensure that development is well positioned and is able to implement a suite of construction methods that avoid sediment release, pollution and risk of disturbance to otters. If developers identify that the SAC will be a consideration then early consultation with SNH and SEPA can help identify issues and allow them to design out potential issues prior to the planning application. On occasion there may be the requirement to survey for particular species for example a new discharge point from a distillery to the main river will need to ascertain that it will not impact on freshwater pearl mussels.

There are codes of practice in use in other areas that the Moray Council might consider is an option for them or they could be useful documents to refer developers to as much of what applies for the River Tay will apply to the River Spey. Here is a link to the River Tay SAC Code of Practice;
<http://www.snh.org.uk/pdfs/publications/designatedareas/River%20Tay%20SAC.pdf>

Settlement	Potential Development Issues	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
Aberlour	Industrial, commercial, housing and tourism developments located adjacent to the River Spey SAC. 97 dwellings 4 existing industrial estates Single opportunity site.	Atlantic salmon sea lamprey freshwater pearl mussel	Direct loss of/or disturbance to habitat Direct disturbance to gravel spawning beds, mussel beds, silt beds. Accessible waters Changes in flow, water quality, sedimentation	E1 – Natura 2000 sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require IMP2 – Development Impact Assessment Other Safeguarding The River Spey Catchment Management Plan	Housing site R1 – Chivas Field requires woodland planting strip along the Aberlour Burn to protect and enhance the River Spey SAC. Add to Designation Text.	No	No	The submission of a construction method statement for I4 – Fisherton which is in close proximity to the River Spey should ensure the measures necessary to afford protection to the water environment can and will be implemented thus avoiding impacts to the SAC.
					Construction method statement (I4 – Fisherton) to detail measures to protect water environment.	No	No	The remaining designations are not as close to the SAC and additional information at application stage on measures to protect the water environment should be sufficient to avoid impacts on the SAC.
					R2 – Braes of Allachie requires a buffer to the watercourses and requires submission of information on measures to protect the water environment. Add to designation text. R4 Speyview drainage and surface water to be dealt with a part of Masterplan for the site. Reference to optimising the extent of green areas to absorb rainwater. Add to designation text	No	No	Conclusion: mitigation presented at the application stage will ensure that impacts can be avoided and therefore there will be no adverse impact on the integrity of the SAC.

Settlement	Potential Development Issues	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
Aberlour	Industrial, commercial, housing and tourism developments located adjacent to the River Spey SAC 97 dwellings 4 existing industrial estates. Single opportunity site.	Otter	Direct loss of or disturbance to habitat. Direct disturbance to breeding, feeding and resting areas. Changes in flow, water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require IMP2 – Development Impact Assessment Other Safeguarding The River Spey Catchment Management Plan.	Otter survey and species protection plan if required should be presented at application stage or before to allow an assessment of the potential impact on any holts/rest sites that might be present allowing therefore for consideration of any licensing and mitigation that will necessary. Construction method statement (I4 – Fisherton)	No	No	<p>The provision of an Otter Survey and appropriate mitigation as required in the form of a species protection plan to inform the need for any licensing and allow for an assessment of the impact on the SAC should enable impacts to be minimised to an extent that any impact on individual holts/rest sites or otters would not adversely affect the integrity of the SAC as a whole.</p> <p>The construction method statement for I4 -Fisherton which is in close proximity to the River Spey should ensure that there is no impact on water quality from construction run-off etc.</p> <p>The remaining designations are not as close to the SAC additional information at application stage on measures to protect the water environment should be sufficient to avoid impacts on the SAC.</p> <p>Conclusion: surveys and mitigation presented at the application stage will ensure that impacts can be avoided and therefore there will be no adverse impact on the integrity of the SAC.</p>

Settlement	Potential Development Issues	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
Archiestown	Housing land identified for 25 houses	Atlantic Salmon Sea Lamprey Freshwater Pearl Mussel	This settlement is beyond the boundary of the SAC but drains into the SAC. Possible impacts could arise from sedimentation, pollution	E1 – Natura 2000 sites EP6 – Waterbodies EP7 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan.	Designation text for Sites R1-R4 shall state that due information should be submitted to support proposals demonstrating that adequate protection measures can be put in place to avoid impact on water quality.	No	No	Additional info at application stage on measures to protect the water environment should be sufficient to ensure there is no adverse impact on the integrity of the SAC.
Archiestown	Housing Land identified for 25 houses	Otter	Although outwith the SAC boundary otters travel more widely but the small watercourses around this settlement are less likely to be frequented by otters regularly.	E1 – Natura 2000 sites EP6 – Waterbodies EP7 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan.	It is unlikely that otter surveys or mitigation would be required unless there are numerous houses in close proximity to a watercourse.	No	No	Additional info at application stage on measures to protect the water environment should be sufficient to protect otters and if surveys are required this too will provide adequate protection to ensure there is no adverse impact on the integrity of the SAC.

Settlement	Potential Development Issues	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
Craigellachie	<p>Housing land for 42 houses has been identified.</p> <p>With the exception of R2 Spey Road, the remaining housing designations are not located in close proximity to the River Spey or tributary the River Fiddich.</p> <p>No new industrial designations proposed.</p> <p>Existing Distillery complex distant from River Spey SAC.</p>	Freshwater pearl mussel Atlantic Salmon Sea Lamprey	<p>Direct loss of or disturbance to habitat</p> <p>Direct disturbance to mussel beds, gravel spawning beds, silt beds.</p> <p>Changes in water quality, sedimentation.</p> <p>Accessible water</p>	<p>E1 – Natura 2000 Sites</p> <p>EP6 – Waterbodies</p> <p>EP8 – Pollution</p> <p>IMP1 – Dev Require</p> <p>Other Safeguarding</p> <p>The River Spey Catchment Management Plan</p>	<p>R2 – Spey Road development must provide a strategic SUDS scheme for the whole of the site. A construction method statement will be required to demonstrate how surface water is being dealt with and how the developer proposes to build on the steep bank without impacting on the River Fiddich (part of the SAC). The removal of trees on site should be kept to a minimum to allow plots to be developed. The remainder should be thinned; this will provide a buffer to the River Fiddich and may reduce chances of landslip from the bank. This information will be incorporated into the designation text.</p>	No	No	<p>There is no evidence to currently suggest that developing the R2 site would have an adverse impact on the SAC.</p> <p>If it is not possible to develop a SUDS that will adequately serve R2, or subsequent investigations show the slopes to be too steep and unstable a proposal will be refused.</p> <p>However if the mitigation presented demonstrates that development can be successful <u>and</u> afford the protection required to the River Fiddich and the SACs interests then there will be no adverse impact on the integrity of the SAC.</p> <p>In terms of other designations there are no residential or industrial designations in close proximity to the SAC. This should minimise the potential for affecting water quality and sedimentation.</p> <p>Conclusion: mitigation presented at the application stage will ensure that impacts can be avoided and therefore there will be no adverse impact on the integrity of the SAC.</p>

Settlement	Potential Development Issues	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
Craigellachie	<p>Housing land for 42 houses has been identified.</p> <p>With the exception of R2 Spey Road, the remaining housing designations are not located in close proximity to the River Spey or tributary the River Fiddich.</p> <p>No new industrial designations proposed.</p> <p>Existing Distillery complex distant from River Spey SAC.</p>	Otter	Although R2 is relatively close to the River Fiddich it is more within the setting of the village and above the watercourse. It is less likely that otters would frequent this area so the more likely impacts could come from sedimentation and impacts to the Fiddich.	<p>E1 – Natura 2000 Sites</p> <p>EP6 – Waterbodies</p> <p>EP8 – Pollution</p> <p>IMP1 – Dev Require</p> <p>Other Safeguarding</p> <p>The River Spey Catchment Management Plan.</p>	<p>R2 – Spey Road development must provide a strategic SUDS scheme for the whole of the site. A construction method statement will be required to demonstrate how surface water is being dealt with and how the developer proposes to build on the steep bank without impacting on the River Fiddich (part of the SAC). The removal of trees on site should be kept to a minimum to allow plots to be developed. The remainder should be thinned; this will provide a buffer to the River Fiddich and may reduce chances of landslip from the bank. This information will be incorporated into the designation text.</p>	No	No	<p>The provision placed within the designation text for R2 – Spey Road should minimise the potential for affecting water quality and sedimentation. The buffer strip of trees should ensure there is no disturbance to breeding, feeding or rest areas of Otter habitat.</p> <p>It's unlikely that any designations will impact on otters or otter habitat directly. With precautions in place at R2 to retain trees and a buffer zone there should be no adverse impact on the integrity of the SAC.</p>

Settlement	Potential Development Issues	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
Dufftown	<p>Housing land is identified for over 120 houses.</p> <p>There is a substantial release adjacent to Hillside Farm.</p> <p>Existing industrial developments are taken up.</p>	Atlantic Salmon Sea Lamprey Freshwater Pearl Mussels	Dufftown has several watercourses many of them within the SAC boundary but others outwith that drain to the SAC. The nature of the designations means that most direct impacts should be avoidable and that it is predominantly indirect impacts to habitats from changes in water quality and quantity and sedimentation.	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan.	<p>12-Mortlach Distillery R1-Corsemaul R3-Hillside Farm</p> <p>Sufficient information will be required at application stage to confirm that adequate protection measures are to be implemented to protect the water environment</p>	No	No	<p>The submission of information on protection of water environment combined with good practice construction method should to avoid impacts on the SAC.</p> <p>Conclusion: mitigation presented at the application stage will ensure that impacts can be avoided and therefore there will be no adverse impact on the integrity of the SAC.</p>
	2 industrial designations and 3 OPP sites	Otter	The majority of designations are unlikely to impact directly on otters or their breeding/resting sites	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan.	None	No	No	<p>None of the designations are immediately adjacent to watercourses and therefore unlikely to impact on otters.</p> <p>No likely significant effect on otters</p>

Settlement	Potential Development Issues	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
Fochabers	Housing land identified for 130 houses and a long site. 5 Opportunity sites, 2 for residential uses and 3 for potentially commercial or residential use. No industrial designations	Atlantic Salmon Sea Lamprey Freshwater Pearl Mussel	Fochabers has several watercourses many of them within the SAC boundary but others outwith that drain to the SAC. The nature of the designations means that most direct impacts should be avoidable and that it is predominantly indirect impacts to habitats from changes in water quality and quantity and sedimentation.	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Designation text for all housing sites and OPP 3, 4 and 5 sites shall state that due to proximity to River Spey SAC information should be submitted to support proposals demonstrating that adequate protection measures can be put in place to avoid impact on water quality.	No	No	The designated housing site is a suitable distance from the River Spey and its tributaries to minimise the potential to affect water quality and sedimentation with the provision of information on measures to protect the water environment there should be no adverse impact on the integrity of the SAC.
		Otter	The majority of designations are unlikely to impact directly on otters or their breeding/resting sites	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	None of the designations are immediately adjacent to watercourses and therefore unlikely to impact on otters. No likely significant effect on otters

Settlement	Potential Development Issues	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
Mosstodloch	Land has been allocated for the development of 110 houses. The existing industrial estate is nearly fully occupied. Additional industrial land is being designated between the bypass and former A96	Atlantic Salmon Sea Lamprey Freshwater Pearl Mussel	The nature of the designations means that most direct impacts should be avoidable and owing to the distance between the sites and the River Spey it is unlikely that indirect impacts would arise.	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None Providing adequate SUDS can be implemented. This will be referenced within designation text.	No	No	The designated housing sites are a significant distance from the SAC and accordingly should have no effect on the qualifying interests. No likely significant effect
		Otter	The majority of designations are unlikely to impact directly on otters or their breeding/resting sites	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	No likely significant effect

Settlement	Potential Development Issues	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
Rothies	<p>Housing land has been allocated for 80 houses.</p> <p>A large opportunity designation has been identified for a mixture of residential and commercial development.</p>	Freshwater Pearl Mussel Sea Lamprey Atlantic Salmon	<p>Direct loss of or disturbance to habitat</p> <p>Direct disturbance to mussel beds, gravel spawning beds, silt beds.</p> <p>Accessible water</p> <p>Changes in water quality, sedimentation</p>	<p>E1 – Natura 2000 Sites</p> <p>EP6 – Waterbodies</p> <p>EP8 – Pollution</p> <p>IMP1 – Dev Require</p> <p>Other Safeguarding</p> <p>The River Spey Catchment Management Plan</p>	<p>R1, R2 and OPP2 designation text will require submission of information to ensure adequate protection measures are in place to protect the water environment during construction and operation of the site.</p> <p>OPP1 – requires a detailed Masterplan including a construction method statement to avoid release of sediment and pollutant into the watercourses.</p>	No	No	The provision of adequate protection measures should mean that there is no adverse impact on the integrity of the SAC

Settlement	Potential Development Issues	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
Rothies	<p>Housing land has been allocated for 80 houses.</p> <p>A large opportunity designation has been identified for a mixture of residential and commercial development.</p>	Otter	<p>Direct loss or disturbance to habitat</p> <p>Direct disturbance to breeding, feeding and resting areas</p> <p>Changes in flow, water quality, sedimentation.</p>	<p>E1 – Natura 2000 Sites</p> <p>EP6 – Waterbodies</p> <p>EP8 – Pollution</p> <p>IMP1 – Dev Require</p> <p>Other Safeguarding</p> <p>The River Spey Catchment Management Plan.</p>	<p>OPP1 – also requires a detailed Masterplan including a construction method statement to avoid release of sediment and pollutant into the watercourses. Landscape buffer zones will be sought between the development and the River Spey and Broad Burn.</p> <p>R1, R2 and OPP2 designation text will require submission of information to ensure adequate protection measures are in place to protect the water environment from over construction and operation of the site.</p>	No	No	<p>On the basis of provision of adequate protection measures for the water environment and adequate landscape buffer to avoid loss or disturbance to Otter habitat, breeding, feeding and resting areas there will be no adverse impact on the integrity of the SAC.</p>

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
Bridgend of Glenlivet	A site has been designated for low density housing likely to be developed on an individual basis	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	It's unlikely that houses would be sited so close to the large rivers in this community so any impacts would be as an indirect result most likely from sedimentation during construction or foul drainage implications	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Sufficient information will be required at application stage to confirm that adequate protection measures are able to be implemented to protect the water environment. Designation text will be amended accordingly.	No	No	Provision of information at application stage will assist in determining the impact of the proposals. Adherence to building standards and CAR (controlled Activities Regulations) should ensure that impacts are avoided. There will be no adverse impact on integrity of the SAC
		Otter	It's unlikely that within this settlement location that development would direct impact on otters or their habitats.	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	The banks of the watercourse immediately adjoining the community are designated as amenity land and protected from development, this should avoid disturbance to the breeding feeding and resting areas of the otter. No likely significant effect.

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
Carron & Carron Imperial Cottages	Carron 5 houses are identified on site not in close proximity to the River Spey. Carron Imperial Cottages No further development identified with policy stating housing should not be expanded	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	It's unlikely that houses would be sited so close to the large river in this community so any impacts would be as an indirect result most likely from sedimentation during construction or foul drainage implications	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Sufficient information will be required at application stage to confirm that adequate protection measures are able to be implemented to protect the water environment.	No	No	Provision of information at application stage will assist in determining the impact of the proposals. Adherence to building standards and CAR (controlled Activities Regulations) should ensure that impacts are avoided. There will be no adverse impact on integrity of the SAC
		Otter	It's unlikely that within this settlement location that development would direct impact on otters or their habitats.	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	The banks of the watercourse immediately adjoining the community are designated as amenity land and protected from development, this should avoid disturbance to the breeding feeding and resting areas of the otter. No likely significant effect.

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod .	Conclusions
Cardhu	No specific housing sites have been designated. Opportunity for recreational development identified.	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	It's unlikely that the provisions of this plan will have any impact on this RC	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	If developments arise it would be desirable to have information at application stage to confirm that adequate protection measures are able to be implemented to protect the water environment	No	No	No adverse impact on integrity of SAC
		Otter	It's unlikely that the provisions of this plan will have any impact on this RC	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	Large parts of land within the rural community boundary adjacent to the Carron Burn has an amenity designation to preclude development. No likely significant effect

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
Cragganmore	A site for 5 houses is identified	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	It's unlikely that houses would be sited so close to the large river in this community so any impacts would be as an indirect result most likely from sedimentation during construction or foul drainage implications	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Sufficient information will be required at application stage to confirm that adequate protection measures are able to be implemented to protect the water environment	No	No	Provision of information at application stage will assist in determining the impact of the proposals. Adherence to building standards and CAR (controlled Activities Regulations) should ensure that impacts are avoided. There will be no adverse impact on integrity of the SAC
		Otter	Owing to the distance of designations from the SAC that otters would be affected	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	No likely significant effect

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
Dailuaine	No specific housing sites designated likely to be developed on an individual basis given the location and the physical landscape constraints.	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	This community is further from the SAC so any impacts would be as an indirect result most likely from sedimentation during construction or foul drainage implications	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Sufficient information should be provided at application stage to confirm that adequate protection measures are able to be implemented to protect the water environment.	No	No	Provision of information at application stage will assist in determining the impact of the proposals. Adherence to building standards and CAR (controlled Activities Regulations) should ensure that impacts are avoided. There will be no adverse impact on integrity of the SAC
		Otter	Lack of proximity to the SAC probably means that there will be no impact on otters	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	It is unlikely new houses will be developed adjacent to the existing distillery complex. The existing housing is sited at a higher elevation above the distillery and therefore there will be no Otters present. No likely significant effect

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
Edinville	Opportunities exist for single plot development	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	This community is further from the SAC so any impacts would be as an indirect result most likely from sedimentation during construction or foul drainage implications	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	The design. Layout and SUDS on site should be appropriately designed to protect the water environment	No	No	Provision of information at application stage will assist in determining the impact of the proposals. Adherence to building standards and CAR (controlled Activities Regulations) should ensure that impacts are avoided. There will be no adverse impact on integrity of the SAC
		Otter	Lack of proximity to the SAC probably means that there will be no impact on otters	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	The areas of white land identified as accommodating new development are not in close proximity to the watercourses and should therefore not impact or disturb habitat for Otters. Development where it cannot be shown that there will be no significant affect will be refused.

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
Upper & Lower Knockando	<p>Lower Knockando Site A designated for a number of houses the site is separated from the River Spey by a large area of amenity land.</p> <p>Upper Knockando Limited opportunities for infill discharge directly into the burn specifically</p>	<p>Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey</p>	It's unlikely that houses would be sited so close to the large river in this community so any impacts would be as an indirect result most likely from sedimentation during construction or foul drainage implications	<p>E1 – Natura 2000 Sites</p> <p>EP6 – Waterbodies</p> <p>EP8 – Pollution</p> <p>IMP1 – Dev Require</p> <p>Other Safeguarding</p> <p>The River Spey Catchment Management Plan</p>	Sufficient information will be required at application stage to confirm that adequate measures to protect the water environment can be implemented	No	No	<p>The designated site in Lower Knockando is separated from the River Spey by a large amenity area which will further reduce potential impacts.</p> <p>In Upper Knockando the site is a significant distance from Knockando Burn.</p> <p>Provision of information at application stage will assist in determining the impact of the proposals. Adherence to building standards and CAR (controlled Activities Regulations) should ensure that impacts are avoided.</p> <p>There will be no adverse impact on integrity of the SAC.</p>

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod .	Conclusions
	precluded	Otter	The nature of the communities is such that development within is unlikely to impact on otters or otter habitat	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	The habitat and breeding, feeding and resting areas should be offered protection through to designated amenity area for site A in Lower Knockando. At Upper Knockando the site is a significant distance from Knockando Burn. No likely significant effect.
Maggie-knockater	Sites identified for the development on two individual sites depending on ground conditions	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	This community is further from the SAC so any impacts would be as an indirect result most likely from sedimentation during construction or foul drainage implications	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	Adherence to building standards and CAR (controlled Activities Regulations) should ensure that impacts are avoided. There will be no adverse impact on integrity of the SAC.

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod .	Conclusions
Maggie-knockater	Sites identified for the development of two individual sites depending on ground conditions	Otter	The nature of the communities is such that development within is unlikely to impact on otters or otter habitat	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	The site is separated from the banks of the watercourses by a road. No likely significant effect.
Marypark	Two sites allocated for housing	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	This community is further from the SAC so any impacts would be as an indirect result most likely from sedimentation during construction or foul drainage implications	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Sufficient information will be required at application stage to confirm that adequate protection measures are able to be implemented to protect the water environment.	No	No	Provision of information at application stage will assist in determining the impact of the proposals. Adherence to building standards and CAR (controlled Activities Regulations) should ensure that impacts are avoided. There will be no adverse impact on integrity of the SAC.

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
Marypark	Two sites allocated for housing	Otter	The nature of the communities is such that development within is unlikely to impact on otters or otter habitat	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	The site is not adjacent to the banks of the Burn of Pitchaish and should therefore not have any negative impact on Otters. No likely significant effect.
Mulben	One site allocated for housing which may be liable to flooding from the Burn of Aucklunkart. Accordingly a flood risk assessment will be required and may result in flood alleviation measures being required	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	This community is further from the SAC so any impacts would be as an indirect result most likely from sedimentation during construction or foul drainage implications or impact from flood protection measures.	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Construction method statement for any flood alleviation measures considered to impact of interests if necessary. Sufficient information should be provided at application stage to ensure adequate measures are implemented to protect the water environment	No	No	Provision of information at application stage will assist in determining the impact of the proposals including that of any flood protection measures. Adherence to building standards and CAR (controlled Activities Regulations) should ensure that impacts are avoided. There will be no adverse impact on integrity of the SAC.

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod .	Conclusions
		Otter	If the proposal requires flood protection measures that directly affect the watercourse there could be a direct impact on otters.	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Otter survey and species protection plan if required should be presented at application stage or before to allow an assessment of the potential impact on any holts/rest sites that might be present allowing therefore for consideration of any licensing and mitigation that will necessary.	No	No	<p>The provision of an Otter Survey and appropriate mitigation as required in the form of a species protection plan to inform the need for any licensing and allow for an assessment of the impact on the SAC should enable impacts to be minimised to an extent that any impact on individual holts/rest sites or otters would not adversely affect the integrity of the SAC as a whole.</p> <p>No adverse impact on integrity of the SAC.</p>

Rural Communities	Designation	Sensitivities	Qualifying Interest Affected	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
Ruthrie	Opportunities for redevelopment at Ruthrie Farm. No further sites identified	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	This community is further from the SAC so any impacts would be as an indirect result most likely from sedimentation during construction or foul drainage implications	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Design layout and SUDS for development should be designed to avoid impact on water quality and cause sedimentation. Good practice over construction should safeguard quality interests	No	No	Adherence to building standards and CAR (controlled Activities Regulations) should ensure that impacts are avoided. There will be no adverse impact on integrity of the SAC.
Ruthrie	Opportunities for redevelopment at Ruthrie Farm. No further sites identified	Otter	Lack of proximity to the SAC probably means that there will be no impact on otters	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	There is limited scope for new development adjacent to Aberlour Burn and therefore it is unlikely habitat for resting, feeding and breeding otters will be affected. No likely significant effect.

Matrix 3 - River Spey SAC (Policies)

For the policies, and to limit repetition, we will consider all 4 species together. Although otters are not wholly aquatic they depend on the good quality water, access to the water and riparian habitats much of which is crucial for the aquatic species.

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod .	Conclusions
ED6 – Digital Communications	FWPM Atlantic Salmon Sea Lamprey Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Otter survey if considered necessary but unlikely to encroach on suitable habitats	No	No	<p>The main impacts of the telecommunications equipment would be visual. Policy EP6- waterbodies should ensure that there is no impact from construction run-off etc. In all likelihood this type of development is probably more likely to be sited in exposed prominent locations.</p> <p>The results from otters surveys should allow for an assessment of the impact on the SAC and impacts to be minimised to an extent that any impact on individual holts/rest sites or otters would not adversely affect the integrity of the SAC as a whole.</p> <p>No adverse impact on integrity of the SAC.</p>
ED7 - Rural Business Proposals	FWPM Atlantic Salmon Sea Lamprey Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Otter survey if considered necessary	No	No	<p>The policy itself seeks to address environmental considerations. In the event of a business locating in close proximity to the Spey any impacts should be mitigated as follows.</p> <p>Policy EP6-Waterbodies should ensure there is no impact from construction run-off etc.</p> <p>The results from otters surveys should allow for an assessment of the impact on the SAC and impacts to be minimised to an extent that any impact on individual holts/rest sites or otters would not adversely affect the integrity of the SAC as a whole.</p> <p>No adverse impact on integrity of the SAC.</p>
ED8- Tourist	FWPM Atlantic Salmon	Direct loss of or disturbance to habitat	E1 – Natura 2000 Sites	Otter survey if considered	No	No	<p>The policy itself seeks to address environmental considerations. In the event of a business locating in</p>

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
Facilities	Sea Lamprey Otter	Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	necessary			close proximity to the Spey any impacts should be mitigated as follows. Policy EP6-Waterbodies should ensure there is no impact from construction run-off etc. The results from otters surveys should allow for an assessment of the impact on the SAC and impacts to be minimised to an extent that any impact on individual holts/rest sites or otters would not adversely affect the integrity of the SAC as a whole. No adverse impact on integrity of the SAC.
H7 - Housing in Country-side	FWPM Atlantic Salmon Sea Lamprey Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan The Moray Firth Special Area of Conservation Management Scheme	Building Standards porosity Test. Otter survey if considered necessary	No	No	There are increasing numbers of dwellings being proposed in close proximity to the River Spey. There are concerns regarding potential for flooding and pollution through drainage and sediment run-off during construction. EP6 – Waterbodies requires a buffer to watercourses and information to prove there are no negative impacts on the water environment. The results from otters surveys should allow for an assessment of the impact on the SAC and impacts to be minimised to an extent that any impact on individual holts/rest sites or otters would not adversely affect the integrity of the SAC as a whole. No adverse impact on integrity of the SAC.
H10 – Residential Caravan sites	FWPM Sea Lamprey Atlantic Salmon Otter	Direct loss of or disturbance to habitat. Direct disturbance to mussel	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution	Building Standards Porosity Test	No	No	This policy allows for caravans in emergency situations for urgent re-housing and for a temporary period in relation to construction of a house.

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
		beds, silt beds, gravel spawning beds and accessible water. Changes in water quality, sedimentation	IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan				<p>EP6 – Waterbodies should ensure that proposals in proximity to the River Spey SAC or that drain to River Spey. Ensure that there is no adverse impact on water quality or sediment reaching watercourses. EP6 – Waterbodies requires an appropriate buffer zone from watercourses</p> <p>This activity is less likely to affect otter/otter habitats</p> <p>No adverse impact on the integrity of the SAC.</p>
H11 – Gypsy Traveller Sites	FWPM Sea Lamprey Atlantic Salmon Otter	Direct loss of or disturbance to habitat. Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible water. Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Building Standards Porosity Test	No	No	<p>This is a policy framework for assessing proposals for gypsy traveller sites. It requires natural heritage interests are safeguarded.</p> <p>EP6 – Waterbodies should ensure that proposals in proximity to the River Spey SAC or that drain to River Spey have no adverse impact on water quality or sediment reaching watercourses.</p> <p>EP6 – Waterbodies requires an appropriate buffer zone from watercourses</p> <p>No adverse impact on the integrity of the SAC</p>
R3 – Recreation-al and Tourist Retailing	FWPM Sea Lamprey Atlantic Salmon Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible water. Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Otter survey if considered necessary	No	No	<p>The policy itself seeks to address environmental considerations. In the event of a business locating in close proximity to the Spey any impacts should be mitigated as follows.</p> <p>Policy EP6-Waterbodies should ensure there is no impact from construction run-off etc.</p> <p>The results from otters surveys should allow for an assessment of the impact on the SAC and impacts to be</p>

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod .	Conclusions
							<p>minimised to an extent that any impact on individual holts/rest sites or otters would not adversely affect the integrity of the SAC as a whole.</p> <p>No adverse impact on integrity of the SAC.</p>
T1 – Transport Infrastructure Facilities	FWPM Sea Lamprey Atlantic Salmon Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Large scale improvements will be accompanied by an EA.	No	No	<p>Any major works required to upgrade the A96 and A95 outwith the bypasses discussed will require an EA. Fochabers bridge is a potential vulnerable area. There are proposals to dual the A96 but no details at present and no proposals on lines within the plan. The environmental statement should address all issues relating to qualifying interests.</p> <p>Development proposals likely to have a significant effect on qualifying interests of the River Spey SAC would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on the integrity of the SAC will be refused</p> <p>No adverse impact on integrity of the SAC.</p>
T3 - Roadside Facilities	FWPM Sea Lamprey Atlantic Salmon Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan The Moray Firth Special Area of Conservation Management	Otter survey if considered necessary	No	No	<p>There are no specific designations or sites identified for roadside service stations. Given the rural nature of Moray there is unlikely to be high demand for such a facility. The main issues would be construction run-off and potential for pollution. It is considered that policy EP6-waterbodies could deal with this adequately.</p> <p>The results from otters surveys should allow for an assessment of the impact on the SAC and impacts to be minimised to an extent that any impact on individual holts/rest sites or otters would not adversely affect the integrity of the SAC as a whole.</p>

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod .	Conclusions
			Scheme				No adverse impact on integrity of the SAC.
T7 - Cycling, walking and Equestrian Networks (Hill tracks, forest tracks)	FWPM Atlantic Salmon Sea Lamprey Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan E7 and AGLV impacts on the wider landscape	Council's Core Paths Plan	No	No	<p>The Council has a Core Paths Strategy which was prepared in consultation with SNH ensure that recreational access must take account of Natura and the qualifying interests to ensure there is no significant affect. The plan was subject to strategic environmental assessment (SEA).</p> <p>Policy E7 – Areas of Great Landscape Value impacts on the wider landscape, seeks proposals for new hill tracks to ensure their alignment, avoid sensitive natural heritage features, avoid adverse impacts upon local hydrology and take account of the likely type and recreational use of the tracks and wider network</p> <p>Adherence to CAR (controlled Activities Regulations) should ensure that impacts are avoided.</p> <p>There will be no adverse impact on integrity of the SAC.</p>
E8 - Coastal Protection Zone	FWPM Atlantic Salmon Sea Lamprey Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	<p>The Coastal Protection Zone provides another layer of protection beyond policy E1 the policy does not restrict all types of developments, however, it does not specifically promote any large scale developments in issues relating to water quality sedimentation should be adequately addressed under policy EP6 – Waterbodies.</p> <p>No adverse impact on integrity of the SAC</p>
EP1 – Waste Manageme	Freshwater Pearl Mussel	Direct loss of or disturbance to habitat Direct disturbance to	E1 – Natura 2000 Sites EP6 – Waterbodies	None	No	No	At present it is unclear how Moray intends to deal with its waste arisings. Scottish Government targets for zero waste mean alternatives to landfill must be sought.

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
nt (landfill)	Atlantic Salmon Sea Lamprey	mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan				Facilities could be located outwith the local authority boundary. In all likelihood a location along or just off the A96 corridor close to centre of population is the most feasible. This reduces connectivity to the River Spey, in any case proposals of this nature would be supported by an EA that would address impact on quality interests. Facilities utilising energy from waste etc. will be heavily regulated by SEPA in terms of emissions and impact on ground water resources. No adverse impact on integrity of the SAC
EP6 – Water Bodies (river engineering)	FWPM Atlantic Salmon Sea Lamprey Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Requirements Other Safeguarding The River Spey Catchment Management Plan	None	No	No	This is a safeguarding policy and should ensure that any river engineering works demonstrate no adverse impact on qualifying interests. Development proposals likely to have a significant effect on qualifying interests of the River Spey SAC would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on the integrity of the SAC will be refused. No adverse impact on integrity of the SAC.
EP7 – Flooding	FWPM Atlantic Salmon Sea Lamprey Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	None	No	No	The aim of this policy is to direct development away from areas at risk from flooding. It specifies limitations on type of development within potential flood risk areas. There are no proposals for flood alleviation schemes proposed within the plan and therefore there should be no impact on qualifying interests. Close liaison should ensure that the best options for offering flood risk management are adopted that should have no adverse impact on the integrity of the SPA and

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
							<p>Ramsar.</p> <p>No adverse impact on integrity of the SAC</p>
EP10 - Foul Drainage	Freshwater Pearl Mussel Atlantic Salmon Sea Lamprey	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Building Standards Septic Tank test	No	No	<p>The policy allows for the use of private septic tank and soakaway systems where a connection to the main drainage is not available and these could pose environmental risk. This should be adequately addressed through porosity tests as required as part of Building Warrant applications. The policy requires that systems should not have an adverse impact on the water environment.</p> <p>Policy EP6 – Waterbodies should minimise impact on water quality and sedimentation.</p> <p>No adverse impact on integrity of the SAC</p>
ER1 – Renewable Energy	FWPM Atlantic Salmon Sea Lamprey Otter	Direct loss of or disturbance to habitat Direct disturbance to mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	E1 – Natura 2000 Sites EP6 – Waterbodies EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	Moray Council's Wind Energy SPG EA	No	No	<p>All Natura sites are identified in the Council's wind energy guidance as being inappropriate locations for wind farm developments. Large scale applications submitted will require to be accompanied by an EA.</p> <p>Development proposals likely to have a significant effect on qualifying interests of the River Spey SAC would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on the integrity of the SAC will be refused.</p> <p>No adverse impact on site integrity.</p>
ER5 – Mineral (mineral)	FWPM Atlantic Salmon Sea Lamprey	Direct loss of or disturbance to habitat Direct disturbance to	E1 – Natura 2000 Sites EP6 – Waterbodies	EA Specifically information to	No	No	<p>This policy supports mineral extraction including extensions to existing operations, reopening of dormant quarries and extraction of reserves underlying proposed</p>

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
extraction)	Otter	mussel beds, silt beds, gravel spawning beds and accessible Changes in water quality, sedimentation	EP8 – Pollution IMP1 – Dev Require Other Safeguarding The River Spey Catchment Management Plan	demonstrate that the water environment will be protected during construction, operation and restoration of the quarry			development. The Council has undertaken a minerals audit to confirm a 10 year supply of construction aggregates. There are existing quarries at Bluehill Aberlour and Parkmore, Dufftown. Approval is subject to mitigating any impacts on natural heritage. The nature of proposals means that Environmental Assessments will accompany proposals and take account of qualifying interests. The policy itself lists specific issues that have to be addressed including natural heritage. No adverse impact on integrity of the SAC

Key Cumulative Impacts

The primary issue in relation to the River Spey SAC is sedimentation from larger industrial and housing developments. The impacts of sedimentation should be adequately addressed by Policy EP6 Waterbodies and mitigation including the requirements for construction methods statements which will be written into designation text where appropriate. Development rates in Speyside are low and it is unlikely that several large scale housing or industrial developments will come forward at the same time.

Matrix 4 - Moray and Nairn Coast SPA and Ramsar

The qualifying interests of the SPA site include foraging grounds for nationally important numbers of breeding osprey. Over 20,000 wintering waterfowl. Internationally important wintering populations of Icelandic/Greenland pink footed geese, Icelandic greylag geese and redshank.

The qualifying interests of the Moray and Nairn Coast Ramsar site are non-breeding greylag and pink-footed geese , non-breeding waterfowl, redshank, intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland .

The sites are split between Findhorn Bay/Culbin Sands and Spey Bay and although the features can be found in both areas Findhorn Bay/Culbin Sands is probably more important for the wintering bird interests because it is a greater extent of habitat relatively undisturbed by human activity. Spey Bay is very important for its wet woodland and shingle habitats and is also important for foraging osprey.

The conservation objectives for the Moray and Nairn Coast SPA 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 conservation objectives adopted for the Moray and Nairn Coast Ramsar are the same for the SPA above and to cover the habitat interests the following;

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

and

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

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

The development pressures are also different at these locations. The development pressures affecting the Spey Bay area predominately arise from flood risk management actions at Garmouth and Kingston. There are waste water treatment discharges into the site. Culbin Sands is fairly remote and so low lying that it is unlikely to be affected by development. Access and recreation are the key pressures in this area because of the damage to saltmarsh. Sections on Findhorn Bay have a lot of human activity but other sections remain fairly quiet and act as important refuges for birds. The Bay receives inputs of water and sediment from the River Findhorn and smaller burns in addition to receiving run off from the settlements including Forres and Kinloss Barracks. As much of the SPA and Ramsar is subject to regular flooding and tidal action it is unlikely that construction development would directly encroach onto or impact the site. Impacts are more likely to arise from waste water treatment proposals, SUDS schemes, and future development at Kinloss Barracks, flood alleviation, recreation and tourism proposals. Renewables energy schemes near the site or further afield that could impact on the movements of wintering geese could also impact on the sites.

The following matrix all qualifying interests will be assessed together as the impacts are likely to be similar owing to proximity to the sites

Settlement	Designation	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
Findhorn	Identifies a housing site at the Findhorn Ecovillage and a smaller site for 10 houses to be developed within the Plan period. The boatyard is identified as an opposite for redevelopment	Non-breeding and breeding bird interests; Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	Significant disturbance, including impact to flight paths Direct loss of or disturbance to habitat used for roosting and or feeding Direct or indirect loss of or disturbance to habitats	E1 – Natura 2000 Sites E8 Coastal Protection Zone E9 – Settlement Boundaries EP6 – Waterbodies IMP1 – Development Requirement IMP2 – Development Impact Assessment	R1-Heathneuk Removal of gorse bushes should be timed to avoid the breeding season to eliminate the risk of disturbing breeding birds. Consultation with SNH on this is written into the designation text.	No	No	The R2 site has already gained planning consent and the small scale nature of development of up to 10 houses should not have any impact on the SPA interests. No likely significant effect.
Forres	R4 Lochhills – 440 houses LONG BP2 is the long term extension of Forres Business Park	Non-breeding and breeding bird interests; Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	Significant disturbance, including impact to flight paths Direct loss of or disturbance to habitat used for roosting and or feeding Direct or indirect loss of or disturbance to habitats	E1 – Natura 2000 Sites E8 Coastal Protection Zone E9 – Settlement Boundaries EP6 – Waterbodies IMP1 – Development Requirement IMP2 – Development Impact Assessment	None			Although these fields are arable and may provide foraging areas for geese from the SPA/Ramsar if the cropping sequence is suitable. There are ample fields in adjacent areas that are equally suited for geese and loss of these relatively small areas will not reduce the available foraging for the geese. No adverse impact on site integrity.
Garmouth	Housing 1	Non-breeding	Significant	E1 – Natura 2000 Sites		No	No	There is limited capacity at the

Settlement	Designation	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
	designation for 10 houses and opportunities for infill and sub division exist within settlement boundary.	and breeding bird interests; Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	disturbance, including impact to flight paths Direct loss of or disturbance to habitat used for roosting and or feeding Direct or indirect loss of or disturbance to habitats	E8 Coastal Protection Zone E9 – Settlement Boundaries EP6 – Waterbodies IMP1 – Development Requirement IMP2 – Development Impact Assessment				Scottish Water treatment plant for Garmouth. Improvements could be expected in the future but whether the number of houses expected to come forward would warrant major investment by Scottish Water is uncertain. It is anticipated that new housing within Garmouth would link to the existing treatment plant and will not require works that could impact on the SPA and Ramsar interests. No adverse impact on site integrity.
Kingston	Housing – no new designations but opportunities for infill and sub division exist within settlement boundary subject to satisfying flooding policies	Non-breeding and breeding bird interests; Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	Significant disturbance, including impact to flight paths Direct loss of or disturbance to habitat used for roosting and or feeding Direct or indirect loss of or disturbance to habitats	E1 – Natura 2000 Sites E8 Coastal Protection Zone E9 – Settlement Boundaries EP6 – Waterbodies IMP1 – Development Requirement IMP2 – Development Impact Assessment	None	No	No	There are no housing designations which will have a significant effect upon the qualifying interests. No likely significant effect.
Kinloss	Housing land	Non-breeding	Significant	E1 – Natura 2000 Sites	Foul drainage	No	No	Recent improvements to the

Settlement	Designation	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
	is identified across 4 residential sites for in excess of forty houses, an opportunity site. Redevelopment for tourism is identified	and breeding bird interests; Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	disturbance, including impact to flight paths Direct loss of or disturbance to habitat used for roosting and or feeding Direct or indirect loss of or disturbance to habitats	E8 Coastal Protection Zone E9 – Settlement Boundaries EP6 – Waterbodies IMP1 – Development Requirement IMP2 – Development Impact Assessment	and SUDS on site should be appropriately designed to protect the water environment.			waste water system at Kinloss should provide capacity for these designations and should not impact on the SPA and Ramsar species and habitats. Tourism developments are likely to be centred or adjacent to the settlements. No adverse impact on site integrity
Tugnet	No housing designations identified. Reference	Non-breeding and breeding bird interests; Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	Significant disturbance, including impact to flight paths Direct loss of or disturbance to habitat used for roosting and or feeding Direct or indirect loss of or disturbance to habitats	E1 – Natura 2000 Sites E8 Coastal Protection Zone E9 – Settlement Boundaries EP6 – Waterbodies IMP1 – Development Requirement IMP2 – Development Impact Assessment	None	No	No	There are no housing designations. No likely significant effect.
Bogmoor	Opportunities exist for gap site development	Non-breeding and breeding bird interests; Intertidal mudflats and sandflats, saltmarsh, sand	Significant disturbance, including impact to flight paths Direct loss of or disturbance to habitat used for roosting and or feeding	E1 – Natura 2000 Sites E8 Coastal Protection Zone E9 – Settlement Boundaries EP6 – Waterbodies IMP1 – Development Requirement	None	No	No	Small scale development of individual houses within the rural community boundary will not impact on the species and habitats within the SPA/Ramsar. There are no proposals identified within the plan to manage

Settlement	Designation	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod	Conclusions
		dune, shingle and wet woodland	Direct or indirect loss of or disturbance to habitats	IMP2 – Development Impact Assessment				flooding. No likely significant effect.
Dyke	House sites identified for 5 houses and 12 houses	Non-breeding and breeding bird interests; Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	Significant disturbance, including impact to flight paths Direct loss of or disturbance to habitat used for roosting and or feeding Direct or indirect loss of or disturbance to habitats	E1 – Natura 2000 Sites E8 Coastal Protection Zone E9 – Settlement Boundaries EP6 – Waterbodies IMP1 – Development Requirement IMP2 – Development Impact Assessment		No	No	Small scale development of individual houses within the rural community boundary should not impact on the interests No likely significant effect.

The following matrix will be laid out by combining the SPA and Ramsar interests that can be more easily considered as the specific bird interests and the supporting habitats.

Policy	Qualifying Interests	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod.	Conclusions
T7-Cycling, walking and equestrian networks	Non-breeding and breeding bird interests	<p>Significant disturbance, including impact to flight paths</p> <p>Direct loss of or disturbance to habitat used for roosting and or feeding</p>	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP6 – Waterbodies EP8 – Pollution IMP1 – Development Requirement	Moray Councils Core Paths Plan. Any development within Culbin Forest should educate visitors to avoid sensitive habitats.	No	No	<p>The Council has prepared a Core Paths Plan in consultation with SNH. This should address Natura sites and qualifying interests of the sites when identifying new paths or those to be upgraded.</p> <p>The plan has also been subject to a Strategic Environmental Assessment (SEA)</p> <p>Recreational & tourism developments, events, initiative etc. could all increase the levels of human activity in the area that could lead to increasing pressure on these habitats.</p> <p>However there is an existing signed network of paths that educates visitors on the routes to use to avoid damage. Infrastructure is in place to manage visitors that should ensure that the habitats are safeguarded.</p> <p>No adverse impact on site integrity.</p>
	Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	Direct or indirect loss of or disturbance to habitats	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP6 – Waterbodies EP8 – Pollution IMP1 – Development Requirement	Moray Councils Core Paths Plan. Any development within Culbin Forest should educate visitors to	No	No	<p>The Council has prepared a Core Paths Plan in consultation with SNH. This should address Natura sites and qualifying interests of the sites when identifying new paths or those to be upgraded.</p> <p>The plan has also been subject to a Strategic Environmental Assessment (SEA)</p> <p>Recreational & tourism developments, events, initiative etc. could all increase the levels of human activity in the area that could lead to</p>

Policy	Qualifying Interests	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod.	Conclusions
				avoid sensitive habitats.			increasing pressure on these habitats. However there is an existing signed network of paths that educates visitors on the routes to use to avoid damage. Infrastructure is in place to manage visitors that should ensure that the habitats are safeguarded. No adverse impact on site integrity.
	Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	Direct or indirect loss of or disturbance to habitats	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP6 – Waterbodies EP8 – Pollution IMP1 – Development Requirement	EA	No	No	Proposals for waste management on the coast will be considered against the relevant policies including E8 Coastal Protection Zone which restricts the type of acceptable development to existing and/or replacement of buildings and for low intensity recreational/tourist use. The policy itself states that proposals should be located where it will not generate a significant adverse impact on International, national regions or locally designated areas. Preferred locations for large scale operations are likely to be on strategic road networks and close to populations. Proposals of this nature would have to be accompanied by an EA. Significant waste management proposals would be subject to EA. On this basis it is not considered there would be a significant impact on qualifying interests. No likely significant effect.
EP7-Flooding	Non-breeding and breeding bird interests	Significant disturbance, including impact to flight paths Direct loss of or disturbance to habitat	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP6 – Waterbodies EP8 – Pollution IMP1 – Development Requirement	Close liaison with agencies (SEPA, SNH, Marine Scotland	No	No	This policy sets a framework for assessing proposals in flood risk areas and does not promote flood alleviation schemes in Garmouth and Kingston, Kinloss, Fochabers, Findhorn or Culbin area this time. The Forres Flood schemes will be completed in due

Policy	Qualifying Interests	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod.	Conclusions
		used for roosting and or feeding		etc.) if schemes do arise that could impact on N2k sites			<p>course and did not impact on the sites.</p> <p>Close liaison should ensure that the best options for offering flood risk management are adopted that should have no adverse impact on the integrity of the SPA and Ramsar.</p> <p>No adverse impact on site integrity.</p>
	Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	Direct or indirect loss of or disturbance to habitats	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP6 – Waterbodies EP8 – Pollution IMP1 – Development Requirement	None	No	No	<p>This policy sets a framework for assessing proposals in flood risk areas and does not promote flood alleviation schemes in Garmouth and Kingston, Kinloss, Fochabers, Findhorn or Culbin area this time. The Forres Flood schemes will be completed in due course and did not impact on the sites.</p> <p>Close liaison should ensure that the best options for offering flood risk management are adopted that should have no adverse impact on the integrity of the SPA and Ramsar.</p> <p>No adverse impact on site integrity.</p>

ER1-Renewables	Non-breeding and breeding bird interests	Significant disturbance, including impact to flight paths Direct loss of or disturbance to habitat used for roosting and or feeding	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP6 – Waterbodies EP8 – Pollution IMP1 – Development Requirement	EA Developers need to be prepared to carry out bird survey work to support an EA.	No	No	There are no identified search areas within or immediately adjacent to the Moray and Nairn Coast SPA and Ramsar. Any proposed wind farm or other renewable energy proposal will require an EA to ensure that any potentially significant impacts have been fully considered and mitigated as appropriate. No adverse impact on site integrity.
	Intertidal mudflats and sandflats, saltmarsh, sand dune, shingle and wet woodland	Direct or indirect loss of or disturbance to habitats	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP6 – Waterbodies EP8 – Pollution IMP1 – Development Requirement	EA	No	No	There are no identified search areas within or immediately adjacent to the Moray and Nairn Coast SPA and Ramsar. Any proposed wind farm or other renewable energy proposal will require an EA to ensure that any potentially significant impacts have been fully considered and mitigated as appropriate. No adverse impact on site integrity.

Key Cumulative Impacts

Wind energy proposals have the potential to impact on birds off site, in terms of collision risk and displacement for foraging on all SPA sites. The Council's Moray Onshore Wind Energy Supplementary Planning Guidance identifies international and national heritage designation as requiring significant protection. A key finding of the guidance is that there are very limited opportunities for further large scale wind turbines in Moray. The identified search areas for large (80m +) and medium (50-80m) turbine typologies are located a significant distance from the Moray and Nairn Coast SPA.

Matrix 5 – Moray Firth SAC (Designations/Proposals)

The bottle-nosed dolphin population within the Moray Firth travel more widely along our coasts so are not just found within the SAC but the SAC remains an important core area for them.

The sandbanks that remain submerged at all times extend under much of the Moray Firth and provide a substrate upon which many different habitats, which depend upon certain light conditions thrive.

Conservation objectives for **Moray Firth SAC**

To avoid deterioration of the qualifying habitat (sandbanks) 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

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

and;

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

- 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 sandbanks are a soft and fragile habitat that can easily be damaged during marine works that could include dredging disposals, harbour improvements, jetties, coastal defence, outfalls etc. The renewable energy industry has potential to impact on them either directly through schemes or the need to lay new offshore cabling to link to new schemes.

Outfalls from foul and surface water treatments or for intakes of water for industry can impact on the sandbanks and the quality of water which can affect the dolphins. Noise from marine construction can also affect dolphins.

Marine wildlife watching tourism is closely scrutinised and most operators within the Moray Firth sign up to protocols such as the Dolphin Space Programme to ensure that watching is carried out responsibly.

Settlement	Designation	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod.	Conclusions
Burghead	The plan identifies a number of housing sites which are a significant distance from the coast. Land at R4 Clarkly Hill is a new allocation for 40 houses. The boundary of Burghead caravan park has been enlarged to allow for growth of the facility.	Subtidal sandbanks	Changes to coastal dynamics and sediment supply. Marine activities, pipelines, outfalls, dredging etc.	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP9 – Settlement Boundaries IMP1 – Development Requirement IMP6 – Development Impact Assessment EP6 – Waterbodies EP8 – Pollution EP10 – Foul drainage	T1 text to make reference impact of surface water and drainage to Moray Firth SAC.	No	No	Site R4 – Clarkly Hill is a significant distance from the coast. Mitigation has been written into T1 – Burghead caravan park to consider surface water and drainage proposals. It is not expected that the designations will require new outfalls to the sea and that foul drainage can be accommodated and will not reduce water quality within areas frequented by dolphins No adverse impact on site integrity

Burghead	The plan identifies a number of housing sites which are a significant distance from the coast. Land at R4 Clarkly Hill is a new allocation for 40 houses, the boundary of Burghead caravan park has been enlarged to allow for growth of the facility.	Bottlenose dolphins	<p>Changes in water quality</p> <p>Loss or changes in ability of habitats to support the species</p> <p>Disturbance</p>	<p>E1 – Natura 2000 Sites</p> <p>E8 Coastal Protection Zone</p> <p>EP9 – Settlement Boundaries</p> <p>IMP1 – Development Requirement</p> <p>IMP6 – Development Impact Assessment</p> <p>EP6 – Waterbodies</p> <p>EP8 – Pollution</p> <p>EP10 – Foul drainage</p>	R4 – foul drainage should meet the standard necessary to avoid impacts on the dolphins	No	No	<p>R4 - It is not expected that the designations will require new outfalls to the sea and that foul drainage can be accommodated and will not reduce water quality within areas frequented by dolphins.</p> <p>Mitigation has been written into T1 – Burghead caravan park to consider surface water and drainage proposals. Providing there is no requirement for new outfalls on drainage to the sea.</p> <p>No adverse impact on site integrity</p>
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Cummingston	Small scale house sites for 6 houses	Subtidal sandbanks Bottlenose dolphins	Changes to coastal dynamics and sediment supply. Marine activities, pipelines, outfalls, dredging etc. Changes in water quality Loss or changes in ability of habitats to support the species Disturbance	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP9 – Settlement Boundaries IMP1 – Development Requirement IMP6 – Development Impact Assessment EP6 – Waterbodies EP8 – Pollution EP10 – Foul drainage	None	No	No	This is small scale and unlikely to impacts on the SAC's interests.
Findhorn	The Plan identifies a housing site at the Findhorn Eco Village and a smaller site for 10 houses to be developed within the plan period. The Boatyard is identified as an OPP site for redevelopment.	Subtidal sandbanks Bottlenose dolphins	Changes to coastal dynamics and sediment supply. Marine activities, pipelines, outfalls, dredging etc. Changes in water quality Loss or changes in ability of habitats to support the species Disturbance	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP9 – Settlement Boundaries IMP1 – Development Requirement IMP6 – Development Impact Assessment EP6 – Waterbodies EP8 – Pollution EP10 – Foul drainage	None	No	No	It is not expected that the designations will require new outfalls to the sea and that foul drainage can be accommodated and will not reduce water quality within areas frequented by dolphins. Development of the site requires to take account of potential contamination in the vicinity and requires a remediation strategy to mitigate effect. No likely significant effect.

Hopeman	The Plan identifies a site at Manse Road for 10 houses and a LONG site for 10 houses	Subtidal sandbanks	Changes to coastal dynamics and sediment supply. Marine activities, pipelines, outfalls, dredging etc.	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP9 – Settlement Boundaries IMP1 – Development Requirement IMP6 – Development Impact Assessment EP6 – Waterbodies EP8 – Pollution EP10 – Foul drainage	Masterplan for site and LONG site designation text to reference impact of surface water and drainage impact on SAC interests	No		A Masterplan approach and avoidance of new outfalls on drainage direct to the sea should mean there is no impact on SAC interests. No likely significant effect.
		Bottlenose dolphins	Changes in water quality Loss or changes in ability of habitats to support the species Disturbance					
Lossie-mouth	The Plan identifies a site at Sunbank/ Kinnedar for 250 houses and Sunbank South for 100 houses. Other sites are currently under construction. The sites are removed from the coast. The site also identifies an opportunity at Sunbank also remote from the	Subtidal sandbanks	Changes to coastal dynamics and sediment supply. Marine activities, pipelines, outfalls, dredging etc.	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP9 – Settlement Boundaries IMP1 – Development Requirement IMP6 – Development Impact Assessment EP6 – Waterbodies EP8 – Pollution EP10 – Foul drainage	OPP1 – Esplanade requirements for a flood risk assessment should address surface water and drainage arrangements on site. The designation next should make reference to the dynamic nature of the coast and future effects of climate change will impact upon proposals and proposals will have to avoid impact on SAC interests.	No	No	There are no firm proposals for Esplanade to assess impact. Designation text makes it clear that the SAC interests must be taken account of and impacts can be mitigated adequately. It is not expected that the designations will require new outfalls to the sea and that foul drainage can be accommodated and will not reduce water quality within areas frequented by dolphins.
		Bottlenose dolphins	Changes in water quality Loss or changes in ability of habitats to support the species Disturbance					

	coast. There is a proposed extension to the Lossiemouth caravan site and an OPP designation for the Esplanade that are in close proximity to the Moray Firth SAC							No adverse impact on site integrity.
Kinloss	The Plan identifies a site at Damhead for 25 houses. The existing site R3 Findhorn Road West is identified for 4 houses. The text recognises that flooding is a problem on the west of the site. A further 2 sites are identified for small scale development and an opportunity site for redevelopment to tourism is also identified.	Subtidal sandbanks Bottlenose dolphins	Changes to coastal dynamics and sediment supply. Marine activities, pipelines, outfalls, dredging etc. Changes in water quality Loss or changes in ability of habitats to support the species Disturbance	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP9 – Settlement Boundaries IMP1 – Development Requirement IMP6 – Development Impact Assessment EP6 – Waterbodies EP8 – Pollution EP10 – Foul drainage	R3 – Construction Method Statement	No	No	R3 method statement should ensure that measures are considered at application stage and assessed as to their potential impact on the SAC. It is expected that any potential impacts could be mitigated at this stage. The remaining sites are not in close proximity to the designated site. No adverse impact on site integrity.

Matrix 5a -Moray Firth SAC (Policies)

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod .	Conclusions
T1 - Transport Infrastructure	Subtidal sandbanks & bottle-nosed dolphins	<p>Changes to coastal dynamics and sediment supply.</p> <p>Marine activities, pipelines, outfalls, dredging etc.</p> <p>Changes in water quality</p> <p>Loss or changes in ability of habitats to support the species</p> <p>Disturbance</p>	<p>E1 – Natura 2000 Sites</p> <p>E8 Coastal Protection Zone</p> <p>EP9 – Settlement Boundaries</p> <p>IMP1 – Development Requirement</p> <p>IMP6 – Development Impact Assessment</p> <p>EP6 – Waterbodies</p> <p>EP8 – Pollution</p> <p>EP10 – Foul drainage</p>	<p>Detailed construction method statement may be required for harbour improvement projects to demonstrate that improvement can be achieved without impacting on the sandbanks and the dolphins.</p> <p>Construction methods that result in high levels of noise in the marine environment may be restricted to protect dolphins</p>	No	Yes	<p>The only priority that has potential to impact on the SAC is improvement to harbour facilities. This could include Lossiemouth, Burghead, Hopeman. Improvements within the existing footprints or small extensions should have limited effects on the sandbanks. Noise will be restricted to prevent disturbance to the dolphins unless it can be ascertained that the area is not frequented by dolphins.</p> <p>No adverse impact on site integrity</p>

T4-Bus, Rail, Harbour Facilities	Subtidal sandbanks & bottle-nosed dolphins	<p>Changes to coastal dynamics and sediment supply.</p> <p>Marine activities, pipelines, outfalls, dredging etc.</p> <p>Changes in water quality</p> <p>Loss or changes in ability of habitats to support the species</p> <p>Disturbance</p>	<p>E1 – Natura 2000 Sites</p> <p>E8 Coastal Protection Zone</p> <p>EP9 – Settlement Boundaries</p> <p>IMP1 – Development Requirement</p> <p>IMP6 – Development Impact Assessment</p> <p>EP6 – Waterbodies</p> <p>EP8 – Pollution</p> <p>EP10 – Foul drainage</p>	<p>Detailed construction method statement may be required for harbour improvement projects to demonstrate that improvement can be achieved without impacting on the sandbanks and the dolphins. Construction methods that result in high levels of noise in the marine environment may be restricted to protect</p>	No	No	<p>The only priority that has potential to impact on the SAC is improvement to harbour facilities. This could include Lossiemouth, Burghead, Hopeman. Improvements within the existing footprints or small extensions should have limited effects on the sandbanks. Noise will be restricted to prevent disturbance to the dolphins unless it can be ascertained that the area is not frequented by dolphins.</p> <p>No adverse impact on site integrity</p>
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EP7-Flooding	Subtidal sandbanks & bottle-nosed dolphins	<p>Changes to coastal dynamics and sediment supply.</p> <p>Marine activities, pipelines, outfalls, dredging etc.</p> <p>Changes in water quality</p> <p>Loss or changes in ability of habitats to support the species</p> <p>Disturbance</p>	<p>E1 – Natura 2000 Sites</p> <p>E8 Coastal Protection Zone</p> <p>EP9 – Settlement Boundaries</p> <p>IMP1 – Development Requirement</p> <p>IMP6 – Development Impact Assessment</p> <p>EP6 – Waterbodies</p> <p>EP8 – Pollution</p> <p>EP10 – Foul drainage</p>	<p>Close liaison with agencies (SEPA, SNH, Marine Scotland etc.) if schemes do arise that could impact on the marine environment within the SAC.</p>	No	No	<p>This policy sets a framework for assessing proposals in flood risk areas and does not promote flood alleviation schemes in areas adjacent to the SAC. The Forres Flood schemes will be completed in due course and did not impact on the SAC.</p> <p>Close liaison should ensure that the best options for offering flood risk management are adopted that should have no adverse impact on the site integrity of the SAC.</p> <p>No adverse impact on site integrity.</p>
EP10-Foul Drainage	Subtidal sandbanks & bottle-nosed dolphins	<p>Changes to coastal dynamics and sediment supply.</p> <p>Marine activities, pipelines, outfalls, dredging etc.</p> <p>Changes in water quality</p> <p>Loss or changes in ability of habitats to support the species</p> <p>Disturbance</p>	<p>E1 – Natura 2000 Sites</p> <p>E8 Coastal Protection Zone</p> <p>EP9 – Settlement Boundaries</p> <p>IMP1 – Development Requirement</p> <p>IMP6 – Development Impact Assessment</p> <p>EP6 – Waterbodies</p> <p>EP8 – Pollution</p> <p>EP10 – Foul drainage</p>	<p>Building Standards</p> <p>Porosity Test</p>	No	No	<p>Scottish Water investment has meant there are public sewers available for connection in Findhorn and Kinloss. It is therefore likely that there will be no requirements for new outfalls or drainage to the sea.</p> <p>No adverse impact on integrity.</p>

Key Cumulative Impacts

Dredging works effecting the sandbanks and direct works to the harbour effecting water quality for dolphins have been identified as having a potential cumulative impacts. In terms of the Council's harbours estate the main working harbour is in Buckie which is outwith the SAC. Any large scale proposals that come forward are likely to be subject to an EA which should address impact on the qualifying interests.

Matrix 6 - Lower River Spey – Spey Bay SAC (Designations/Proposals)

The SAC's qualifying interests are the floodplain woodland found along the banks or the River Spey and on the shingle islands within the river and the vegetated coastal shingle found around the mouth of the river and to the west of Kingston just landward of the active shingle ridge at the beach.

Conservation objectives for **Lower River Spey - Spey Bay SAC**;

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

The floodplain woodland is maintained by the natural processes of the River Spey so the greatest threat to this habitat is from river engineering works, flood schemes and coastal defences. Much of the woodland is regularly subject to fluvial flooding and therefore totally unsuitable for most development. The Spey is powerful and the river channel is mobile in this lowest section so areas not currently affected by flooding and erosion may be subject to these issues in the future. These are most critical considerations when looking at development opportunities at Garmouth, Kingston, Tugnet and other rural settlements bordering the Spey's floodplain.

The Sustrans cycle route crosses the SAC along the viaduct and maintenance may be required at intervals.

Scottish Water's waste water overflow outfall for Garmouth discharges into the river at the golf club. This outfall regularly requires repair due to erosion damage. Any major works to improve or remediate this could impact on the river's natural processes and the impact on the woodland would need to be considered.

There is already quite a tourism hub at Tugnet and visitor numbers do not impact on the woodland.

The vegetated coastal shingle is mostly found to the west of Kingston at the 'Lein' and into Lossie Forest. It includes the firing range within the forest. Recreation levels seem to be compatible with the interest. Increasing visitor numbers might need to be managed but this could be achievable through signage. There is currently very little signage and waymarking. Coastal erosion will prompt calls for coastal defences at Kingston. This has potential to have knock on impacts on this habitat.

The habitat includes wetter areas and to avoid increasing nutrients in these spots adjacent housing needs to have foul water treatments that do not risk nutrients leaching into the site.

Settlement	Designation	Qualifying Interests	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod.	Conclusions
Garmouth	A housing designation for 10 houses and opportunities for infill and subdivision within settlement boundary. Individual dwellings	Coastal shingle vegetation outside the reach of waves	Loss, damage to habitat Increased nutrient input leading to accelerated vegetation growth and loss of coastal vegetation and bare shingle.	E1-International EP6-Waterbodies EP6-Flooding EP7-Pollution IMP1-Dev Requirements IMP2-Development Impact Assessment		No	No	There is limited capacity at the Scottish Water treatment plant for Garmouth. Improvements could be expected in the future but whether the number of houses expected to come forward would warrant major investment by Scottish Water is uncertain. It is anticipated that new housing within Garmouth would link to the existing treatment plant and will not require works that could impact on the coastal vegetated shingle. With foul drainage being taken to a treatment plant there will be no risk of an impact on the vegetated shingle. No adverse impact on site integrity

Settlement	Designation	Qualifying Interests	Sensitivities	Safeguarding	Mitigation	Residual Affects	Plan Mod.	Conclusions
Garmouth	A housing designation for 10 houses and opportunities for infill and subdivision within settlement boundary. Individual dwellings	Alder woodland on floodplains	Loss, damage to habitat Changes to geomorphology on the Spey	E1-International EP5- Watercourses EP7-Pollution IMP1-Dev Requirement IMP2 – Development Impact Assessment	None	No	No	<p>There is limited capacity at the Scottish Water treatment plant for Garmouth. Improvements could be expected in the future but whether the number of houses expected to come forward would warrant major investment by Scottish Water is uncertain. It is anticipated that new housing within Garmouth would link to the existing treatment plant and will not require works that could impact on floodplain woodland.</p> <p>Housing within the Garmouth settlement boundary will not impact on the floodplain woodland. The nearest area of floodplain woodland is some distance from the settlement boundary.</p> <p>No likely significant effect</p>

Kingston There are no housing, business or industrial sites designated. Policies for the area do not specifically preclude applications for the above uses	Individual Dwellings	Coastal shingle vegetation outside the reach of waves	Loss, damage to habitat Increased nutrient input leading to accelerated vegetation growth and loss of coastal vegetation and bare shingle.	E1-International EP5- Watercourses EP7-Pollution IMP1-Dev Requirement IMP2 – Development Impact Assessment EP 10 – Foul Drainage	None	No	No	<p>Due to the area's susceptibility to flooding, no green-field or redevelopment sites are identified. There is no public drainage facility for Kingston. Housing is drained by a system of individual septic tanks which must be licensed and approved by SEPA, the Council and Scottish Water. The risk of nutrients transferring to the SAC habitat via the groundwater should be avoided by ensuring that there is no net increase in nutrient loading where it could impact on the SAC habitat.</p> <p>EP6 – Waterbodies should deal adequately with the construction run off from the dwellings to minimise the potential for sedimentation.</p> <p>No adverse impact on site integrity.</p>
Kingston	Individual Dwellings	Alder woodland on floodplains	Loss, damage to habitat Changes to geomorphology on the Spey	E1-International EP5- Watercourses EP7-Pollution IMP1-Dev Requirement IMP2 – Development Impact Assessment	None	No	No	<p>Floodplain woodland is located away from Kingston.</p> <p>No likely significant effect.</p>

Tugnet There are no housing, business or industrial sites designated. Policies for the area do not specifically preclude applications for the above uses	Individual Dwellings	Coastal shingle vegetation outside the reach of waves	Loss, damage to habitat Increased nutrient input leading to accelerated vegetation growth and loss of coastal vegetation and bare shingle.	E1-International EP5- Watercourses EP7-Pollution IMP1-Dev Requirement IMP2 – Development Impact Assessment	None	No	No	EP6 – Waterbodies should deal adequately with the construction run off from the dwellings to minimise the potential for sedimentation. Any development is likely to be in character with existing patterns of development and therefore unlikely to encroach on sensitive coastal habitats although new development would need to take into consideration climate change, coastal erosion and flooding. No adverse impact on site integrity.
Tugnet	Individual Dwellings	Alder woodland on floodplains	Loss, damage to habitat Changes to geomorphology on the Spey	E1-International EP5- Watercourses EP7-Pollution IMP1-Dev Requirement	None	No	No	Floodplain woodland is located upstream of Tugnet and therefore unlikely to be impacted upon. Any development is likely to be in character with existing patterns of development and therefore unlikely to require infrastructure that would interfere with the coastal and river processes that support the habitats including floodplain woodland.
Bogmoor There are no identified sites but opportunities for gap site and water development.	Individual Dwellings	Coastal shingle vegetation outside the reach of waves	Loss, damage to habitat Increased nutrient input leading to accelerated vegetation growth and loss of coastal vegetation and bare shingle.	E1-International EP5- Watercourses EP7-Pollution IMP1-Dev Requirement	None	No	No	The habitat is not in proximity to Bogmoor. No connectivity. No likely significant effect

Bogmoor There are no identified sites but opportunities for gap site and water development.	Individual Dwellings	Alder woodland on floodplains	Loss, damage to habitat Changes to geomorphology on the Spey	E1-International EP5-Watercourses EP6-Flooding EP7-Pollution IMP1-Dev Requirements IMP2-Development Impact Assessment	EA	No	No	There are no proposals within the plan to promote a flood alleviation scheme for Bogmoor. Small scale proposals for infill development will not impact upon coastal or river processes. Policy EP6 – should safeguard from sedimentation. No likely significant effect.
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Matrix 6a –Lower River Spey – Spey Bay SAC (Policies)

Policy	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
H7-Housing in Country side	Coastal shingle vegetation Alder woodland on floodplains	Loss, damage to habitats Changes to coastal and river geomorphology Increased nutrient input to the 'Lein' area.	E1-International EP6-Waterbodies EP6-Flooding EP7-Pollution IMP1-Dev Requirements IMP2-Development Impact Assessment EP 10 Foul Drainage		No	No	In an area highly prone to flooding from river and sea it's unlikely that housing would be poorly sited resulting in an impact on coastal and river processes. In areas beyond the settlement boundaries of Garmouth and Kingston but still in proximity to the western section of the SAC the risk of nutrients transferring to the coastal vegetated shingle habitat via the groundwater from septic tank soakaways should be avoided by ensuring that there is no net increase in nutrient loading. This policy will not impact on floodplain woodland. EP6 – Waterbodies should deal adequately with the construction run off from the

Policy	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
							<p>dwelling to minimise the potential for sedimentation.</p> <p>No adverse impact on integrity</p>
T1 – Transport Infrastructure	<p>Coastal shingle vegetation</p> <p>Alder woodland on floodplains</p>	<p>Loss, damage to habitats</p> <p>Changes to coastal and river geomorphology</p> <p>Increased nutrient input to the 'Lein' area.</p>	<p>E1-International</p> <p>EP6-Waterbodies</p> <p>EP6-Flooding</p> <p>EP7-Pollution</p> <p>IMP1-Dev Requirements</p> <p>IMP2-Development Impact Assessment</p>	EA	No	No	<p>There are no specific proposals that would directly affect the SAC.</p> <p>No likely significant effect.</p>
EP7 - Flooding	<p>Coastal shingle vegetation</p> <p>Alder woodland on floodplains</p>	<p>Loss, damage to habitats</p> <p>Changes to coastal and river geomorphology</p> <p>Increased nutrient input to the 'Lein' area.</p>	<p>E1-International</p> <p>EP6-Waterbodies</p> <p>EP6-Flooding</p> <p>EP7-Pollution</p> <p>IMP1-Dev Requirements</p> <p>IMP2-Development Impact Assessment</p>	<p>Close liaison with agencies (SEPA, SNH, Marine Scotland etc.) if schemes do arise that could impact on N2k sites in order for sustainable solutions to be promoted.</p>	No	No	<p>This policy provides a framework for assessing proposals in flood risk areas. There is no longer reference within the promotion of flood alleviation scheme for Garmouth and Kingston</p> <p>Close liaison should ensure that the best options for offering flood risk management are promoted/adopted that should have no adverse impact on the integrity of the SAC.</p>

EP10 - Foul Drainage	Coastal shingle vegetation Alder woodland on floodplains	Loss, damage to habitats Changes to coastal and river geomorphology Increased nutrient input to the 'Lein' area.	E1-International EP6-Waterbodies EP6-Flooding EP7-Pollution IMP1-Dev Requirements IMP2-Development Impact Assessment	Building Standards Septic Tank Test Where proposals could increase the net amount of nutrients entering the Lein area, mitigation will be required that might include upgrading of existing systems on or near the development site.	No	No	The risk of nutrients transferring from septic tank soakaways to the coastal vegetated shingle habitat via the groundwater should be avoided by ensuring that there is no net increase in nutrient loading. No adverse impact on integrity
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ER5-Minerals	Coastal shingle vegetation Alder woodland on floodplains	Loss, damage to habitats Changes to coastal and river geomorphology Increased nutrient input to the 'Lein' area.	E1-International EP6-Waterbodies EP6-Flooding EP7-Pollution IMP1-Dev Requirements IMP2-Development Impact Assessment	EA	No	No	<p>The policy promotes extension to existing quarries and dormant quarries and extraction of resources from under existing designations. There are existing quarries in proximity to Spey Bay. Extensions to this quarry have proceeded without encroaching or impacting on the SAC. There remains additional land outwith the SAC for future extensions. The provision of an EA will ensure that any potentially significant impact on the SAC have been fully considered and mitigated as appropriate.</p> <p>No adverse impact on site integrity.</p>
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Key Cumulative Impacts

The main impact on the River Spey is the pressure to manage flood risk but this is unlikely to have a cumulative effect.

Matrix 7 –

Loch Spynie SPA and Ramsar

The qualifying interests of the SPA site are the wintering Greylag geese. The qualifying interests of the Ramsar site are the wintering greylag geese, nationally scarce plant species, example of meso-eutrophic loch surrounded by large area of open water transition mire.

The conservation objectives for Loch Spynie SPA 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 conservation objectives adopted for Loch Spynie Ramsar are the same for the SPA above and to cover the habitat interests the following;

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

and

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

- Extent of the habitat on site
- Distribution of the habitat within site
- Structure and function of the habitat
- Processes supporting the habitat

- Distribution of typical species of the habitat
- Viability of typical species as components of the habitat
- No significant disturbance of typical species of the habitat

Loch Spynie is a wetland area and therefore highly unlikely to be directly affected by construction developments however recreation and tourism proposals could increase human activity at the site that could, if poorly managed, disturb the birds.

A greater threat is that to the water quality within the loch itself. It is a shallow water body regulated by a dam and sluice. Loch Spynie is naturally fairly high in nutrients the risk of additional nutrient input from the catchment could increase nutrient levels giving rise to algal blooms and encouraging vegetation growth which could decrease the extent of open water through time. The open water is important for the geese to safely roost at night. Much is being done within the catchment to reduce agriculturally derived nutrient input.

Housing developments to the north of Elgin will require SUDS and it will be important that drainage for the large scale developments within Loch Spynie catchment does not add further pressure in terms of nutrient input. Developers considering such projects will need to engage early with the Moray Council, SEPA and SNH to determine what measures may need to be implemented to fully safeguard the SPA and Ramsar interests.

Renewable developments, most probably wind energy, have potential to impact on the SPA geese whilst they are either flying into and out of Loch Spynie or when they are further afield foraging during the winter days on agricultural fields. In close proximity to geese SPAs (within 1 km) and in areas known to be favoured by foraging geese there may be a requirement for survey work to identify the possible collision risks to greylag geese.

Settle- ment	Designation	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Resi- dual Effects	Plan Mod.	Conclusions
Elgin	Housing: There are 1540 housing sites identified in Elgin for the 5 year plan period, this figure includes allocations to allow for a 5 year effect supply after 2020. This included bringing forward site to North of Elgin at Findrassie/ Myreside for 1160 houses identified as LONG in the 2008 plan. There is also a large	Greylag Goose	Direct or indirect loss of or disturbance to habitat Disturbance to roosts, feeding areas, flight paths	E1- International E9-Settlement Boundaries E10- Countryside Around Towns IMP1- Development Requirements IMP2- Development	Requirement for a Masterplan to be prepared and implemented on site. Designation text to make reference to following requirements. Post development run off should match pre- development run off and this should be achieved through the use of appropriate levels of SUDS.	No	No	Concern regarding drainage and potential to make the loch too nutrient rich and impact on flooding regime within the catchment of Loch Spynie. This is due to additional impermeable surfaces and increased water runoff. Submission of the information set out as mitigation should demonstrate that the overall

Settle- ment	Designation	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Resi- dual Effects	Plan Mod.	Conclusions
	allocation identified as LONG for the longer term development of Elgin to the North East of Elgin in closer proximity with Spynie than Findrassie/ Myreside. Other issues. The Flood Alleviation Scheme is currently under construction. Bypass lines have been removed.			Impact Assessment EP5- Watercourses EP7-Pollution ER6 - Agriculture	This should negate the impact of increased impermeable areas causing changes in flow peaks of canals. SUDS should and be used to treat surface water prior to distance given size and sensitivity of the catchment. Full treatment would be required. A drainage impact assessment and full SUDS design will be required at an early stage.			proposal will not adversely affect the SPA/Ramsar site. Proposals that cannot demonstrate there will be no adverse affect on the integrity of the site will be refused.
Elgin	Housing: There are 1540 housing sites identified in Elgin for the 5 year plan period, this figure includes allocations to allow for a 5 year effective supply after 2020.	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality hydrology	E1- International E9-Settlement Boundaries E10- Countryside Around Towns IMP1- Development Requirements IMP2- Development Impact Assessment EP5- Watercourses EP7-Pollution ER6 –	Requirement for a Masterplan to be prepared and implemented on site. Designation text to make reference to following requirements. Post development run off should match pre development run off and this should be achieved through the use of appropriate levels of SUDS. This should negate the impact of increased impermeable areas causing changes in flow peaks of canals. SUDS should and be used to	No	No	Concern regarding drainage and potential to make the loch too nutrient rich and impact on the flooding regime within the catchment of Loch Spynie due to additional impermeable surfaces and increased water runoff. Submission of the information set out as mitigation should demonstrate that the overall proposal will not adversely affect the SPA/Ramsar site. Proposals that cannot demonstrate there will be no adverse affect on the integrity of the site will be

Settle- ment	Designation	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Resi- dual Effects	Plan Mod.	Conclusions
				Agriculture	treat surface water prior to distance given size and sensitivity of the catchment. Full treatment would be required. A drainage impact assessment and full SUDS design will be required at an early stage.			refused.
Elgin	Industrial: Identified an additional 12 ha on north site of Elgin beyond existing which include new business parks on the eastern and western approaches to Elgin	Greylag Goose	Direct or indirect loss of or disturbance to habitat Disturbance to roosts, feeding areas, flight paths	E1- International E9-Settlement Boundaries E10- Countryside Around Towns IMP1- Development Requirements IMP2- Development Impact Assessment EP5- Watercourses EP7-Pollution ER6- Agriculture	Requirement for a Masterplan to be prepared and implemented on site. Designation text to make reference to following requirements. Post development run off should match pre development run off and this should be achieved through the use of appropriate levels of SUDS. This should negate the impact of increased impermeable areas causing changes in flow peaks of canals. SUDS should and be used to treat surface water prior to distance given size and sensitivity of the catchment. Full treatment would be required. A drainage impact	No	No	Concern regarding drainage and potential to make the loch too nutrient rich and impact on flooding regime within the catchment of Loch Spynie due to additional impermeable surfaces and increased water runoff. Submission of the information set out as mitigation should demonstrate that the overall proposal will not adversely affect the SPA/Ramsar site. Proposals that cannot demonstrate there will be no adverse affect on the integrity of the site will be refused.

Settle- ment	Designation	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Resi- dual Effects	Plan Mod.	Conclusions
					assessment and full SUDS design will be required at an early stage.			
Elgin	Industrial: Identified an additional 12 ha on north site of Elgin beyond existing which include new business parks on the eastern and western approaches to Elgin	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality, hydrology	E1- International E9-Settlement Boundaries E10- Countryside Around Towns IMP1- Development Requirements IMP2- Development Impact Assessment EP5- Watercourses EP7-Pollution ER6- Agriculture	Requirement for a Masterplan to be prepared and implemented on site. Designation text to make reference to following requirements. Post development run off should match pre development run off and this should be achieved through the use of appropriate levels of SUDS. This should negate the impact of increased impermeable areas causing changes in flow peaks of canals. SUDS should and be used to treat surface water prior to distance given size and sensitivity of the catchment. Full treatment would be required. A drainage impact assessment and full SUDS design will be required at an early stage.	No	No	Concern regarding drainage and potential to make the loch too nutrient rich and impact on flooding regime within the catchment of Loch Spynie due to additional impermeable surfaces and increased water runoff. Submission of the information set out as mitigation should demonstrate that the overall proposal will not adversely affect the SPA/Ramsar site. Proposals that cannot demonstrate there will be no adverse affect on the integrity of the site will be refused.

Matrix 7a– Loch Spynie (Policies)

Settlement	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
ED7-Rural Business Proposals	Greylag goose	Direct or indirect loss of or disturbance to habitat Disturbance to roosts, feeding areas, flight paths	E1-Natura 2000 Sites IMP1-Developer Requirements IMP2-Development Impact Assessment E10-Countryside Around Towns ER6 - Agriculture	None	No	No	Given the site is primarily made up of water and woodlands this is an unlikely location for a business operation. The Countryside Around Towns designation limits new businesses to agriculture, low intensity recreational uses and forestry. No likely significant effect.
ED7-Rural Business Proposals	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality, hydrology	E1-Natura 2000 Sites IMP1-Developer Requirements IMP2-Development Impact Assessment E10-Countryside Around Towns EP6-Waterbodies EP8-Pollution	None	No	No	Given the site is primarily made up of water and woodlands this is an unlikely location for a business operation. The countryside around towns designation limits new businesses to agriculture, low intensity recreational and forestry. The main concern would be construction run-off, this should be adequately addressed in the watercourse policy to ensure no negative impact on water quality. It will be possible to protect the site as business is unlikely to be in close proximity to the site. No adverse impact on site integrity.
ED8-Tourist Facilities	Greylag goose	Direct or indirect loss of or disturbance to habitat Disturbance to roosts, feeding areas, flight paths	E1-Natura 2000 Sites IMP1-Developer Requirements IMP2-Development Impact Assessment E10-Countryside Around Towns EP6-Waterbodies	None	No	No	Given the site is primarily made up of water and woodlands this is an unlikely location for a business operation. In addition ownership and management of the site is sympathetic and future plans do not include plans to significantly increase the numbers of visitors. The countryside around towns designation limits new businesses to agriculture, low intensity recreational and forestry. The main concern would be construction run-off, this should be adequately addressed in the watercourse policy to ensure no negative impact on water quality.

Settlement	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
			EP9-Pollution ER6 - Agriculture				No adverse impact on site integrity
ED8-Tourist Facilities	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality, hydrology	E1-Natura 2000 Sites IMP1-Developer Requirements E10-Countryside Around Towns EP6-Waterbodies EP9-Pollution	None	No	No	Given the site is primarily made up of water and woodlands this is an unlikely location for a business operation. In addition ownership and management of the site is sympathetic and future plans do not include plans to significantly increase the numbers of visitors. The countryside around towns designation limits new businesses to agriculture, low intensity recreational and forestry. The main concern would be construction run-off, this should be adequately addressed in the watercourse policy to ensure no negative impact on water quality. No adverse impact on site integrity
H7-Housing in Countryside	Greylag goose	Direct or indirect loss of or disturbance to habitat Disturbance to roosts, feeding areas, flight paths	E1-Natura 2000 Sites EP6-Waterbodies EP9-Pollution E10-Countryside Around Towns IMP1-Developer Requirements IMP2-Development Impact Assessment ER6 - Agriculture	None	No	No	Given the site is primarily made up of water and woodlands this is an unlikely location for housing. The Countryside Around Towns (CAT) designation would prohibit new dwelling. Outwith the CAT designation the construction of individual dwelling should not have a significant impact on the qualifying interests. These should not result in the loss of large feeding areas or roosts. No likely significant effect.
H7-Housing in Countryside	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality, hydrology	E1-Natura 2000 Sites IMP1-Developer Requirements IMP2-Development Impact Assessment E10-Countryside	Building Standards porosity test	No	No	Given the site is primarily made up of water and woodlands this is an unlikely location for housing. The opportunity for housing sites is limited by the CAT designation that prohibits new dwellings. Outwith the CAT designation the construction of dwellings could potentially impact on water quality in terms of construction run-off and pollution from septic tanks and soakaway system. These issues should be adequately addressed by Policy EP6 –

Settlement	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
			Around Towns EP6-Waterbodies EP8-Pollution				Waterbodies and the required porosity test. No adverse impact on site integrity.
H10-Residential Caravans	Greylag goose	Direct or indirect loss of or disturbance to habitat Disturbance to roosts, feeding areas, flight paths	E1-Natura 2000 Sites IMP1-Developer Requirements IMP2-Development Impact Assessment E10-Countryside Around Towns EP6-Waterbodies EP8-Pollution ER6 - Agriculture	Building Standards porosity test	No	No	This is an unlikely location for residential caravans as it is unlikely site to be identified in an emergency. Furthermore, most consent relate to temporary use whilst a dwelling is being constructed. The CAT policy specifically prohibits new housing. Outwith the CAT there could be potential issues relating to pollution from septic tank and soakaway systems this should be addressed through the required porosity test for Building Warrant purposes and Policy EP6 – Waterbodies. No adverse impact on site integrity.
H10-Residential Caravans	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality, hydrology	E1-Natura 2000 Sites IMP1-Developer Requirements IMP2-Development Impact Assessment E10-Countryside Around Towns EP6-Waterbodies EP8-Pollution	Building Standards porosity test	No	No	This is an unlikely location for residential caravans as it is unlikely site to be identified in an emergency. Furthermore, most consent relate to temporary use whilst a dwelling is being constructed. The CAT policy specifically prohibits new housing and Policy EP6 – Waterbodies. Outwith the CAT there could be potential issues relating to pollution from septic tank and soakaway systems this should be addressed through the required porosity test for Building Warrant purposes. No adverse impact on site integrity.
H11 - Gypsy/Traveller	Greylag goose	Direct or indirect loss of or disturbance to habitat Disturbance	E1-Natura 2000 Sites IMP1-Developer Requirements IMP2-Development	Building Standards porosity test	No	No	This is an unlikely location for residential caravans as it is unlikely site to be identified in an emergency. Furthermore, most consent relate to temporary use whilst a dwelling is being constructed. The CAT policy specifically prohibits new housing. Outwith the CAT there could be potential issues relating to pollution from septic tank and soakaway systems this should be

Settlement	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
		to roosts, feeding areas, flight paths	Impact Assessment E10-Countryside Around Towns EP6-Waterbodies EP8-Pollution ER6 - Agriculture				addressed through the required porosity test for Building Warrant purposes and Policy EP6 – Waterbodies. No adverse impact on site integrity.
H11 – Gypsy/Traveller	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality, hydrology	E1-Natura 2000 Sites IMP1-Developer Requirements IMP2-Development Impact Assessment E10-Countryside Around Towns EP6-Waterbodies EP8-Pollution	Building Standards porosity test	No	No	This is an unlikely location for residential caravans as it is unlikely site to be identified in an emergency. Furthermore, most consent relate to temporary use whilst a dwelling is being constructed. The CAT policy specifically prohibits new housing and Policy EP6 – Waterbodies. Outwith the CAT there could be potential issues relating to pollution from septic tank and soakaway systems this should be addressed through the required porosity test for Building Warrant purposes. No adverse impact on site integrity.
T1-Transport Infrastructure	Greylag goose	Direct or indirect loss of or disturbance to habitat Disturbance to roosts, feeding areas, flight paths	E1-Natura 2000 Sites IMP1-Developer Requirements IMP2-Development Impact Assessment ER6-Agriculture	EA	No	No	There are no bypass lines shown in the proposed Plan. The nearest road is the A941 Elgin to Lossiemouth road. Significant works to this route could impact on the hydrology of the site and there would be the risk of construction run off, pollution and disturbance to geese. Early consultation and an EA to assess the impacts to enable methods to be proposed that do not impact on the site should ensure that it will not adversely impact on site integrity . Development proposals likely to have significant effects on qualifying interests of the site would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on site integrity will be refused
T1-Transport Infrastructure	Meso-eutrophic Loch,	Changes in water quality, hydrology	E1-Natura 2000 Sites IMP1-Developer	EA	No	No	There are no bypass lines shown in the proposed Plan. The nearest road is the A941 Elgin to Lossiemouth road. Significant works to this route could impact on the hydrology of the site and

Settlement	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
	associated wetland habitats and rare plants		Requirements IMP2- Development Impact Assessment EP6-Waterbodies EP8-Pollution				<p>there would be the risk of construction run off, pollution and disturbance to geese. Early consultation and an EA to assess the impacts to enable methods to be proposed that do not impact on the site should ensure that it will not adversely impact on site integrity.</p> <p>Development proposals likely to have significant effects on qualifying interests of the site would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on site integrity will be refused</p>
T4-Bus, rail, Harbour Facilities	Greylag goose	<p>Direct or indirect loss of or disturbance to habitat</p> <p>Disturbance to roosts, feeding areas, flight paths</p>	E1-Natura 2000 Sites EP6-Waterbodies IMP1- Development Requirements IMP2-Development Impact Assessment	EA	No	No	<p>There are no proposals identified within the policy that would impact on Loch Spynie. Dualling of A96 is a significant proposal but with so little space between the north of Elgin and Loch Spynie it is consider unlikely that a dual carriageway would be constructed within the catchment. New roads to the south of Elgin could result in the loss of geese foraging areas.</p> <p>Any EA would have to assess the value of land to geese and propose mitigation <u>if</u> the impact is adverse. This could include working with landowners to increase availability of foraging elsewhere using cropping schedules.</p> <p>It should be possible therefore to avoid adverse impacts.</p> <p>No adverse impact on site integrity.</p>
T4-Bus, rail, Harbour Facilities	Meso-eutrophic Loch, associated wetland habitats and rare	Changes in water quality, hydrology	E1-Natura 2000 Sites EP6-Waterbodies EP8-Pollution IMP1- Development Requirements	None	No	No	<p>There are no proposals identified within the policy that would impact on Loch Spynie. Dualling of A96 is a significant proposal but with so little space between the north of Elgin and Loch Spynie it is consider unlikely that a dual carriageway would be constructed within the catchment.</p> <p>No likely significant effect.</p>

Settlement	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
	plants		IMP1- Development Requirements IMP2- Development Impact Assessment				
EP7-Flooding	Greylag goose	Direct or indirect loss of or disturbance to habitat Disturbance to roosts, feeding areas, flight paths	E1-Natura 2000 Sites E10-Countryside Around Towns IMP1- Development Requirements IMP2- Development Impact Assessment EP6-Agriculture	None	No	No	<p>This Policy is primarily a framework for assessing proposals in flood risk areas. Elgin Flood scheme is under construction and was assessed as not adversely affecting site integrity.</p> <p>Although the area around Loch Spynie is inherently prone to flooding this has had the positive effect of limiting the amount of housing and infrastructure that might otherwise be subject to flooding. It's not anticipated that proposals would come forward that could impact the site.</p> <p>Development proposals likely to have significant effects on qualifying interests of the site would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on site integrity will be refused.</p> <p>No adverse impact on site integrity.</p>
EP7-Flooding	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality, hydrology	E1-Natura 2000 Sites EP6-Waterbodies EP8-Pollution E10-Countryside Around Towns IMP1- Development Requirements IMP2- Development	None	No	No	<p>This Policy is primarily a framework for assessing proposals in flood risk areas. Elgin Flood scheme is under construction and was assessed as not adversely affecting site integrity.</p> <p>Although the area around Loch Spynie is inherently prone to flooding this has had the positive effect of limiting the amount of housing and infrastructure that might otherwise be subject to flooding. It's not anticipated that proposals would come forward that could impact the site.</p> <p>Development proposals likely to have significant effects on</p>

Settlement	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
			Impact Assessment				qualifying interests of the site would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on site integrity will be refused. No adverse impact on site integrity.
EP10-Foul Drainage	Greylag goose	Direct or indirect loss of or disturbance to habitat Disturbance to roosts, feeding areas, flight paths	E1-Natura 2000 sites IMP1- Development Requirements IMP2- Development Impact Assessment ER6-Agriculture	Building Standards Porosity test	No	No	The policy for septic tanks should not impact on the qualifying interests of the site. New individual housing is unlikely to be in proximity to the site because of flood risk. Policies EP6 – Waterbodies and EP8 – Pollution should address any issues in terms of pollution of habitat feeding areas from septic tanks. No adverse impact on site integrity.
EP10-Foul Drainage	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality, hydrology	E1-Natura 2000 Sites EP6-Waterbodies EP8-Pollution IMP1- Development Requirements	Building Standards Porosity test	No	No	The policy for septic tanks should not impact on the qualifying interests of the site. New individual housing is unlikely to be in proximity to the site because of flood risk. Policies EP6 – Waterbodies and EP8 – Pollution should address any issues in terms of pollution of habitat feeding areas from septic tanks. No adverse impact on site integrity.
ER1-Renewables	Greylag goose	Direct or indirect loss of or disturbance to habitat Disturbance to roosts, feeding areas, flight paths	E1-Natura 2000 Sites IMP1- Development Requirements IMP2- Development Impact Assessment ER6 - Agriculture	Moray Council's Wind Energy Guidance EA	No	No	All Natura sites are identified in the Council's Wind Energy Guidance as being unsuitable for wind farm developments. An EA will be required to support any proposals. All wind farms proposed in Moray to date have no identified significant collision risk with geese. All single turbines are assumed to have far less risk and unless they are sited very close to the SPA or within an area heavily used for foraging it's unlikely that, even cumulatively, turbines would have an adverse impact

Settlement	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
							<p>on geese populations.</p> <p>Small scale turbine proposals within 1 km of the SPA or within areas of known significant foraging may require survey work as part of the EA to demonstrate the level of impact. It is however likely that at the current rate of applications for small scale wind energy there will remain a low collision risk from this type of development and available of foraging areas will be unaffected.</p> <p>Development proposals likely to have significant effects on qualifying interests of the site would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on site integrity will be refused.</p> <p>No adverse impact on site integrity.</p>
ER1-Renewables	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality, hydrology	E1-Natura 2000 Sites EP6-Waterbodies EP8-Pollution IMP1-Development Requirements IMP2-Development Impact Assessment	Moray Council's Wind Energy Guidance EA	No	No	<p>All Natura sites are identified in the Council's Wind Energy Guidance as being unsuitable for wind farm developments. An EA will be required to support any proposals.</p> <p>It's extremely unlikely that a larger scale proposal would be made within Loch Spynie's catchment owing to the wet ground conditions and proximity to RAF base.</p> <p>No likely significant effect.</p>
ER5 – Minerals Drybridge (gravel) Spynie Quarry (sandstone)	Greylag goose	Direct or indirect loss of or disturbance to habitat Disturbance	E1-Natura 2000 Sites IMP1-Development Requirements IMP2-Development	EA	No	No	<p>The policy supports in principle extension to existing quarries, reopening of dormant quarries and extraction of reserves underlying proposed designations. There are 2 existing quarries in close proximity to the site Caysbriggs gravel quarry and Spynie sandstone quarry. Extensions to these could potentially impact on the site. This should be addressed within Environment</p>

Settlement	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
		to roosts, feeding areas, flight paths	Impact Assessment ER6-Agriculture				<p>Assessment that would be required to accompany any proposals.</p> <p>Currently it's not considered that either quarry impacts on the site and extensions are likely to avoid the waterlogged conditions surrounding the site. It's likely that extensions could be accommodated without creating impacts on the site.</p> <p>No adverse impact on site integrity.</p>
ER5 - Minerals	Meso-eutrophic Loch, associated wetland habitats and rare plants	Changes in water quality, hydrology		EA			<p>The policy supports in principle extension to existing quarries, reopening of dormant quarries and extraction of reserves underlying proposed designations. There are 2 existing quarries in close proximity to the site Caysbriggs gravel quarry and Spynie sandstone quarry. Extensions to these could potentially impact on the site. This should be addressed within Environment Assessment that would be required to accompany any proposals.</p> <p>Currently it's not considered that either quarry impacts on the site and extensions are likely to avoid the waterlogged conditions surrounding the site. It's likely that extensions could be accommodated without creating impacts on the site.</p> <p>No adverse impact on site integrity.</p>

Key Cumulative Impacts

The key cumulative impact is the expansion of Elgin to the North and East in the longer term. Extensive mitigation has been written into the designation text to address nutrient enrichment to the Loch. There is also the impact of renewable energy on the geese. All natura sites are identified as being unsuitable for renewable. The identified area of search areas for large (80 m +) and medium (50-80m) typologies are a significant distance from Loch Spynie.

Matrix 8 – Darnaway & Lethen Forest SPA

Darnaway and Lethen SPA

The qualifying interest is breeding capercaillie. The number of individual birds within the SPA remains low and the population is very vulnerable to loss of adult birds and poor breeding success. The birds within the SPA are linked to birds that live in adjacent forest areas as capercaillie form what we call a 'meta-population'. Young female birds disperse from their natal forests and can fly some distance. Forest blocks such as Newtyle/Romach, Mulundy, Wangie and Elchies have capercaillie albeit in small numbers in most cases. To help the SPA population to be self sustaining, these birds in adjacent forests are also important for the exchange of genes.

The SPA's commercial forestry and that of the other blocks mentioned is managed with capercaillie conservation at the fore. This includes silvicultural techniques that increase and improve the habitat for the capercaillie, deer fence removal or marking and predator control.

Conservation objectives for Darnaway and Lethen SPA;

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 greatest threats to this species are its inherent low numbers, poor weather conditions especially during the brooding period, predation, mortality through fence collisions and lack of suitable habitat.

Recreational disturbance is known to impact on capercaillie especially during the breeding season. Any rural diversification or other developments that promote recreational use within these forests could, if not managed appropriately, increase the risk of significant disturbance to the species.

Housing developments in Highland Council region adjacent to capercaillie SPAs have had conditions attached to include educating residents on responsible access and dog walking and providing information on alternative locations to walk at sensitive times of year. Similar mitigation might need to be considered if any developments could increase significantly the human activity within the SPA.

Cumulatively wind energy developments both within Moray and Highland have the potential to impact on capercaillie and these needs to be assessed during individual cases. The siting of wind turbines to avoid potential corridors that may be used by capercaillie to fly between forest blocks is important but difficult to ascertain where these 'zones' are owing to the low numbers of individuals and thus levels of flight activity.

Rural Community	Designations	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mods.	Conclusions
Conicavel Opportunities for small scale low density housing.	Housing (individual dwellings) Impacts from construction Occupation of the site and recreational access by humans and pets	Capercaillie	Leks, resting sites & feeding sites	E1-Natura 2000 Sites IMP1- Development Requirements IMP2-Development Impact Assessment	None	No	No	Given the sites location within an existing rural community it is unlikely that a very small number of individual dwellings built during the plan period will have a significant impact on the qualifying interests. The main issues relate to recreational access and this would not be increased significantly. No likely significant effect.
Whitemire Small scale housing sites	Housing (individual dwellings)	Capercaillie	Leks, resting sites & feeding sites	E1-Natura 2000 Sites IMP1- Development IMP2-Development Impact Assessment	None	No	No	Given the sites location within an existing rural community it is unlikely that a very small number of individual dwellings built during the plan period will have a significant impact on the qualifying interests. The main issues relate to recreational access and this would not be increased significantly. No likely significant effect.

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mods.	Conclusions
ED8 - Tourist Facilities	Capercaillie	Leks, resting areas & feeding sites	E1-International IMP1-Development Requirements IMP2-Development Impact Assessment	None	No	No	<p>Given the remote location of this SPA site with no primary road passing through it is considered an unlikely location for tourist facilities or tourist/recreational related activity. A proposal of this nature is possible in terms of modest expansion at Logie; although this is some distance from the SPA by road.</p> <p>The SPA has a network of informal forest tracks and rides and attracts a level of visitors that appears sustainable. Because the area is so large increased visitor numbers could be easily managed through signage to help avoid sensitive areas.</p> <p>The forest is used at non-sensitive times of year for orienteering events but no permanent facilities are required for these events.</p> <p>It's unlikely that any proposals would significantly increase visitor numbers or reduce the ability to manage visitors in the forest.</p> <p>No adverse impact on integrity.</p>
R3 – Recreational/Tourist Retailing	Capercaillie	Leks, resting areas & feeding sites	E1-International IMP1-Development Requirements IMP2-Development Impact Assessment	None	No	No	<p>Given the remote location of this SPA site with no primary road passing through it is considered an unlikely location for tourist facilities or tourist/recreational related activity. A proposal of this nature is possible in terms of modest expansion at Logie; although this is some distance from the SPA by road.</p> <p>The SPA has a network of informal forest tracks and rides and attracts a level of visitors that appears sustainable. Because the area is so large increased visitor numbers could be easily managed through signage to help avoid sensitive areas.</p>

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mods.	Conclusions
							<p>The forest is used at non-sensitive times of year for orienteering events but no permanent facilities are required for these events.</p> <p>It's unlikely that any proposals would significantly increase visitor numbers or reduce the ability to manage visitors in the forest.</p> <p>No adverse impact on integrity.</p>
T7 - Cycling, Walking and Equestrian Networks	Capercaillie	Leks, resting areas & feeding sites	E1-International IMP1-Development Requirements IMP2-Development Impact Assessment	Core Paths Plan	No	No	<p>The Core Paths Strategy was prepared in consultation with SNH and subject to a Strategic Environmental Assessment (SEA) and should ensure no significant effect on qualifying interests. The Core Paths Plan does not promote any additional paths to those already present.</p> <p>The SPA has a network of informal forest tracks and rides and attracts a level of visitors that appears sustainable. Because the area is so large increased visitor numbers could be easily managed through signage to help avoid sensitive areas.</p> <p>The forest is used at non-sensitive times of year for orienteering events but no permanent facilities are required for these events.</p> <p>It's unlikely that any proposals would significantly increase visitor numbers or reduce the ability to manage visitors in the forest.</p> <p>No adverse impact on integrity.</p>
ER1- Renewable Energy	Capercaillie	Leks, resting areas & feeding sites	E1-International IMP1-Development Requirements	EA Moray Councils Wind	No	No	<p>The Council's Wind Energy Guidance identifies Natura sites as being inappropriate locations for wind turbines. Any application submitted is likely to be recommended for refusal</p>

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mods.	Conclusions
Proposals			IMP2-Development Impact Assessment	Energy Guidance.			<p>on grounds relating to natural heritage.</p> <p>In most cases an EA will require to be submitted to address impact on the qualifying interests.</p> <p>There is growing concern regarding turbine proposals (both large and small scale) that could individually and/or cumulatively have an impact on capercaillie outwith the SPA.</p> <p>Cumulatively wind energy developments both within Moray and Highland have the potential to impact on capercaillie and this impact needs to be assessed during individual cases. The siting of wind turbines to avoid potential corridors that may be used by capercaillie to fly between forest blocks is important but it is difficult to ascertain where these 'zones' are owing to the low numbers of individuals and thus levels of flight activity. Early liaison will help identify if there is a risk of this for any development.</p> <p>Development proposals likely to have significant effects on qualifying interests of the site would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on site integrity will be refused.</p> <p>No adverse impact on site integrity.</p>

Key Cumulative Impacts

Wind energy proposals have the potential to impact on birds off site, in terms of collision risk and displacement for foraging on all SPA sites. The Council's Moray Onshore Wind Energy Supplementary Planning Guidance identifies international and national heritage designation as requiring significant protection. A key finding of the guidance is that there are very limited opportunities for further large scale wind turbines in Moray. The identified search areas for large (80m +) and medium (50-80m) turbines are located in proximity to Darnaway and Lethen SPA. The siting of wind turbines to avoid potential

corridors that may be used by capercaillie to fly between forest blocks is important but it is difficult to ascertain where these 'zones' are owing to the low numbers of individuals and thus levels of flight activity. Early liaison will help identify if there is a risk of this for any development. Developers will be required to provide a cumulative impact assessment of developments on birds.

Matrix 9 – Lower Findhorn Woods

The SAC qualifies for its woodland types. This is an impressive gorge woodland with many areas inaccessible. There are a few waymarked routes and informal anglers tracks. some parts are more accessible but generally the whole site is lightly visited and unlikely to lend itself to direct development.

Conservation objectives for **Lower Findhorn woods SAC**;

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

The greatest threat to the woodland and its associated habitats is the presence of non native invasive species such as beech trees and their regeneration. Pressure from development could occur if footpaths were to expand or become more formalised requiring widening, drainage etc. Currently tracks are natural surfaces and maintenance is low key. Path improvements are likely to be achievable with care. The steepness of the gorge self-limits the volume of recreation and nature of it so even some tourism ventures are unlikely to have a significant increase in visitor numbers and the nature of recreation.

Road improvements/works around Relugas and possibly some other areas could impact on the site but with care should be manageable.

Policy	Qualifying Interest Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod .	Conclusions
T7 - Cycling, Walking and Equestrian Networks (forestry tracks)	Mixed woodland on base-rich soils associated with rocky slopes	Direct or indirect loss of, or disturbance to habitat Impacts to the processes supporting the habitats and the 'gorge' environment. Impacts to the processes supporting the habitats and the 'gorge' environment.	E1 International IMP1-Development Requirements IMP2-Development Impact Assessment	Council's Core Paths Plan	No	No	<p>The Council's Core Paths Plan was prepared in consultation with SNH, this should ensure that the qualifying interests of the site and sensitivities are taken into account when upgrading existing paths or identifying new ones. The plan was also subject to a Strategic Environmental Assessment (SEA).</p> <p>Currently tracks are natural surfaces and maintenance is low key. Path improvements are likely to be achievable with care. The steepness of the gorge self-limits the volume of recreation and nature of it. No adverse impact on site integrity.</p>
ER1 - Renewable Energy Proposals	Mixed woodland on base-rich soils associated with rocky slopes	Impacts to the processes supporting the habitats and the 'gorge' environment.	E1 International IMP1-Development Requirements IMP2-Development Impact Assessment	EA	No	No	<p>The Council's Wind Energy Guidance has identified all Natura sites as being inappropriate locations for wind farm developments. In most cases any application submitted would require an EA to address issues affecting qualifying interests and their sensitivities.</p> <p>Hydro schemes could have a significant impact on the interests of the site. The topography and geology is likely to be very limiting as to what could be feasible.</p> <p>Development proposals likely to have significant effects on qualifying interests of the site would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on site integrity will be refused.</p> <p>No adverse impact on site integrity.</p>

Key Cumulative Impacts

Cumulative issues unlikely.

Matrix 10 – Tips of Corsemaul and Tom Mor SPA

The single qualifying bird species is breeding common gull (*Larus canus*) present at nest sites on heather moorland within the SPA during the breeding season. They forage on agricultural land further afield from the SPA so are making regular daily movements between their nests within the SPA and adjacent farm land. Despite the name these gulls are not commonly found and are most particular about their breeding sites and being ground nesters are more susceptible to predators.

Conservation objectives for Tips of Corsemaul and Tom Mor SPA:

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 SPA is split between two rounded hill tops at maximum elevations of 376 and 410 metres above sea level. The site is relatively remote and exposed with a few farms located in the lower areas. The A920 Dufftown to Huntly road passes to the north of the site. There are unlikely to be any development pressures that would directly affect the land within the SPA with the exception of wind energy developments and forestry proposals. A more likely impact could occur if such developments affected agricultural land adjacent to the SPA in areas that the birds regularly forage in or have to cross in order to reach foraging grounds. This could include 'barrier effects' from turbines blocking the birds route to foraging ground or increasing collision risk as the birds come into contact with turbines on foraging grounds.

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod .	Conclusions
ER1 – Renewable Energy Proposals Development Issues: Wind farms	Common Gull	Direct loss of or disturbance to habitat Nesting sites & flight paths Changes in agricultural practice in the straths	E1-Natura 2000 Sites IMP1-Development Requirements IMP2-Development Impact Assessment EP7-Watercourses ER6-Agricultural	EA Wind Energy Guidance	No	No	<p>The Council's Wind Energy Guidance identifies Natural sites as being inappropriate locations for wind farm developments. Applications submitted will require to be accompanied with an EA of which bird survey is required. Development proposals likely to have significant effects on the qualifying interests of the SPA would require an Appropriate Assessment.</p> <p>Proposals to date have not indicated a significant risk of collision with common gull. Their movements are likely to be dependent upon the available foraging during the nesting season and this will change from year to year. The EA process should identify if there is a significant risk and iterative design can help reduce the risk or mitigation could help to encourage foraging in other areas.</p> <p>Development proposals likely to have significant effects on qualifying interests of the site would require an Appropriate Assessment. Developments where it cannot be shown that there will be no adverse impact on site integrity will be refused.</p> <p>No adverse impact on site integrity.</p>

Key Cumulative Impacts

Few cumulative impacts have been identified to date. There are potential cumulative issues in terms of wind energy impacting on birds off site through collision and displacement from foraging. Land adjacent to Tips of Corsemaul and Tor Mor SPA has been identified as an area of search for medium (50-80m) turbines. The Council's Onshore Wind Energy Supplementary Planning Guidance has identified that there is limited scope to accommodate further large scale typologies (including medium scale turbines) due to cumulative effects relating to consented wind farms at Clashindarroch and Dorenell which reduces the extent of remaining undeveloped upland areas. Ultimately a bird survey will be required to support any proposal in close proximity to the SPA as part of an EA which should take account of the qualifying interests and identify significant risk and any necessary mitigation.

Matrix 11 – Hill of Towanreef SAC

The SACs qualifying interests are blanket bog, dry, alpine and sub-alpine heaths, juniper on base-rich soils and grassland found on soils rich in heavy metals. There is also a species of plant, marsh saxifrage, that is found. Marsh saxifrage is also a plant species listed as an European Protected Species (EPS).

Although predominantly on high upland ground remote from most development a small section abuts the A941 Cabrach road. The site is shared by Moray and Aberdeenshire with the Moray section being mostly moorland habitats managed for grouse.

Conservation objectives for Hill of Towanreef SAC;

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

To avoid deterioration of the habitats of the qualifying species (yellow marsh saxifrage) 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 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 risk of development affecting this SAC is most likely to come from road upgrades and renewable wind energy. It is unlikely owing to the protection afforded to the SAC that wind energy developments would be proposed within the SAC but any proposed adjacent to the site would need to demonstrate that they would not influence the hydrology that supports the blanket bogs and some of the other habitats.

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
T2 – Provision of Road Access In some cases the creation of an access does not require planning permission.	Dryheaths Alpine and subalpine heaths Juniper on heaths or calcareous grassland Grasslands in soils rich in heavy metals, Blanket bog	Direct loss of, or disturbance to habitat. Changes in hydrology, air quality	E1-Natura 2000 Sites IMP1-Development Requirements IMP2-Development Impact Assessment EP6-Waterbodies EP8-Pollution EP12-Air Quality	None	No	No	It is unlikely that an application for a vehicular access will be submitted in isolation and will instead likely be considered as part of a larger application (re housing) which is unlikely given the location. Hill tracks are more likely but the Estate has a network of these and it is not anticipated that new ones will be required. No adverse impact on site integrity.
ER1 – Renewable Energy Proposals	Dryheaths Alpine and subalpine heaths Juniper on heaths or calcareous grassland Grasslands in soils rich in heavy metals, Blanket bog	Direct loss of, or disturbance to habitat. Changes in hydrology, air quality	E1-Natura 2000 Sites IMP1-Development Requirements IMP2-Development Impact Assessment EP6-Waterbodies EP8-Pollution EP12-Air Quality	Moray Council Wind Energy Guidance EA.	No	No	The Council's Wind Energy Guidance has identified Natura sites as being inappropriate locations for wind farm developments. In most cases applications will require to be submitted with an EA. The EA should address impact on qualifying interests. Development proposals likely to have significant effects on qualifying interests of the SAC would require an Appropriate Assessment. Developments where it cannot be shown that there will be no significant affect will be refused.

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod.	Conclusions
							No adverse impact on site integrity.

Key Cumulative Impacts

Cumulative issues unlikely.

Matrix 12 – Moidach More

Moidach More SAC qualifies for its blanket bog. The SAC is an extensive area of deep peat that is very wet and totally unsuitable for most development. It is remote and exposed.

Conservation objectives for **Moidach More SAC**;

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

Renewable energy developments (wind and hydro), land drainage and afforestation proposals could impact on the SAC. The Dava Way runs adjacent to part of the site but maintenance etc. is unlikely to impact on the bog habitats.

Policy	Qualifying Interests Affected	Sensitivities	Safeguarding	Mitigation	Residual Effects	Plan Mod .	Conclusions
ER1 – Renewable Energy Proposals	Blanket bog	Direct/indirect impacts to habitats Changes in hydrology, air quality	E1 – Natura 2000 Sites IMP1 – Development Requirements IMP2 – Development Impact Assessment EP6-Waterbodies EP8-Pollution EP12-Air Quality	Wind Energy Guidance EA	No	No	<p>The Council has identified Natura sites as being inappropriate locations for wind farm developments. Applications will require to be submitted within EA to and should address Natura interests.</p> <p>The site is exposed but within a bowl surrounding by hills. Any wind energy is likely to locate higher and therefore further away from the SAC thus limiting the chance of impacting on hydrology.</p> <p>Hydro schemes could impact on the burns that flow along the eastern edge of the SAC although their remoteness may make them less accessible than other suitable sites.</p> <p>Development proposals likely to have significant effects on qualifying interests of the SAC would require an Appropriate Assessment. Developments where it cannot be shown that there will be no significant affect will be refused.</p> <p>No adverse impact on site integrity.</p>
Others Peat Extraction	Blanket bog	Direct/indirect impacts to habitats Changes in hydrology, air quality	E1 – Natura 2000 Sites IMP1 – Development Requirements IMP2 – Development Impact Assessment EP6-Waterbodies EP8-Pollution EP12-Air Quality ER7-Soil Resources	None	No	No	<p>Policy ER7-Soil Resources specifically precludes large scale peat extraction and proposals for deep peat extraction will only be permitted in exceptional circumstances. Proposals are therefore unlikely to have a significant effect on qualifying interests.</p> <p>No adverse impact on site integrity.</p>

Key Cumulative Impacts

Given the remote and rural location of the site it is unlikely that there will be developments in the surrounding area of a nature to adversely impact on hydrology or air quality. Cumulative issues unlikely.

Matrix 13 -Culbin Bar SAC

Culbin Bar SAC qualifies for its saltmarsh, shifting dunes and vegetated coastal shingle habitats. The site is fairly remote as it can only be accessed by foot from Nairn East beach and Culbin Forest. Much of the SAC is subject to the tides and is dynamic. The shifting dunes and shingle habitats are mobile and influenced by the sea and wind with the saltmarsh occupying the more sheltered areas. The coastal processes are therefore essential in maintaining these habitats.

All the habitats are fragile and easily damaged. The current impacts are from recreational activities particularly horse riding and unauthorised vehicle use.

Conservation objectives for Culbin Bar SAC;

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

Recreational & tourism developments, events, initiative etc. could all increase the levels of human activity in the area that could lead to increasing pressure on these habitats. But if these visitors can be educated and well managed across the area then the impact should be sustainable.

Large coastal projects (sea defence, jetties, harbours, outfalls etc.) outwith the SAC could influence coastal processes that support these habitats. Projects at Findhorn, Burghead Bay and at Kinloss Barracks might have potential influence and would need to be assessed carefully to rule out any links to the SAC.

Qualifying Interests Affected	Sensitivities	Safeguarding	Policy	Mitigation	Residual Effects	Plan Mod .	Conclusions
saltmarsh, shifting dunes vegetated coastal shingle habitats	Direct/indirect impacts to habitats	E1 – Natura 2000 Sites E8 Coastal Protection Zone EP6 – Waterbodies EP8 – Pollution IMP1 – Development Requirement	T7-Cycling, walking and equestrian networks	Council Core Path Plan	No	No	<p>The Council has prepared a Core Paths Plan in consultation with SNH. This should address Natura sites and qualifying interests of the sites when identifying new paths or those to be upgraded.</p> <p>The plan has also been subject to a Strategic Environmental Assessment (SEA)</p> <p>Recreational & tourism developments, events, initiative etc. could all increase the levels of human activity in the area that could lead to increasing pressure on these habitats. However there is an existing signed network of paths that educates visitors on the routes to use to avoid damage. Infrastructure is in place to manage visitors that should ensure that the habitats are safeguarded.</p> <p>No adverse impact on site integrity.</p>

Key Cumulative Impacts

Cumulative issues unlikely.

Appendix A – Explanation of reasoning for not taking forward certain policies in Matrix 1 – Development and Community and Matrix 2 – Environment and Resources to Appropriate Assessment.

A number of policies were identified in Matrix 1 and 2 (on pages 12 and 13 of this document) as having no likely significant effect and the following table sets out the rationale for this.

Natura Site	Policies	Reasoning
Loch Spynie SPA and Ramsar	ED6 Digital Communication	<p>SPA - Given the site is predominantly made up of water and woodlands it is an unlikely location for digital communication infrastructure. Digital communication is most likely sub-surface and/or an individual mast and therefore the need for additional wirelines that could pose a collision risk is not expected.</p> <p>No likely significant effect.</p> <p>Ramsar - Given the site is predominantly made up of water and woodlands it is an unlikely location for digital communications infrastructure. In addition the area is fairly open and unlikely to be a need for additional infrastructure. The main concern would be construction run off from the installation of the mast and this should be adequately addressed in Policy EP6 Waterbodies to ensure no negative impact on water quality. No likely significant effect.</p>
	R3 Recreational Tourist retailing	<p>Given the site is primarily made up of water and woodlands this is an unlikely location for a business operation. Even areas in proximity to the site are unlikely to be taken up for this sort of development as much of the area is subject to flooding or is valuable agricultural land. The main concern would be construction run-off, this should be adequately addressed in the Policy EP6 – Waterbodies to ensure no negative impact on water quality.</p> <p>No likely significant effect.</p>
	T2 Provision of road access	<p>It is unlikely that an application for road access will be submitted in isolation and in most circumstances it will be considered as part of a larger development (i.e. housing). In terms of Loch Spynie the main issue would be construction run-off effecting water quality. This should be adequately addressed through EP6-watercourses.</p>
	T3 Roadside facilities	<p>Given the site is primarily made up of water and woodlands this is an unlikely location for a business operation. Even areas in proximity to the site are unlikely to be taken up for this sort of development as much of the area is subject to flooding or is valuable agricultural land. The main concern would be construction run-off, this should be adequately addressed in the Policy EP 6 Waterbodies to ensure no negative impact on water quality.</p>
	T7 Cycling/Walking	<p>The Core Paths Plan has been prepared in consultation with SNH and ensures that recreational access should take</p>

	and Equestrian Networks	<p>account of Natura sites and qualifying interests to ensure no significant impact on qualifying interests. The plan has also been subject to a Strategic Environmental Assessment (SEA).</p> <p>New networks are not anticipated across or near to the site.</p> <p>No likely significant effect.</p>
	E8 Coastal Protection Zone	<p>The Coastal Protection Zone provides another layer of protection beyond E1. The policy does not specifically restrict all types of development, it does not promote any large scale developments. Issues related to sedimentation should be adequately addressed under EP6 - Waterbodies</p> <p>No likely significant effect.</p>
	EP1 Waste Management	<p>The Council under its zero waste obligations has to find alternatives to landfill. The policy has been prepared to give guidance in terms of appropriate locations for waste management facilities. Given Elgin is the regional centre of Moray with good road infrastructure in terms of proximity to A96 there is potential for a proposal of this nature to come forward. The closest site would be the proposed area of employment land at Newfield (Lossiemouth Road). This site however identified for high amenity business type uses and not general industrial on this basis it is not a likely location for waste facilities. Given the other industrial sites are remote from Loch Spynie there should be no impact on Loch Spynie. Large scale proposals will have to be supported by an EA.</p>
Moray and Nairn Coast SPA and Ramsar	ED6 Digital Communication	<p>Findhorn Bay/Spey Bay and Lower Spey and surrounding vicinity are unlikely locations for digital communication installations.</p> <p>No likely significant effect</p>
	ED7 Rural Business Proposals	<p>Proposals for rural businesses on the coast will be considered against the relevant policies including E8 Coastal Protection Zone which restricts the types of acceptable development to existing and/or replacement of buildings and for low intensity recreational/tourist use.</p> <p>No likely significant effect</p>
	ED8 Tourism Facilities and Accommodation	<p>Proposals for tourist facilities on the coast will be considered against the relevant policies including E8 Coastal Protection Zone which restricts the types of acceptable development to existing and/or replacement of buildings and for low intensity recreational/tourist use.</p> <p>No likely significant effect.</p>
	H7 Housing in the Countryside	<p>Opportunities for new housing in the countryside on the coast will be considered against the relevant policies including E8 Coastal Protection Zone which restricts development to change of use or replacement. Most areas of SPA and Ramsar are unsuited to new development.</p> <p>No likely significant effect.</p>
	R3 Neighbourhood Shops	<p>Proposals for recreational/tourist retailing will be considered against the relevant policies including E8 Coastal Protection Zone which restricts the type of acceptable development to existing and/or replacement of buildings.</p>

		No likely significant effect.
	T1 Transport Infrastructure Improvements	The only priority that has potential to impact on the SPA/Ramsar is improvement to harbour facilities. The closest of which would be Burghead which is some distance from the SPA site and this is not considered likely to have a significant effect on the qualifying interests. No likely significant effect.
	T2 Provision of roads access	It is unlikely that an application for road access will be submitted in isolation and in most circumstances it will be considered as part of a larger development (i.e. housing). It is unlikely that an application for road access will be submitted in isolation and in most circumstances it will be considered as part of a larger development (i.e. housing).
	T3 Roadside Facilities	Findhorn Bay/Spey Bay and Lower Spey and surrounding vicinity are unlikely locations for roadside facilities. No likely significant effect
	T4 Safeguarding bus, rail and harbour facilities	The only priority that has potential to impact on the SPA is improvement to harbour facilities. The closest of which would be Burghead which is some distance from the SPA site and this is not considered likely to have a significant effect on the qualifying interests. No likely significant effect.
	H10 Residential Caravan Sites	Redevelopment of residential caravan sites (including Kinloss) for housing. The Kinloss site is separated from the designation by an area of woodland and no impacts on birds would be expected if the site is redeveloped. No likely significant effect.
	H11 Gypsy/Travellers Sites	Gypsy/Traveller sites are not precluded within the coastal protection zone. It is unlikely that there will be a large scale development. The policy also states that natural heritage assets should be safeguarded. No likely significant effect.
	E8 Coastal Protection Zone	The Coastal Protection Zone provides another layer of protection beyond E1. The policy does not specifically restrict all types of development, it does not promote any large scale developments. Issues related to sedimentation should be adequately addressed under EP6 - Waterbodies No likely significant effect.
	EP1 Waste Management Facilities	Proposals for waste management on the coast will be considered against the relevant policies including E8 Coastal Protection Zone which restricts the type of acceptable development to existing and/or replacement of buildings and for low intensity recreational/tourist use. The policy itself states that proposals should be located where it will not generate a significant adverse impact on International, national regions or locally designated areas. Preferred locations for large scale operations are likely to be on strategic road networks and close to populations. Proposals of this nature would have to be accompanied by an EA. Significant waste management proposals would be subject to EA. On this basis it is not considered there would be a significant impact on qualifying interests. No likely significant effect.
	EP10 Foul Drainage	Policy would result in an increased number of soakaways where there is no public drainage system. Investment in Kinloss and Findhorn will reduce the number of private drainage systems. There are known drainage issues in Garmouth with regard to capacity at the Scottish Water treatment plant. Overflow discharges to the River Spey at

		<p>the golf club. Improvements would help water quality within the site but might require engineering works to install – this would be subject to consultation by Scottish Water so issues could be addressed.</p> <p>This policy alone will have no likely significant effect.</p>
Tips of Corsemaul SPA		There are unlikely to be any development pressures that would directly affect the land within the SPA with the exception of wind energy developments and forestry proposals. Appropriate Assessment has therefore focused on policy ER 1 Renewables.
Darnaway and Lethen SPA		Recreational disturbance is known to impact on Capercaillie and rural diversification or other development to promote recreational use within these forests could increase the risk of significant disturbance to the species. Cumulative wind energy developments in Highland and Moray have the potential to impact. Taking into account the above and that this is a remote and forested area the Appropriate Assessment has focused on ER1 Renewable Energy, ED8 Tourist Facilities, R3 Tourist related retailing, T7 Cycling, walking and equestrian networks.
Culbin Bar SAC		Culbin Bar is a saltmarsh that can only be accessed on foot. Recreational & tourism developments, events, initiative etc. could all increase the levels of human activity in the area that could lead to increasing pressure on these habitats. The Appropriate Assessment is therefore confined to T7 Cycling, walking and equestrian networks.
Hill of Towanreef SAC		The risk of development affecting this SAC is most likely to come from road upgrades and renewable wind energy. The Appropriate Assessment therefore focuses on T2 Provision of Road Access and ER1 Renewable Energy.
Lower Findhorn Woods SAC		<p>Given the topography and wooded nature of the site it is unsuitable for most types of development. The greatest threat to the woodland and its associated habitats is the presence of non native invasive species such as beech trees and their regeneration.</p> <p>Pressure from development could occur if footpaths were to expand or become more formalised requiring widening, drainage etc. Accordingly that Appropriate Assessment has concentrated on T7 - Cycling, Walking and Equestrian Networks</p>
Lower River Spey – Spey Bay SAC	ED6 Digital Communication	<p>It is unlikely that a telecommunications mast and associated equipment would be sited in this location. Furthermore, it is not considered that a development of this type could result in changes in coastal processes and sediment supply.</p> <p>No likely significant effect.</p>
	ED7 Rural Business Proposals	<p>It is unlikely that a business would locate directly on the shingle plain north and west of Kingston or within the floodplain of the River Spey.</p> <p>No likely significant effect.</p>

	ED8 Tourism Facilities and Accommodation	<p>It is unlikely that a business would locate directly on the shingle plain north and west of Kingston or within the floodplain of the River Spey.</p> <p>Any future developments at Tugnet are unlikely to encroach or interfere with the coastal and river processes. Development at Kingston is likely to be very limited.</p> <p>Construction run-off would be a consideration and this should be addressed within Policy EP6 Waterbodies. No likely significant effect.</p>
	R3 Neighbourhood Shops	<p>It is unlikely that a business would locate directly on the shingle plain north and west of Kingston or within the floodplain of the River Spey.</p> <p>Any future developments at Tugnet are unlikely to encroach or interfere with the coastal and river processes. Development at Kingston is likely to be very limited.</p> <p>Construction run-off would be a consideration and this should be addressed within Policy EP6 Waterbodies. No likely significant effect.</p>
	T1 Transport Infrastructure Improvements	<p>There are no specific proposals that would directly affect the SAC.</p> <p>No likely significant effect.</p>
	T2 Provision of roads access	<p>It is unlikely that an application for road access will be submitted in isolation and in most circumstances it will be considered as part of a larger development (i.e. housing). It is unlikely that an application for road access will be submitted in isolation and in most circumstances it will be considered as part of a larger development (i.e. housing).</p>
	T3 Roadside Facilities	<p>It is unlikely that a business would locate directly on the shingle plain north and west of Kingston or within the floodplain of the River Spey.</p> <p>No likely significant effect.</p>
	T4 Safeguarding bus, rail and harbour facilities	<p>There are no specific proposals that would directly affect the SAC.</p> <p>No likely significant effect.</p>
	T7 Cycling Walking and Equestrian Networks	<p>The Core Paths Plan has been prepared in consultation with SNH and should ensure that promoted paths have taken account of Natura sites.</p>

		<p>The Plan was also subject to a Strategic Environmental Assessment (SEA).</p> <p>Current path network has no negative impacts on the SAC. No likely significant effect.</p> <p>No likely significant effect.</p>
	H10 Residential Caravan Sites	<p>It is unlikely location for a residential caravan as it would be located directly on the shingle plain north and west of Kingston or within the floodplain of the River Spey.</p> <p>No likely significant effect.</p>
	H11 Gypsy/Travellers Sites	<p>It is unlikely location for a gypsy/traveller site as it would be located directly on the shingle plain north and west of Kingston or within the floodplain of the River Spey.</p> <p>No likely significant effect.</p>
	EP 1 Waste Facilities	<p>The nature of this site as a floodplain precludes the development of the site as a waste management facility. It is highly unlikely an installation of this nature will be constructed in this location.</p> <p>No likely significant effect.</p>
	ER 1 Minerals	<p>All natura sites are identified in the Council's Wind Energy Guidance as being unsuitable from wind farm developments. In event of an application being submitted it would in all likelihood be refused in grounds relating to natural heritage. No likely significant effect.</p>
Moidach More		<p>This is an extensive area of deep peat that is very wet and totally unsuitable for most developments. Renewable energy developments (wind and hydro), land drainage and afforestation proposals could impact on the SAC. Appropriate Assessment therefore concentrates on ER1 Renewable Energy Proposals and Peat Extraction.</p>
Moray Firth SAC	ED6 Digital Communication	<p>The coastal area of the Moray Firth is an unlikely location of the installation of telecommunications equipment.</p> <p>No likely significant effect</p>
	ED7 Rural Business Proposals	<p>Proposals for rural businesses on the coast will be considered against the relevant policies including E8 Coastal Protection Zone which restricts the types of acceptable development to existing and/or replacement of buildings and for low intensity recreational/tourist use.</p> <p>No likely significant effect.</p>
	ED8 Tourism Facilities and Accommodation	<p>Proposals for tourist facilities on the coast will be considered against the relevant policies including E8 Coastal Protection Zone which restricts the types of acceptable development to existing and/or replacement of buildings and for low intensity recreational/tourist use.</p>

		<p>Marine wildlife watching tour operators are encouraged to join the Dolphin Space Programme which promotes only responsible wildlife watching.</p> <p>No likely significant effect</p>
	H7 Housing in the Countryside	<p>Opportunities for new housing in the countryside on the coast will be considered against the relevant policies including E8 Coastal Protection Zone which restricted the development to change of use on replacement meaning no new build.</p> <p>No likely significant effect.</p>
	R3 Neighbourhood Shops	<p>Proposals for recreational/tourist retailing will be considered against the relevant policies including E8 Coastal Protection Zone which restricts the type of acceptable development to existing and/or replacement of buildings.</p> <p>No likely significant effect.</p>
	T3 Roadside Facilities	<p>Proposals for roadside service stations will be considered against the relevant policies including E8 Coastal Protection Zone which restricts the types of acceptable development to existing and/or replacement buildings.</p> <p>No likely significant effect.</p>
	T7 Cycling Walking and Equestrian Networks	<p>The Council provides paths through its Core Paths Plan. This has been prepared in consultation with SNH and subject to a strategic environmental assessment (SEA). There is an established coastal path network that does not impact on the SAC.</p> <p>No likely significant effect.</p>
	H11 Residential Caravans	<p>There is an existing residential caravan park at Kinloss proposed to redevelop this should be adequately addressed under policy EP 6 Waterbodies to ensure no impact on water quality. No likely significant effect.</p>
	H12 Gypsy/Traveller Sites	<p>Gypsy traveller sites could be approved within the Coastal Protection Zone in exceptional circumstances. The impact of development should be adequately addressed under policy EP 6 Waterbodies to ensure no impact on water quality. No likely significant effect.</p>
	E8 Coastal Protection Zone	<p>The Coastal Protection Zone provides another layer of protection beyond E1. The policy does not specifically restrict all types of development, it does not promote any large scale developments. Issues related to sedimentation should be adequately addressed under EP6 – Waterbodies</p> <p>No likely significant effect.</p>
	EP1 – Waste Management facilities	<p>In seeking to meet zero waste targets the council have to find alternatives to landfill, it is likely that facilities would be developed on the trunk road, close to population in line with the location criteria within the policy. It is unlikely that this would impact on the SAC.</p>

		<p>Proposals for waste management on the coast will be considered against relevant safeguarding policies. The policy itself states that proposals should be located where it will not generate a significant adverse impact on international designations.</p> <p>Large scale proposals would have to be supported by an EA. No likely significant effect.</p>
	ER1 Renewables	<p>There are no preferred search areas on land immediately adjacent to the Moray Firth SAC. There is limited potential for smaller scale wind turbines the impact of which can be mitigated. In terms of other renewable there is no resource to support marine renewable.</p> <p>The provision of an EA will ensure that any potentially significant impact in the Moray Firth SAC have been fully considered and mitigated as appropriate. No likely significant effect.</p>
	ER5 Mineral	<p>The policy promotes extensions to existing quarries and dormant quarries and extraction of resources underlying existing designations. There are no operational or dormant quarries adjacent to Findhorn Bay. There are quarries in proximity to Hopeman. It is likely that any potential indirect impacts from quarrying can be mitigated through drainage plans. These will all be picked up and addressed through the EA process. No likely significant effect.</p>
River Spey SAC	T4 Safeguarding bus, rail and harbour facilities	<p>This policy is to promote improvements to the bus, rail and harbour facilities in Moray. The main harbours are remote from the River Spey catchment and improvements to existing rail and bus provision will have no likely significant effect.</p>