NORTH LANARKSHIRE COUNCIL
COMHAIRLE SIORRACHD LANNRAIG A TUATH

LOCAL TRANSPORT STRATEGY

Statement to Inform Habitats Regulations Appraisal

Draft for Consultation - December 2025

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Contents

1. Introduction

1.1 Background

North Lanarkshire's Local Transport Strategy (LTS) was published in 2010 and therefore does not fully align with current national policies and strategies that have since been published. North Lanarkshire Council (NLC) is therefore in the process of developing a new ten-year LTS to replace the existing 2010 version.

The new LTS for North Lanarkshire will set the future direction for the Council's approach to the development and upkeep of the transport infrastructure and policy within the Council area. The LTS will also set out how NLC will contribute to the delivery of the obligations set out in the National and Regional Transport Strategies and other key policy drivers. Transport policies and actions will be developed, and indicators identified, to monitor the progress made on these actions.

A number of key tasks have been completed or are in the process of being completed (as of autumn 2025):

- consultation and engagement to identify the key problems, issues, and opportunities for transport in North Lanarkshire;
- collation of existing baseline data, including relevant socio-economic and transport data, and review of the existing LTS, the policy, and strategy context (including those of neighbouring local authorities);
- development of a vision statement with associated priorities, objectives, actions, and indicators required to deliver the vision and monitor progress, ultimately setting the strategic direction for transport investment and policy in North Lanarkshire for the next ten years;
- preparation of supporting assessments, including Habitat Regulations Appraisal (HRA), Strategic Environmental Assessment (SEA) and Statutory Impact Assessments; and,
- development of Case for Change and draft LTS.

The draft LTS is programmed to be issued for further consultation and engagement in December 2025 – February 2026.

1.2 Legislative context

Under the Habitats Regulations (The Conservation (Natural Habitats, & c.) Regulations 1994 (as amended), more commonly referred to as the 'Habitats Regulations'), a network of sites has been designated across Scotland for the purposes of nature conservation. This network comprises sites known as Special Areas of Conservation (SAC) and Special Protection Areas (SPA). SACs are designated for the protection of habitats and non-avian animal species of conservation concern. SPAs are designated to protect rare or vulnerable species of bird, as well as certain regularly occurring migratory bird species.

Prior to the UK's exit from the European Union (EU), Scotland's SACs and SPAs were part of a wider network of such sites known as the 'Natura 2000' network. They were consequently referred to as 'European sites'. Now that the UK has left the EU, Scotland's SACs and SPAs are no longer part of the Natura 2000 network but form part of a UK-wide network of designated sites referred to as the 'UK site network'. However, it is current Scottish Government policy to retain the term 'European sites' to refer collectively to SACs and SPAs (including any which are designated following the UK's exit from the EU) (Scottish Government, 2020).

The Habitats Regulations require that any plan or project which is not directly connected with or necessary to the conservation of a European site, and which is likely to have a significant effect on such a site, either alone or in-combination with other plans or projects, must be subject to an 'appropriate assessment' of the implications for the Conservation Objectives of that site. Generally, such proposals may only be approved if the 'Competent Authority' has ascertained, by means of an appropriate assessment, that there will be no adverse effect on the integrity of the European site(s). The procedure to be applied is known as 'Habitats Regulations Appraisal'. In the past, the term 'Appropriate Assessment' has been used to describe both the overall process and a particular stage of that process. The term 'Habitat Regulations Appraisal' has come into use to refer to the process that leads to an appropriate assessment, thus avoiding confusion. Throughout this document, HRA is used to refer to the overall procedure required by the Habitats Regulations.

In addition to fully designated European sites, the Habitats Regulations also apply to those sites in the earlier stages of the designation process, including:

- Sites of Community Interest (SCI);
- Candidate Special Areas of Conservation (cSAC);
- Possible / proposed Special Areas of Conservation (pSAC); and,
- Potential / proposed Special Protection Areas (pSPA).

Further, on 09 July 2025, the Minister for Public Finance and the Chief Planner issued a letter providing an update on Scottish Government's policy position on the protection of Ramsar sites. This stated that, from the date of that letter, *"Scottish Government considers that listed Ramsar sites should be treated as if they were European sites for the purposes of land use change decision making. Compliance with this policy means that any plan or project which could affect a Ramsar site will involve undertaking a Habitats Regulations Appraisal to determine whether the proposal is likely to have a significant effect on the notified natural features of the site".*

For the remainder of this document, the term 'European site' is used to refer to fully designated SACs, SPAs, candidate, possible and proposed SACs/SPAs, SCI, and Ramsar sites.

Although the Habitats Regulations do not define a 'plan' (except that land use plans and core path plans are explicitly referred to), the LTS is considered to constitute a plan (or programme) with regards to HRA. It is therefore necessary for an HRA to be completed in order to establish whether the adoption of potential intervention measures contained within the LTS could give rise to significant effects on the qualifying features of any European sites.

The Competent Authority responsible for carrying out a HRA is the relevant consenting body for a particular plan or project. The Competent Authority is required to apply the Precautionary Principle (UNESCO, 2005) and can only grant consent once it has been ascertained that there will be no adverse effect on the integrity of the European site(s) concerned. However, the Habitats Regulations provide that, even if adverse effects on European site integrity are predicted, and in the absence of a suitable alternative solution, the project or plan can still be carried forward for imperative reasons of over-riding public interest (IROPI). In such cases, compensatory measures must be implemented.

Although the UK is no longer part of the EU, a series of prior rulings of the Court of Justice of the European Union (CJEU) are relevant and must be considered when conducting HRA. Some of the rulings which are relevant, and which have been considered when preparing this HRA Screening Report are described in NatureScot guidance (SNH, 2014; SNH, 2015; and SNH, 2019).

1.3 Overview of the HRA process

As a consequence of the UK's exit from the EU, it was necessary for various amendments to be made to the Habitats Regulations. These changes were required to ensure that Scotland continues to maintain the same standard of protection afforded to European sites. The Habitats Regulations remain in force, including the general provisions for the protection of European sites and the procedural requirements to undertake HRA. The changes made were only those necessary to ensure that they remain operable following the UK's exit from the EU.

The Habitats Regulations set out a step-by-step sequence of statutory procedures to be followed when conducting an HRA. The steps are designed to test the potential effects of a project on a European site and must be followed in the correct and particular order.

NatureScot recommends an approach for HRA of plans, as described in SNH (2015), which is outlined as a series of thirteen steps. However, with cognisance of case law clarifying when mitigation can be taken into account in the HRA process (People Over Wind and Sweetman v Coillte Teoranta (C-323/17)), this has been revised and a flow chart is provided on the NatureScot website, and which is reproduced as Figure 1. Further guidance published by NatureScot on HRA (SNH, 2014) also sets out the methods for assessing whether plans or projects will affect a European site.

In accordance with the process recommended by NatureScot and relevant case law, the methodology for the HRA of a plan can comprise four main activities:

- HRA Activity 1: Screening (including a 'likely significant effect' judgement);
- HRA Activity 2: Appropriate Assessment;
- HRA Activity 3: assessment of alternative solutions; and,
- HRA Activity 4: assessment where no alternative solutions exist and where adverse effects remain (i.e., consideration of IROPI).

Should the HRA Screening stage not rule out the possibility of likely significant effects on the qualifying features of any European site then the second activity in the HRA process – Appropriate Assessment (AA) – will be required.

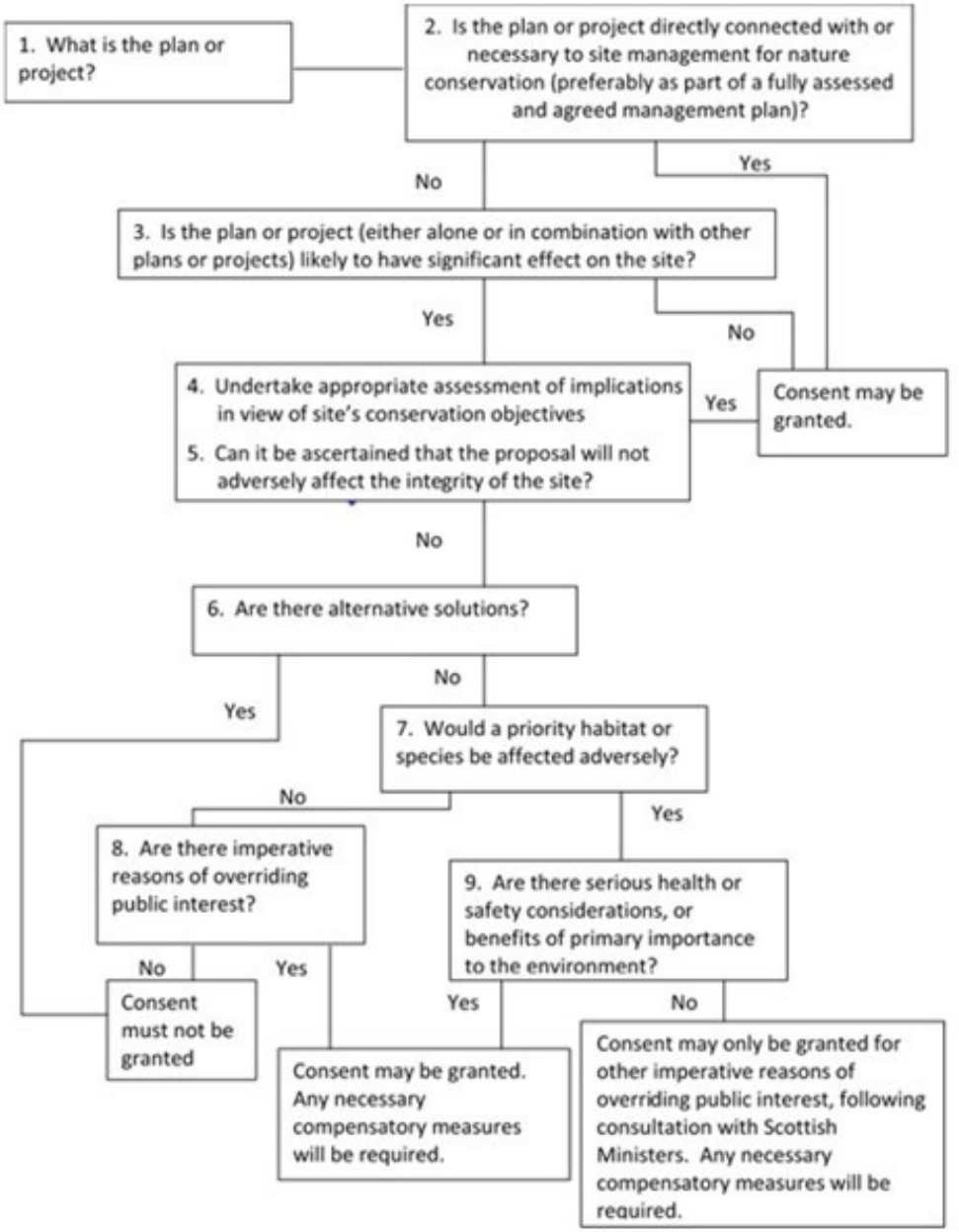


Figure 1: Stages of the HRA process (from NatureScot online HRA guidance)

AA considers in more detail the possibility of the impacts of a plan or project identified at the HRA Screening stage as having likely significant effects resulting in adverse effects on the integrity of the European sites, in view of the Conservation Objectives of those sites. It introduces to the assessment mitigation measures designed specifically to avoid adverse effects on European sites – the HRA Screening stage must be carried out without consideration of mitigation measures.

1.4 A proportionate assessment

HRA of projects (as opposed to plans) often requires bespoke survey work and novel data generation in order to accurately determine the significance of effects. In other words, it is necessary to look beyond the risk of an effect to a justified prediction of the actual likely effect and to the development of avoidance or mitigation measures.

Advocate-General Kokott has commented regarding HRA in a multi-tiered planning system that "it would …hardly be proper to require a greater level of detail in preceding plans [rather than planning applications] or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure **to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure"**

In other words, there is a tacit acceptance that HRA can be tiered and that all impacts are not necessarily appropriate for consideration to the same degree of detail at all tiers. For example, when considering loss of functionally-linked habitat, different levels of investigation are appropriate to higher level plans than to subsequent planning applications. The fullest level of detail would be necessary for planning applications as this is the last level at which impacts on European sites can be investigated. In contrast, detailed surveys would normally be disproportionate for a plan, given that European sites can be protected in the absence of such surveys by having a strong policy dictating the need for further investigation and prohibiting development until any such surveys are complete.

As the LTS represents a high-level plan, the level of assessment carried out at this stage is therefore proportionate to the amount of detail and information currently available. This HRA has been conducted in the context of the ruling of Advocate-General Kokott and is sufficiently robust for the plan-level of the LTS.

1.5 Purpose of this Report

Whilst the various steps involved in the assessment process must be carried out by a Competent Authority, consultants may provide the information that the Competent Authority requires to undertake an HRA. This Statement to Inform Habitats Regulations Appraisal has therefore been written to provide North Lanarkshire Council, in their role as Competent Authority, with the information needed to conduct an HRA of the LTS. It has been prepared with regard to best scientific knowledge and an examination of all of the potential impacts of the LTS on European sites.

This document is structured as follows:

- Chapter 1 (this Chapter) – provides an Introduction to the LTS and the requirements of the Habitats Regulations;
- Chapter 2 – describes the methodology adopted during the preparation of this Statement to Inform Habitats Regulations Appraisal;
- Chapter 3 – outlines how the potential zone of influence of the LTS was established;
- Chapter 4 – presents the test of likely significant effects from the LTS on the qualifying features of European sites;
- Chapter 5 – describes the Appropriate Assessment, and sets out mitigation measures which the LTS should incorporate to avoid adverse effects on the integrity of any European site; and,
- Chapter 6 – concludes this Statement to Inform Habitats Regulations Appraisal.

2. Methodology

2.1 Sources of guidance and data

This Report has been prepared with cognisance of the following guidance published by the European Commission (EC) and NatureScot:

- Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission, 2021);
- Managing Natura 2000 sites – The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (European Commission, 2019);
- Natura Casework Guidance: How to consider plans and projects affecting Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) (SNH, 2014);
- Habitats Regulations Appraisal of Plans. Guidance for Plan-making bodies in Scotland (SNH, 2015); and,
- SNH Guidance Note. The handling of mitigation in Habitats Regulations Appraisal – the People Over Wind CJEU judgement (SNH, 2019).

Information on relevant European sites, including qualifying features, the latest assessed condition of those features, and the Conservation Objectives for each site, was obtained from the NatureScot SiteLink website (https://sitelink.nature.scot/home).

Plans and projects (where relevant to in-combination assessment) were searched for via the North Lanarkshire Council website and planning portal (https://www.northlanarkshire.gov.uk/planning-and-building/planning-applications/view-and-comment-on-planning-applications).

2.2 Limitations

No field survey or modelling has been carried out during the preparation of this Statement to Inform Habitats Regulations Appraisal. However, as set out in Section 1.4, this level of detailed study is not necessary at the plan-level HRA, given that European sites can be protected in the absence of, for example, field survey data and modelling outputs, by having a strong policy framework which dictates the need for further investigation and prohibits development until such studies are completed, where necessary. At the LTS level there is a limit to the degree of assessment that is possible, because:

- Either there are limited specifics as to what will be delivered or where because those elements are to be determined later, so it literally cannot be assessed in detail at the plan level. In these cases, the HRA focusses on precautionary mitigation that can be included in the plan to ensure that whatever proposals come forward will not result in adverse effects on integrity; or,
- The nature of the potential impacts (including for example air quality, noise and visual disturbance during construction, or loss of functionally-linked land) are very closely related to exactly how a given development will be designed and constructed, or on the distribution of relevant qualifying features (which will be determined by planning application surveys), and therefore cannot be assessed in detail at the plan level. In these instances, the HRA focusses on the availability of suitable mitigation measures, the extent to which such measures would be achievable, and effective, and whether an adequate protective framework exists to ensure that further assessment at a lower tier (including consideration of mitigation measures where necessary) is undertaken such that in practice delivery of the particular development would be possible without an adverse effect on the integrity of any European sites.

In accordance with relevant case law (People Over Wind and Sweetman v Coillte Teoranta (C-323/17)), it is only once the AA stage is reached that mitigation measures to avoid adverse effects on integrity is considered. Information on the qualifying habitats/species of relevant European sites, including their latest assessed condition, any identified threats or pressures, and the associated Conservation Objectives for these features, are summarised and described only as far as necessary for this assessment. Further details can be found in relevant citation documents and/or Conservation Advice Packages (CAPs) which are available from the NatureScot SiteLink website (https://sitelink.nature.scot/home).

3. Establishing the zone of influence

3.1 Approach

There is no pre-defined guidance on the physical scope of a HRA in all circumstances. When seeking to identify relevant European sites, consideration was therefore given primarily to potential impact pathways and the source-pathway-receptor approach, rather than adopting a purely 'zones'-based approach. The source-pathway-receptor model is a standard tool in environmental assessment. In order for an impact to occur, all three elements of this mechanism must be in place.

The absence or removal of one of the elements of the mechanism means there is no possibility for an impact to occur. Furthermore, even where an impact is predicted to occur, it may not result in significant effects. It is also important to distinguish between an 'impact' and an 'effect'. An impact is defined as an action resulting in changes to an ecological feature, while an effect is the outcome to an ecological feature arising from an impact (CIEEM, 2024). For example, an impact may be the disturbance of a roost of wintering waders as a result of construction activities; the effect would be how the population or conservation status of the species disturbed by the works changes as a consequence.

The likely zone of impact (also referred to as the likely 'zone of influence') (ZoI) of a plan or project is the geographic extent over which ecological effects are likely to occur. The ZoI of a plan or project will vary depending on the specifics of a particular proposal and must be determined on a case-by-case basis with reference to a variety of criteria, including:

- the nature, size/scale and location of the plan or project;
- the connectivity between the plan or project and European sites, for example through hydrological connections or because of the natural movement of qualifying species;
- the sensitivity of ecological features under consideration; and,
- the potential for in-combination effects.

There is no geographical limit beyond which European sites need not be considered by HRA of a plan or project.

The process of determining which (if any) European sites are within the ZoI of the LTS was a progressive appraisal of the potential for each impact source which could arise from construction and/or operation of the actions proposed by the LTS to affect the qualifying features of such sites. This process is set out in Figure 1.

Table 1 and was conducted with cognisance of all of the impact sources described below.

3.2 Sources of impact from the Plan

A number of impacts could arise from the potential intervention measures contained within the LTS. A description of each, and their potential relevance to the qualifying features of European sites, is given under the following sub-headings.

3.2.1 Direct loss of or damage to habitat within a European site

Construction works which take place within or adjacent to the boundary of a European site could result in the damage or loss of habitat. In the case of the SACs/Ramsar sites, this may include habitat which is a qualifying/interest feature of the designation. However, even where this is not the case, for SACs/Ramsar sites and SPAs, habitat which is damaged or lost could be essential to supporting the qualifying plant or animal species, or to the normal functioning of the site.

3.2.2 Loss of habitat outside of European sites but which supports qualifying species

Habitat outside of the boundary of a European site, but which supports the qualifying species of that site, is defined as being 'functionally-linked' to it. The ruling in the Holohan and Others v An Bord Pleanála (C-461/17) case concluded that the loss of functionally-linked habitat could result in significant effects on the qualifying features of a European site, if this prevented the site from meeting its Conservation Objectives.

To determine whether habitat may be functionally-linked to a European site requires some level of detailed study, often including targeted field survey. However, this impact can only occur on mobile animal species which could be present outside of the European site for which they are designated. For several bird species in Scotland, NatureScot has published guidance on the distances up to which qualifying species may use functionally-linked habitat outside of European sites (SNH, 2016). The distances given in this guidance were used when searching for SPAs which may be within the ZoI of the area covered by the LTS. Accordingly, SPAs (with the exception of those designated for seabirds which exclusively inhabit the marine environment, and which do not use the terrestrial habitats in North Lanarkshire) up to 20 km were searched for, as this is given as the largest core foraging range for any species (non-breeding pink-footed goose *Anser brachyrhynchus* and greylag goose *Anser anser*).

For other mobile terrestrial, aquatic or amphibious animals for which SACs are designated in Scotland, the following distances were used when searching for sites which could be impacted by loss of functionally-linked habitat:

- marsh fritillary *Euphydryas aurinia* – research by Wahlberg et al (2002) found that the average dispersal distance of male marsh fritillaries was 1.3 km, and up to 510 m for females. On a precautionary basis, therefore, a distance of 1.5 km was adopted;
- great crested newt *Triturus cristatus* – it is generally considered that great crested newts can occur up to 500 m from breeding ponds (SNH, undated(a)). Therefore, on the assumption that any SAC designated for this species would encompass all breeding ponds used by a meta-population, a buffer of 500 m should be sufficient to account for all terrestrial habitat which may be functionally-linked to these features;
- otter *Lutra lutra* – studies quoted in Harris and Yalden (2008) suggest that the mean liner range size for four male otters in north-east Scotland was 48 km. For one male in Perthshire the maximum range was 39 km and for another male in Suffolk the range was also 39 km. Female otters generally have smaller ranges, quoted in Harris and Yalden (2008) as being between 16-21 km. A buffer of 40 km, and only where there is direct hydrological connectivity to the area covered by the LTS, was used when searching for SACs designated for otter; and,
- all fish species – no set distance was used when considering potential impacts on fish species. Where a direct hydrological link exists between the area covered by the LTS and an SAC designated for fish species, it was considered that there could be impacts on these qualifying features.

Narrow-mouthed whorl snail *Vertigo angustior* and freshwater pearl mussel *Margaritifera margaritifera* are also qualifying features of SACs in Scotland. However, these are highly immobile species (albeit that the dispersal phase for freshwater pearl mussel depends on the presence of salmonid fish species), and

there are no SACs for which they are designated in central or southern Scotland and there is no possible pathway for impacts from the LTS to affect any such site. They are therefore not considered further in this Statement to Inform Habitats Regulations Appraisal.

3.2.3 Waterborne pollution

Construction and operational activities have the potential to pollute watercourses and/or waterbodies. These could themselves represent qualifying features of a European site, may be within a European site and support the qualifying features of that site, or may be outside of a European site but be functionally-linked to such a site if used by the qualifying animals. Waterborne pollution may arise through spillages of fuels, oils, chemicals or other pollutants, or from the uncontrolled released of sediment. Discharges of effluent, which could increase the nutrient levels in the water, would also fall under this category of impact.

Waterborne pollution can degrade habitats and can lead to the direct mortality of qualifying species such as fish. The distance over which such impacts could have effects would depend on the severity of the pollution. However, any European site which has a direct hydrological connection to North Lanarkshire but not including estuarine or marine designations (where a huge dilution effect on any pollution would occur from the massive volume of the sea), has the potential to be within the ZoI.

3.2.4 Airborne pollution

Airborne pollution could occur during the construction and operational phases of transport infrastructure developments. During the construction phase this could occur due to the generation of dust or from emissions from construction plant and vehicles while during operation there could be emissions from vehicles using new infrastructure. Any maintenance activities which take place, and which may generate emissions are likely to be of such small scale that they could not feasibly result in significant air quality effects. As for waterborne pollution, above, airborne pollution could impact on qualifying, supporting or functionally-linked habitats.

Dust generated during construction activities can directly impact vegetation or aquatic environments and can indirectly impact animal species (for example where these habitats are used by them for foraging). During extended periods of dry weather, dust can cover plant foliage and adversely affect photosynthesis or other biological functions. Rainfall can then remove deposited dust and rapidly leach chemicals into the soil (Holman et al, 2014). Guidance published by the Institute of Air Quality Management (IAQM) advises that consideration should be given to construction-related air quality impacts on nature conservation sites within 50 m of works, including any access routes, extending to 500 m from the entrance to the construction site (Holman et al, 2014).

Vehicles (including plant vehicles) which operate via internal combustion engines emit airborne pollutants. The most important of these for European sites are oxides of nitrogen (NOx). At close distances to source, NOx can have a directly toxic effect on vegetation at very high concentrations. However, likely to be of greater concern is the contribution NOx makes to the deposition of nitrogen to soils. Increases in nitrogen deposition from the atmosphere can, if sufficiently great, enhance soil fertility and lead to eutrophication. This can have adverse effects on community composition and quality of semi-natural, nitrogen-limited terrestrial and aquatic habitats (for example Wolseley et al, 2006; Dijk, 2001; http://www.apis.ac.uk/search-pollutant-impacts). Both the IAQM and the Design Manual for Roads and Bridges (DMRB) advise that such impacts are only likely to extend to a maximum of 200 m from a road (or works area), and that air pollution levels fall sharply within the first few tens of metres (Holman et al, 2019; Highways England et al, 2019).

3.2.5 Changes to surface water hydrology

Changes to surface water hydrology can occur as a result of engineering activities during the construction phase. For example, the construction or replacement of water crossings can change hydrological conditions within a watercourse. Abstraction of water (for example for use in dust suppression or other construction works) can also reduce water levels, as can changes to the existing flows of surface water to a watercourse.

These impacts can occur either within a European site or can impact on the qualifying species of a European site if they pass through or occur within the relevant part of the watercourse. Therefore, any European site with direct

freshwater hydrological connectivity (i.e. not including marine sites) could be impacted by changes to surface water hydrology.

3.2.6 Changes to groundwater flow or volume

Changes to groundwater conditions can occur as a result of excavations, trenching or the installation of piled structures (for example by interrupting or diverting groundwater flows). Guidance published by the Scottish Environment Protection Agency (SEPA) suggests that such activities could impact on groundwater dependent terrestrial ecosystems (GWDTE) up to 100 m from excavations less than 1 m in depth, extending up to 250 m for deeper excavations (SEPA, 2017). Therefore, any European site within North Lanarkshire and a 250 m buffer is considered to be within the potential ZoI of this impact.

3.2.7 Disturbance of qualifying species

Construction and operational activities have the potential to cause disturbance to qualifying animal species. Disturbance can be caused visually (for example by the presence of personnel and plant, or as a result of artificial illumination of habitats) and/or by the noise and vibration generated by works. This could impact qualifying species when inside the boundary of a European site, or outside of a European site when using functionally-linked habitat.

The potential for disturbance to be caused will depend on the location and nature of construction / operational activities, the distribution of the qualifying species, and the sensitivity of the species to noise and visual disturbance from human activities. This will be determined through detailed study, likely including field survey to establish the distribution of the relevant species. However, where disturbance is caused, it can have multiple adverse effects on species including increased energy expenditure, reduced feeding time, behavioural changes, and displacement.

Based on the published guidance referenced below, the following distances were used when considering how far construction and operational activities may disturb qualifying species:

- Otter – 200 m, in accordance with SNH (undated(b)) which suggests this distance for otter breeding sites, reduced to 30 m for other resting sites not used for breeding purposes; and
- Non-breeding waterbirds – the Waterbird Disturbance Mitigation Toolkit (Cutts et al, 2003) provides species-specific information on the sensitivity of several bird species which are qualifying features of SPAs. However, it suggests that, in general, disturbance of non-breeding waterbirds can occur up to distances of around 300 m from construction works; and,
- Breeding birds – 1 km, this being the maximum distance at which Goodship and Furness (2022) consider disturbance could occur on the most sensitive species for which SPAs are designated.

3.2.8 Injury or mortality of qualifying species

The direct injury or mortality of qualifying species could occur where construction works take place within the boundary of a European site, or where the species in question may be using functionally-linked habitat outside of a European site boundary. When considering the latter possibility, the only relevant terrestrial or amphibious animal species which are sufficiently mobile to be at risk are great crested newt and otter. These species could occur up to the distances set out under ‘Loss of habitat outside of European sites but which supports qualifying species’, above.

The potential for the direct mortality of fish species as a result of waterborne pollution is also considered above. Construction works which take place directly within a watercourse could also result in injury or mortality of these species.

Except where nesting, birds are not considered to be vulnerable to injury or mortality as a result of construction works.

During the operational phase there is a risk of mortality or injury due, for example, to collision with vehicles. In this case, the only potentially relevant species are great crested newt and otter.

3.2.9 Prevention of migratory movements of qualifying species

The creation of permanent or temporary barriers in a watercourse (for example a new culvert), pollution of a watercourse, or noise / visual disturbance could all act to prevent the migratory movement of the qualifying fish species of SACs.

The presence of new transport infrastructure, in particular roads, can act as barriers to the movements of certain species, including otter.

Bird species for which SPAs are designated in Scotland are not likely to be subject to significant barrier effects from the presence of new transport infrastructure.

It was therefore considered that this impact could affect the qualifying mobile species of any SAC located within North Lanarkshire.

3.2.10 Spread of invasive non-native species

Invasive non-native species can have detrimental effects on native flora and fauna. The construction and operation of new transport infrastructure is unlikely to result in the spread of any non-native animal species. However, construction works have the potential to spread invasive non-native plant species. Where works take place near to a European site, this could introduce such species to the site and have impacts on habitats and species.

It has been assumed that the spread of invasive non-native plants could occur where construction works take place up to a distance of 50 m from a European site, or where there is otherwise a direct hydrological connection between the actions proposed by the LTS and a European site.

Operation of the actions proposed by the LTS will not be materially different to the existing situation with regard to the potential spread of invasive non-native species.

3.3 European sites within the zone of influence

Taking the approach described in section 3.1 and with cognisance of the impact sources described in Section 3.2, the potential ZoI of the LTS was considered to encompass:

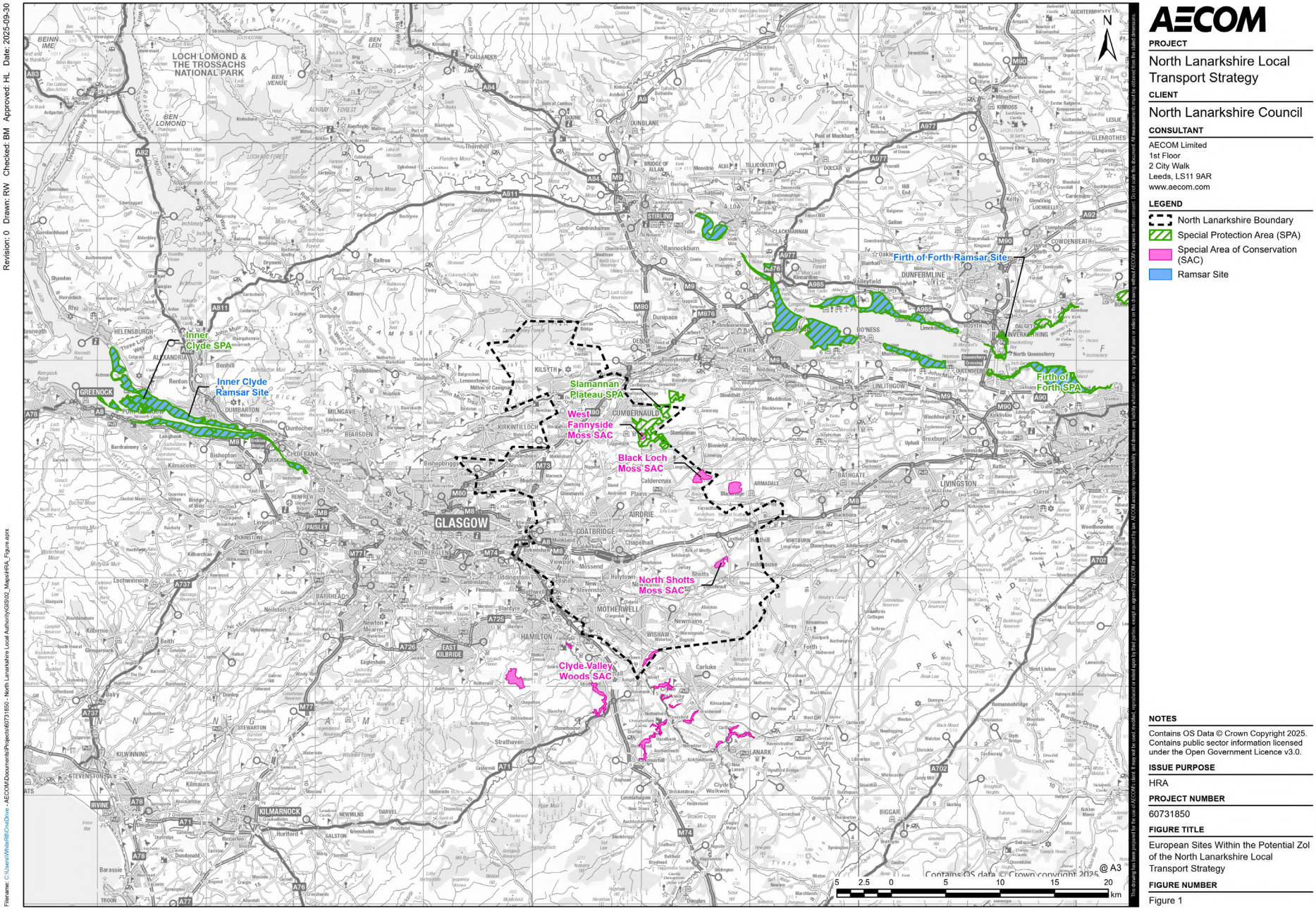
- all European sites within North Lanarkshire;
- SACs/Ramsar sites covering watercourses which are hydrologically connected to North Lanarkshire;
- SPAs within a maximum distance of 20 km of North Lanarkshire; Muirkirk and North Lowther Uplands SPA, which is located approximately 15.1 km from the boundary of North Lanarkshire, is designated for several species that according to SNH (2016), have core foraging ranges smaller than this distance. Consequently, this SPA was considered to be outside of the potential ZoI of the LTS; and,
- any European site located within 500 m of the boundary of North Lanarkshire, and which could theoretically be subject to air quality impacts and/or groundwater impacts.

On this basis, the following European sites are considered to be within the potential ZoI of the LTS and thus within the geographic scope of this Statement to Inform Habitats Regulations Appraisal (sites are listed in alphabetical order):

- Black Loch Moss SAC;
- Clyde Valley Woods SAC;
- Firth of Forth SPA;
- Firth of Forth Ramsar site;
- Inner Clyde SPA;
- Inner Clyde Ramsar site;
- North Shotts Moss SAC;
- Slamannan Plateau SPA; and,
- West Fannyside Moss SAC.

Table 1 provides further details of the European sites scoped into the HRA of the LTS, including qualifying features, threats/pressures to site integrity and potential impact pathways linking to the LTS and the locations of all nine European sites are illustrated on Figure 2.

Further details on each European site, including qualifying features and Conservation Objectives, are provided in Appendix A.



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European Sites Within the Potential ZoI of the North Lanarkshire Local Transport Strategy

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Figure 2: European Sites within the potential ZoI of the North Lanarkshire Local Transport Strategy

Table 1: Summary of European sites scoped into HRA

Site name	Location	Qualifying feature(s) [and latest assessed condition of feature]	Identified negative pressures	Potential for impact pathways between European site and the LTS
Black Loch Moss SAC	North Lanarkshire (Primary) Falkirk	• Active raised bog [Unfavourable No Change]	• Over-grazing	Located primarily within the boundary of North Lanarkshire, adjacent to Black Loch and bisected by Forrestfield Road. Bog habitats are sensitive to air quality, so emissions during construction or operation of new transport infrastructure would be of particular relevance.
Clyde Valley Woods SAC	Multiple sites in South Lanarkshire (Primary), one area overlaps with North Lanarkshire boundary	• Mixed woodland on base-rich soils associated with rocky slopes [Favourable Maintained]	• Invasive species	There are multiple parts to this SAC, generally covering steep-sloped river valleys. The SAC is primarily present in neighbouring South Lanarkshire, but one section overlaps North Lanarkshire's south-western boundary. Greatest likelihood of impacts from air quality, waterborne pollution and changes to surface water hydrology.
Firth of Forth SPA	East Lothian (Primary) City of Edinburgh, Clackmannanshire, Falkirk, Fife, Scottish Government (Marine Directorate), Stirling, West Lothian	• Non-breeding bar-tailed godwit Limosa lapponica [Favourable maintained] • Non-breeding common scoter Melanitta nigra [Unfavourable Declining] • Non-breeding cormorant Phalacrocorax [Favourable Maintained] • Non-breeding curlew [Favourable Maintained] • Non-breeding dunlin Calidris alpina alpina [Favourable Declining] • Non-breeding elder Somateria mollissima [Favourable Declining] • Non-breeding golden plover Pluvialis apricaria [Unfavourable Declining] • Non-breeding goldeneye Bucephala clangula [Unfavourable Declining] • Non-breeding great crested grebe Podiceps cristatus [Unfavourable Declining] • Non-breeding grey plover Pluvialis squatarola [Favourable Declining] • Non-breeding knot Calidris canutus [Unfavourable Declining] • Non-breeding lapwing Vanellus Vanellus [Favourable Declining] • Non-breeding long-tailed duck Clangula hyemalis [Favourable Declining] • Non-breeding mallard Anas platyrhynchos [Favourable Declining] • Non-breeding oystercatcher Haematopus ostralegus [Favourable Maintained] • Non-breeding pink-footed goose Anser brachyrhynchus [Favourable Maintained]	• Recreation/disturbance (e.g. dog walking, walking) • Game/fisheries management • Climate Change • Water quality • Natural event	This SPA is located approximately 11 km from the nearest boundary of North Lanarkshire Council. Pink-footed geese are estimated by SNH (2016) to have a core foraging range which extends up to 20 km from an SPA for which they are designated. Birds belonging to Firth of Forth SPA could therefore realistically use habitats in North Lanarkshire for foraging. The potential impacts of the LTS therefore include loss of functionally-linked habitat and disturbance of birds when using any such habitat.

Table 1: Summary of European sites scoped into HRA				
Site name	**Location**	**Qualifying feature(s) [and latest assessed condition of feature]**	**Identified negative pressures**	**Potential for impact pathways between European site and the LTS**
		• Non-breeding red-breasted merganser Mergus serrator [Unfavourable Declining] • Non-breeding red-throated diver Gavia stellata [Favourable Maintained] • Non-breeding redshank Tringa tetanus [Favourable Maintained] • Non-breeding ringed plover Charadrius hiaticula [Favourable Maintained] • Passage sandwich tern Sterna sandvicensis [Favourable Maintained] • Non-breeding scaup Aythya marila [Unfavourable Declining] • Non-breeding shelduck Tadorna tadorna [Favourable Maintained] • Non-breeding Slavonian glebe Podiceps auritus [Unfavourable Declining] • Non-breeding turnstone Arenaria interpres [Favourable Maintained] • Non-breeding velvet scoter Melanitta fusca [Favourable Maintained] • Non-breeding wigeon Anas penelope [Favourable Maintained] • Non-breeding waterfowl assemblage [Favourable Maintained]		
Firth of Forth Ramsar site	East Lothian (Primary), City of Edinburgh, Clackmannanshire, Falkirk, Fife, Scottish Government (Marine Directorate), Stirling, West Lothian	**Ramsar Criterion 2** by supporting: (1993/94 to 1997/98 winter peak means): • Red-throated diver Gavia stellata (90 individuals, 2% of the GB population), • Golden plover Pluvialis apricaria (2,949 individuals, 1% of the GB population). **Ramsar Criterion 5** by regularly supporting waterbirds in numbers of 20,000 individuals or more. In the five-year period 1992/93 to 1996/97, a winter peak mean of 95,000 individual waterbirds was recorded, comprising 45,000 wildfowl and 50,000 waders. The site also qualifies. **Ramsar Criterion 4** by supporting: the following waterbird species at a critical stage in their life cycles (data 1992/93 to 1996/97 except where stated): • Scaup Aythya marila (437 individuals, 4% of the GB population).	• Recreation/disturbance (e.g. dog walking, walking) • Game/ fisheries management • Climate Change • Water quality • Natural event	This Ramsar site is located approximately 11 km from the nearest boundary of North Lanarkshire Council. Pink-footed geese are estimated by SNH (2016) to have a core foraging range which extends up to 20 km from an Ramsar site for which they are designated. Birds belonging to Firth of Forth Ramsar site could therefore realistically use habitats in North Lanarkshire for foraging. The potential impacts of the LTS therefore include loss of functionally-linked habitat and disturbance of birds when using any such habitat.

Table 1: Summary of European sites scoped into HRA				
Site name	**Location**	**Qualifying feature(s) [and latest assessed condition of feature]**	**Identified negative pressures**	**Potential for impact pathways between European site and the LTS**
		• Great crested grebe Podiceps cristatus (720 individuals, 7% of the GB population). • Cormorant Phalacrocorax carbo (682 individuals, 5% of the GB population). • Curlew Numenius arquata (1,928 individuals, 2% of the GB population). • Eider Somateria mollissima (9,400 individuals, 13% of the GB population). • Long-tailed duck Clangula hyemalis (1,045 individuals, 4% of the GB population). • Common scoter Melanitta nigra (2,880 individuals, 8% of the GB population). • Velvet scoter Melanitta fusca (635 individuals, 21% of the GB population). • Red-breasted merganser Mergus serrator (670 individuals, 7% of the GB population). • Oystercatcher Haematopus ostralegus (7,846 individuals, 2% of the GB population). • Ringed plover Charadrius hiaticula (328 individuals, 1% of the GB population). • Grey plover Pluvialis squatarola (724 individuals, 2% of the GB population), • Dunlin Calidris alpina alpina (9,514 individuals, 2% of the GB population). In the five-year winter period 1991/92 to 1995/96 the assemblage additionally included nationally important populations greater than 2,000 individuals of: • Mallard Anas platyrhynchos (2,564 individuals, 0.5% of the GB population). • Lapwing Vanellus vanellus (4,148 individuals, 0.3% of the GB population). • Wigeon Anas penelope (2,139 individuals, 0.78% of the GB population). • Red-throated diver, golden plover, Slavonian grebe, pink-footed goose, shelduck, knot, redshank, turnstone, goldeneye and bar-tailed godwit are also components of the waterbird assemblage.		

Table 1: Summary of European sites scoped into HRA				
Site name	**Location**	**Qualifying feature(s) [and latest assessed condition of feature]**	**Identified negative pressures**	**Potential for impact pathways between European site and the LTS**
		Ramsar Criterion 6 by regularly supporting 1% or more of the individuals in a population of waterbirds (1993/94 to 1997/98 winter peak means): • Slavonian grebe Podiceps auritus (84 individuals, 2% of the Northwest Europe biogeographic population). • Pink-footed goose Anser brachyrhynchus (10,852 individuals, 6% of the • Eastern Greenland/Iceland/UK biogeographic population). • Shelduck Tadorna tadorna (4,509 individuals, 2% of the North-western • Europe biogeographic population). • Knot Calidris canutus (9,258 individuals, 3% of the NE Canada & Greenland/W Europe biogeographic population). • Redshank Tringa totanus (4,341 individuals, 3% of the Eastern Atlantic biogeographic population). • Turnstone Arenaria interpres (860 individuals, 1% of the NE Canada & Greenland/W Europe & NW Africa biogeographic population). • Goldeneye Bucephala clangula (3,004 individuals, 1% of the NW & C Europe biogeographic population). • Bar-tailed godwit Limosa lapponica (1,974 individuals, 2% of the Western European biogeographic population), and • Sandwich tern Sterna sandvicensis during the passage period (a winter peak mean of 1,617 individuals, 1% of the Europe and West Africa biogeographic population).		
Inner Clyde SPA	Argyll and Bute, Inverclyde, Renfrewshire, West Dunbartonshire	Non-breeding redshank Tringa totanus [Favourable Maintained]	• Game/fisheries management • Recreation / disturbance	This SPA is located approximately 13.7 km from the nearest boundary of North Lanarkshire Council. SNH (2016) and does not provide an estimate of the foraging range of non-breeding redshank. However, it is possible that birds belonging to this SPA could occur in suitable habitats within North Lanarkshire during the non-breeding and/or breeding seasons. Interventions associated with the LTS could therefore affect the SPA population (for example through disturbance). The SPA is also connected to North Lanarkshire by the River Clyde and waterborne pollution could degrade the habitats upon which the qualifying redshank rely.

Table 1: Summary of European sites scoped into HRA				
Site name	**Location**	**Qualifying feature(s) [and latest assessed condition of feature]**	**Identified negative pressures**	**Potential for impact pathways between European site and the LTS**
Inner Clyde Ramsar site	Argyll and Bute, Inverclyde, Renfrewshire, West Dunbartonshire	**Ramsar Criterion 6** by regularly supporting 1% or more of the individuals in a population of waterbirds: • Redshank Tringa totanus (1992/1993 to 1996/1997, winter peak mean of 2,107 individuals, 1% of the East Atlantic biogeographic population) [Favourable Maintained]	• Recreation/ disturbance	This Ramsar site is located approximately 13.7 km from the nearest boundary of North Lanarkshire Council. SNH (2016) does not provide an estimate of the foraging range of non-breeding redshank. However, it is possible that birds belonging to this Ramsar site could occur in suitable habitats within North Lanarkshire during the non-breeding and/or breeding seasons. Interventions associated with the LTS could therefore affect the Ramsar site population (for example through disturbance). The Ramsar site is also connected to North Lanarkshire by the River Clyde and waterborne pollution could degrade the habitats upon which the qualifying redshank rely.
North Shotts SAC	North Lanarkshire	• Active raised bog* [Favourable Maintained] • Degraded raise bog [Unfavourable No Change]	• Dumping/storage of materials	Situated between Calderhead Road, and the small town of Shotts. Bog habitats are sensitive to air quality, so emissions during construction or operation of new transport infrastructure would be of particular relevance. Excavations which could impact on groundwater may also have effects on habitats supporting the bog.
Slamannan Plateau SPA	North Lanarkshire (Primary), Falkirk	• Non-breeding Taiga bean goose Anser fabalis fabalis [Favourable Maintained]	• N/A	Located primarily within the eastern boundary North Lanarkshire but with an area of the SPA present within neighbouring Falkirk. The SPA is bisected by Fannyside Road. Greatest likelihood of impacts from habitat loss and disturbance of species.
West Fannyside Moss SAC	North Lanarkshire	• Blanket bog* [Favourable Maintained]	N/A	Located within North Lanarkshire to the south-east of Abronhill. Bog habitats are sensitive to air quality impacts, so emissions during construction or operation of new transport infrastructure would be of particular relevance. Excavations which could impact on groundwater may also have effects on habitats supporting the bog.

* A priority habitat of the Habitats Directive. These are habitats which are in danger of disappearance or for which there is a particular responsibility to conserve them.

4. Test of likely significant effects

4.1 Overview

This section assesses the potential for construction and operational phase impacts, for which a pathway exists to European sites, to have likely significant effects on those sites. As set out above, 'likely' in this context is taken to mean 'possible', while a 'significant' effect is one which could undermine the Conservation Objectives of a European site (SNH, 2015).

The purpose of HRA Screening is to determine those elements of a plan (or project) regarding which it can be stated, without detailed appraisal, that significant effects on a European site can be excluded. In line with case law, consideration cannot be given at this stage to specific mitigation measures designed to avoid significant effects on a European site.

However, NatureScot has published guidance on the handling of mitigation when carrying out HRA (SNH, 2019). NatureScot advises that, although (as stated above) mitigation designed specifically to avoid significant effects on the qualifying features of a European site cannot be referred to at the HRA Screening stage, it is reasonable to consider the 'intrinsic elements' of a development, including those which can be regarded as 'good practice' or 'best practice' for development of that type. Standard good practice works methods which would be adopted for all potential intervention measures contained within the LTS, regardless of the presence of European sites, would include the implementation of pollution prevention measures following SEPA Guidance on Pollution Prevention (GPP) and Pollution Prevention Guidelines (PPG).

Furthermore, under the Wildlife and Countryside Act 1981, as amended by the Wildlife and Natural Environment (Scotland) Act 2011, it is an offence in Scotland to cause any plant to spread or grow in the wild outside of its native range. Appropriate biosecurity measures will therefore also be implemented during works carried out during both the construction and operational phases to prevent the spread of invasive non-native species. Such measures would be set out in a Biosecurity Management Plan, Construction Method Statement and/or other similar document(s). The test of likely significant effects in this section is necessarily a high-level appraisal, with a precautionary approach adopted when reaching a conclusion. For those impacts for which likely significant effects cannot be 'screened out', further appraisal is required at the AA stage of the HRA.

4.2 Impacts with pathways to European sites

Not all impacts will have pathways for effects on the qualifying features of all European sites within the potential ZoI of the LTS. Consequently, some sites may be within the ZoI for certain impacts but not for others. Table 2 considers the pathways for impacts on European sites. Given the limited amount of detail available at the level of the LTS, a precautionary approach has been taken.

On the basis of the analysis presented in Table 2, the following possible impacts have been screened out of further appraisal because there is clearly no potential for them to occur, because such impacts would clearly not result in any significant effects on the qualifying features of any European site, and/or because standard good practice measures will be implemented which will incidentally (i.e. it is not their primary purpose) avoid significant adverse effects on the qualifying features of European sites:

- prevention of the migratory movements of species during the construction and operational phases;
- waterborne pollution of qualifying or supporting habitat(s) or species (during both the construction and operational phases); and,
- the spread of invasive non-native species (during both the construction and operational phases).

Table 2: Pathways for impacts on European sites

Impact source	Pathway to European site(s)	European sites which could be impacted
Construction phase		
Direct loss of or damage to habitat within a European site.	The direct loss of or damage to habitat within the boundary of a European site is only possible where infrastructure passes through, over or immediately adjacent to a European site. On a precautionary basis at this stage, any European site within North Lanarkshire is considered to be at risk of direct damage or loss of habitat.	• Black Loch Moss SAC • Clyde Valley Woods SAC • North Shotts SAC • Slamannan Plateau SPA • West Fannyside Moss SAC
Loss of habitat outside of European sites but which supports qualifying species (i.e. loss of functionally-linked habitat).	The basis for determining the ZoI of this impact source is described in Section 3.2.2. Although it lies within 20 km of North Lanarkshire, Muirkirk and North Lowther Uplands SPA is not considered to lie within the ZoI for the reasons explained above.	• Firth of Forth SPA • Firth of Forth Ramsar site • Inner Clyde SPA • Inner Clyde Ramsar site • Slamannan Plateau SPA
Waterborne pollution of qualifying, supporting or functionally-linked habitat(s), or of qualifying or supporting species.	Any European site within North Lanarkshire has the potential to be impacted by waterborne pollution. Any SAC or SPA which has a direct hydrological connection to North Lanarkshire (but not including estuarine or marine sites) could also be impacted by pollution affecting habitats or aquatic species. However, as described in section 4.1, standard good practice measures will be implemented to avoid pollution of waterborne pollution.	None.
Airborne pollution of qualifying, supporting or functionally-linked habitat(s), or of qualifying or supporting species.	Construction dust can have impacts on habitats up to a maximum distance of 500 m from construction sites, while the impacts of gaseous emissions from construction plant and vehicles is generally considered to extend to around 200 m from the source. Therefore, all European sites within North Lanarkshire plus a 500 m buffer were considered at this stage to be within the potential ZoI of this impact.	• Black Loch Moss SAC • Clyde Valley Woods SAC • North Shotts SAC • Slamannan Plateau SPA • West Fannyside Moss SAC

Table 2: Pathways for impacts on European sites		
Impact source	**Pathway to European site(s)**	**European sites which could be impacted**
Construction phase		
Changes to surface water hydrology.	European sites within North Lanarkshire or with a direct hydrological connection to it could be impacted by changes to surface water hydrology.	• Black Loch Moss SAC • Clyde Valley Woods SAC • North Shotts SAC • Slamannan Plateau SPA • West Fannyside Moss SAC
Changes to groundwater flow or volume.	Any terrestrial European site within 250 m of new infrastructure could be impacted by changes to groundwater conditions, depending on the requirement for and depth of any excavations. Therefore, all European sites within North Lanarkshire plus a 250 m buffer are currently considered to be within the potential ZoI for this impact.	• Black Loch Moss SAC • Clyde Valley Woods SAC • North Shotts SAC • Slamannan Plateau SPA • West Fannyside Moss SAC
Disturbance of qualifying species (for example visual, noise, vibration or artificial light).	The potential for disturbance to be caused will depend on the location and nature of construction activities, the distribution of the qualifying species, and the sensitivity of the species to noise and visual disturbance from human activities. However, disturbance could be caused to animals occurring both within European site boundaries and in functionally-linked habitat, outside of the boundary of European sites. The potential ZoI for this impact source is therefore considered to be the same as for the loss of functionally-linked habitat, above.	• Firth of Forth SPA • Firth of Forth Ramsar site • Inner Clyde SPA • Inner Clyde Ramsar site • Slamannan Plateau SPA
Injury or mortality of qualifying species.	The qualifying bird species of SPAs are not considered to be vulnerable to injury or mortality except where nesting. Therefore, only SPAs within North Lanarkshire designated for one or more breeding bird species are considered to be within the ZoI of this impact, but other SPAs are not.	• Slamannan Plateau SPA
Prevention of migratory movements of qualifying species.	Construction works could only realistically prevent the migratory movements of animal species where they take place within a watercourse or involve new road construction which could impede the movement of terrestrial animal species, and it is unlikely such activities would prevention migration of birds associated with SPA. There are no SACs within the ZoI which have mobile species as qualifying features.	None.
Spread of invasive non-native species.	The spread of invasive non-native plants could occur where construction works take place up to a distance of 50 m from a European site, or where there is otherwise a direct downstream hydrological connection to a European site (not including entirely marine sites, which are not vulnerable to this impact). However, as described in section 4.1, standard good practice measures will be implemented to avoid the spread of invasive non-native species.	None.
Operational phase		
Direct loss of or damage to habitat within a European site.	Once transport infrastructure has been constructed, there is no realistic mechanism by which operational activities could result in the loss of habitat from within the boundary of a European site (noting that should any specific proposals which cannot be reasonably foreseen now, and which could lead to this impact be brought forward; they would need to be subject to their own HRA at project level).	None.

Table 2: Pathways for impacts on European sites		
Impact source	**Pathway to European site(s)**	**European sites which could be impacted**
Loss of habitat outside of European sites but which supports qualifying species (i.e. loss of functionally-linked habitat).	At this plan level, there are no reasonably foreseeable operational phase activities which could result in the loss of functionally-linked habitat. As stated in the row above, should any works be proposed that could lead to this impact, they would require HRA at that time.	None.
Waterborne pollution of qualifying, supporting or functionally-linked habitat(s), or of qualifying or supporting species.	Although waterborne pollution during the operational phase is much more unlikely than during the construction phase, the ZoI has the potential to be the same during the operational phase (for example from accidents or vehicle spills entering watercourses), encompassing all European sites within North Lanarkshire or which have a hydrological connection to it (but not including estuarine or marine sites).	• Black Loch Moss SAC • Clyde Valley Woods SAC • North Shotts SAC • Slamannan Plateau SPA • West Fannyside Moss SAC
Airborne pollution of qualifying, supporting or functionally-linked habitat(s), or of qualifying or supporting species.	The DMRB advises that impacts from the emissions caused by vehicles can extend up to a distance of 200 m from source. Therefore, any European site within 200 m of North Lanarkshire is considered at this stage to be within the potential ZoI of operational phase air quality impacts.	• Black Loch Moss SAC • Clyde Valley Woods SAC • North Shotts SAC • Slamannan Plateau SPA • West Fannyside Moss SAC
Changes to surface water hydrology.	At this plan level, there are no reasonably foreseeable operational phase activities which could result in changes to surface water hydrology.	None.
Changes to groundwater flow or volume.	At this plan level, there are no reasonably foreseeable operational phase activities which could result in changes to groundwater conditions.	None.
Disturbance of qualifying species (for example visual, noise, vibration or artificial light).	The potential intervention measures contained within the LTS could cause disturbance of qualifying species during the operational phase as a result of traffic / transportation activities or where maintenance activities are required. The ZoI is therefore taken to be as described above for the construction phase.	• Firth of Forth SPA • Firth of Forth Ramsar site • Inner Clyde SPA • Inner Clyde Ramsar site • Slamannan Plateau SPA
Injury or mortality of qualifying species.	It is unlikely that there will be any significant risk of such an impact on the mobile animal species of any European sites within the ZoI of the LTS.	None.
Prevention of migratory movements of qualifying species.	As described for the construction phase.	None.
Spread of invasive non-native species.	Effects are only likely from operational maintenance activities, as described for the construction phase, above.	None.

4.3 Screening assessment

For each European site, the construction and operational phase impacts for which the site was determined to be within the ZoI of the LTS has been determined in Table 2.

Information on each European site relevant to the test of likely significant effects, including the list of qualifying features, Conservation Objectives, and known existing threats or pressures, was obtained from NatureScot SiteLink website (https://sitelink.nature.scot/home). A summary of this information is presented in Appendix A.

At this stage and with the level of detail available in the LTS, and adopting a precautionary approach, it is not possible to exclude likely significant effects on European sites from the impacts listed in Table 2 (where particular European sites are considered to be within the potential ZoI of a given impact). **This is a result of the level of detail available within the LTS and adopting a precautionary approach**.

Consequently, the next stage of HRA, the Appropriate Assessment, is required to investigate the potential for adverse effects on the integrity of the identified European sites. This is set out in Chapter 5.

5. Appropriate Assessment

5.1 Overview

In accordance with relevant case law, it is only once the Appropriate Assessment stage is reached that specific mitigation measures to avoid adverse effects on European site integrity can be considered. This section therefore recommends mitigation measures which may be adopted to ensure that any transport interventions progressed under the LTS do not result in adverse effects on European site integrity. These provide an initial starting point for incorporation into projects when taking forward proposals relevant to the LTS.

However, these will almost certainly need to be refined once more detail on relevant proposals is known further through the planning process. Moreover, a requirement for additional mitigation measures not suggested at this stage may also be identified based on the precise nature of relevant proposals and / or the occurrence/distribution of qualifying features in relation to the development. This is because it is conceivable that detailed design of a particular proposal may identify issues that cannot be identified or assessed based on the level of detail provided in the LTS.

Therefore, while a range of mitigation measures which can be implemented at the project level are recommended below, development proposals which could affect the integrity of any European site, and which could not be adequately mitigated, cannot be progressed, without there being imperative reasons of over-riding public interest (IROPI), no suitable alternative solution, and without providing adequate compensation. This type of policy protection exists at other levels of the planning system, including the North Lanarkshire Local Development Plan (PROT A Policy Category A1 International Sites) and National Planning Framework 4 (NPF4) (Policy 4, under Sustainable Places).

It will be necessary for HRA of proposals relevant to the LTS at subsequent tiers in the planning process, including at project level. This is in line with advice to the European Court of Justice concerning the approach to HRA in a tiered planning system.

5.2 Mitigation

5.2.1 Embedded (design) and specific mitigation

Embedded mitigation is that which is achieved through the inherent design of a development and can include such characteristics as the location and layout of particular infrastructure. Additional mitigation which is not part of the design of a development, or which is not standard good practice and/or implemented to comply with other environmental protection legislation (for which see further below), and which can therefore only be considered for HRA purposes during the Appropriate Assessment stage, is referred to here as ‘specific mitigation’.

The following embedded and specific mitigation should be considered when designing transport intervention options as part of the LTS:

- no new infrastructure should be sited within the boundary of any European site, as far as possible;
- to avoid the potential for airborne emissions to affect qualifying or supporting habitats, as far as possible, no new or upgraded road infrastructure should be sited within 200 m of the following European sites:
  - Black Loch Moss SAC;
  - Clyde Valley Woods SAC;
  - North Shotts SAC;
  - Slamannan Plateau SPA;
  - West Fannyside Moss SAC;
- to avoid the potential for impacts on groundwater conditions to affect qualifying or supporting habitats, as far as possible no new infrastructure requiring excavations deeper than 1 m should be located within 250 m of the European sites listed immediately above in relation to airborne pollution; and,
- to avoid potential disturbance of qualifying birds belonging to Slamannan Plateau SPA, as far as possible no new infrastructure should be proposed within 300 m of this European site boundary (however, this distance may be reduced where existing screening, such as that provided by vegetation or topography, already exists, or where further detailed survey determines that there is a low likelihood of breeding by the qualifying species taking place). Where this cannot be achieved, construction works should be timed to avoid the period of September to March, inclusive, and measures may need to be incorporated to minimise operational disturbance (for example incorporation of visual screening).

5.2.2 General mitigation measures

A range of general mitigation measures will be required during the construction or operation of any of the intervention options progressed under the LTS. These measures may be required to comply with other environmental legislation (for example legislation protecting breeding birds and the water environment), and/ or as good practice. However, the implementation of this mitigation may also incidentally provide some degree of avoidance or minimisation of impacts on the qualifying features of European sites. These measures include:

- a Construction Environmental Management Plan (CEMP) will be required for approval by North Lanarkshire Council, in consultation with SEPA, where necessary, prior to commencement of construction of new transport infrastructure. This will set out the measures to be implemented for the pollution prevention of watercourses, waterbodies or terrestrial habitats, in accordance with SEPA GPP or PPG;
- a Biosecurity Management Plan (BMP) may need to be prepared prior to commencement of construction and be approved by North Lanarkshire Council, in consultation with SEPA and NatureScot, where necessary. The BMP will set out the general approach to the avoidance and/ or management of invasive non-native plant species to ensure that they are not spread during the construction of any new transport infrastructure;
- an Ecological Clerk of Works (ECoW) and Environmental Clerk of Works (EnvCoW) should be employed for the duration of the construction of the transport infrastructure. The ECoW and EnvCoW will be responsible for monitoring and ensuring the implementation of all mitigation measures and compliance with legislative requirements in relation to ecological features. The ECoW will also carry out pre-works checks for protected species, as necessary;
- all personnel and staff involved in the construction or operation of transport infrastructure should be made aware of the presence of ecological features (which may include the qualifying features of European sites) in the vicinity, and the mitigation measures and working procedures which must be adopted. This will be achieved as part of the induction process through the delivery of a Toolbox Talk i.e. a short pre-works briefing covering specific topic(s) given to relevant site staff. In addition, as required, briefings should also be provided in advance of works where these present an increased risk of impacting ecological features;
- all construction compounds, access tracks and other works areas should be of the minimum size required for the safe construction of infrastructure. Compounds should be fenced to prevent encroachment of personnel, machinery and materials onto adjacent habitats. The temporary material stockpiles should be restricted to predetermined locations, such as compounds, and should not be placed on undisturbed adjacent habitats;
- construction works should take place within a clearly demarcated area;
- any excavations should be left with a method of escape for any animal that may enter overnight, and be checked at the start of each working day to ensure no

animals are trapped within them;
- any pipes should be capped or otherwise blocked at the end of each working day, or if left for extended periods of time, to ensure no animals become trapped; and,
- illumination of watercourses in particular, and habitats in general, should be avoided during the construction phase by careful use of lighting. Where construction lighting is needed, in particular near watercourses/waterbodies, it should be directional or be fitted with cowls to prevent light spill onto the water and riparian habitat, be directed at the works and be turned off when not required.

5.3 In-combination assessment

At this stage, it is impossible to know what projects may be relevant to actions progressed under the LTS. However, there are a number of local, regional and national plans which could promote schemes which have the potential to act in-combination with actions progressed under the LTS. Although at this stage the precise details cannot be known, and further assessment will be required at a future date, the following plans may be relevant:

- Equality, Opportunity, Community: Programme for Government 2023-2024;
- Environment Strategy for Scotland 2020: Visions and Outcomes;
- Land Use Strategy for Scotland 2021-2026;
- National Planning Framework 4 (2023);
- National Transport Strategy 2 (2020);
- Net Zero Strategy (2021);
- Scotland's Forestry Strategy 2019-2029;
- Scotland's National Peatland Plan (2015);
- Scotland's Zero Waste Plan (2010);
- Scottish Biodiversity Strategy to 2045;
- The Scottish Government's Vision for Agriculture (2022);
- 'A Call to Action', The Regional Transport Strategy for the West of Scotland 2023-2036;
- South Cumbernauld Community Growth Area Strategic Development Framework 2016
- Forestry and Woodland Strategy for Glasgow City Region 2020;
- North Lanarkshire Local Development Plan (adopted July 2022)
- North Lanarkshire Active Travel Strategy 2021-2031
- North Lanarkshire Local Housing Strategy 2021-2026;
- North Lanarkshire Economic Regeneration Delivery Plan 2023-2028;
- Strathclyde Regional Transport Strategy 2023-2028;
- North Lanarkshire Council Air Quality Action Plan (2023);
- North Lanarkshire Biodiversity Action Plan 2023-2027;
- North Lanarkshire Local Development Plan Local Landscape Character Assessment (2018); and,
- North Lanarkshire Local Development Plan Habitats Regulations Appraisal Record 2019.

These should be considered during HRA at future stages in the planning process. Several are likely to be environmentally beneficial (e.g., Scottish Biodiversity Strategy) and negative in-combination effects with the LTS are very unlikely. Those which promote development, in particular the Local Development Plan for North Lanarkshire 2022 and NPF4 could give rise to impacts which could act cumulatively with impacts from actions promoted by the LTS. This could include, for example, air quality impacts as a result of emissions, or loss of functionally-linked habitat from construction of new infrastructure.

However, it can be concluded Aat this stage, that with policy wording in the LTS, that actions will not be progressed which could give rise to significant in-combination effects on European sites.

6. Conclusion

A total of nine European sites were established to be within the potential zone of influence of the North Lanarkshire LTS:

- Black Loch Moss SAC;
- Clyde Valley Woods SAC;
- Firth of Forth SPA;
- Firth of Forth Ramsar site;
- Inner Clyde SPA;
- Inner Clyde Ramsar site;
- North Shotts Moss SAC;
- Slamannan Plateau SPA; and,
- West Fannyside Moss SAC.

A range of potential impacts which could arise from transport infrastructure developments supported by the LTS could lead to significant effects on the qualifying features of these sites, in the absence of mitigation.

However, with the adoption of a range of design and specific mitigation measures (and incidentally through the implementation of general environmental protection mitigation measures), and with the inclusion of policy protection in the LTS as well as North Lanarkshire LDP and NPF4, it is concluded that transportation infrastructure developments could be progressed without adverse effects on the integrity of European sites.

The recommendations given in this document for design and specific mitigation measures provide an initial starting point for incorporation into projects when taking forward proposals relevant to the LTS. However, these can almost certainly be refined further once more detail on relevant proposals is known through the planning process. Moreover, a requirement for additional mitigation measures not suggested at this stage may also be identified based on the precise nature of relevant proposals and/or the occurrence/distribution of qualifying features in relation to specific actions proposed by the LTS.

The conclusions of this Statement to Inform Habitats Regulations Appraisal must be re-examined at future stages of the planning process, particularly at project level, when more information should be available to inform the assessment. The in-combination element of the assessment should consider all relevant plans and projects in place at this time, and which may interact with individual proposals.

As such, the conclusion of this Statement to Inform Habitats Regulations Appraisal does not mean consent for any transport project supported by the LTS will be granted, nor does it replace the more detailed project-level HRA that will be required in order to determine any planning consents.

This accords with guidance published by NatureScot (SNH, 2015) which states that concluding no adverse effect on site integrity at this stage but requiring further appraisal and development of mitigation at future planning stages is not a way of deferring or delaying the appraisal process, but a way of securing mitigation measures in a lower tier plan where they cannot be secured in detail at this higher tier plan level.

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Appendix A

Details of European sites within the potential zone of influence of North Lanarkshire Local Transport Strategy

Black Loch Moss SAC
NatureScot site code: 8208 **EU site code:** UK0019757
Local planning authority(ies): North Lanarkshire (Primary) Falkirk
Qualifying features [and latest assessed condition]: • Active raised bog* [Unfavourable, no change]
Conservation Objectives: 1. To ensure that the qualifying feature of Black Loch Moss SAC is in favourable condition and makes an appropriate contribution to achieving favourable conservation status. 2. To ensure that the integrity of Black Loch Moss SAC is restored by meeting objectives 2a, 2b and 2c. 3. Maintain the extent and distribution of the habitat within the site. 4. Restore the structure, function and supporting processes of the habitat. 5. Restore the distribution and viability of typical species of the habitat.
Identified negative pressures: • Over-grazing
* A Priority habitat listed under Annex I of the Habitats Directive.

Clyde Valley Woods SAC
NatureScot site code: 8224 **EU site code:** UK0013089
Local planning authority(ies): South Lanarkshire (Primary), North Lanarkshire
Qualifying features [and latest assessed condition]: • Mixed woodland on base-rich soils associated with rocky slopes [Favourable Maintained]
Conservation Objectives: 1. To ensure that the qualifying feature of Clyde Valley Woods SAC is in favourable condition and makes an appropriate contribution to achieving favourable conservation status. 2. To ensure that the integrity of Clyde Valley Woods SAC is maintained by meeting objectives 2a, 2b and 2c. a. Maintain the extent and distribution of the habitat within the site. b. Maintain the structure, function and supporting processes of the habitat. c. Maintain the distribution and viability of typical species of the habitat.
Identified negative pressures: • Invasive species (beech, conifers, European larch, Himalayan balsam, Japanese knotweed, snowberry and rhododendron) • Herbivore impacts • Agricultural impacts • Plant pathogens • Recreational impacts
* A Priority habitat listed under Annex I of the Habitats Directive.

Firth of Forth SPA

NatureScot site code: 8499
EU site code: UK9004411

Local planning authority(ies): East Lothian (Primary), City of Edinburgh, Clackmannanshire, Falkirk, Fife, Scottish Government (Marine Directorate), Stirling, West Lothian

Qualifying features [and latest assessed condition]:

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

Conservation Objectives:

1. 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
2. To ensure for the qualifying species that the following are maintained in the long term:
   a. Population of the species as a viable component of the site
   b. Distribution of the species within site
   c. Distribution and extent of habitats supporting the species
   d. Structure, function and supporting processes of habitats supporting the species
   e. No significant disturbance of the species

Identified negative pressures:

- Recreation/ disturbance (e.g. dog walking, walking)
- Game/ fisheries management
- Climate Change
- Water quality
- Natural event

Firth of Forth Ramsar Site

NatureScot site code: 8424
EU site code: UK13017

Local planning authority(ies): East Lothian (Primary), City of Edinburgh, Clackmannanshire, Falkirk, Fife, Scottish Government (Marine Directorate), Stirling, West Lothian

Qualifying features:

Ramsar Criterion 2 by supporting: (1993/94 to 1997/98 winter peak means):

- Red-throated diver Gavia stellata (90 individuals, 2% of the GB population),
- Golden plover Pluvialis apricaria (2,949 individuals, 1% of the GB population).

Ramsar Criterion 5 by regularly supporting waterbirds in numbers of 20,000 individuals or more. In the five-year period 1992/93 to 1996/97, a winter peak mean of 95,000 individual waterbirds was recorded, comprising 45,000 wildfowl and 50,000 waders. The site also qualifies.

Ramsar Criterion 4 by supporting: the following waterbird species at a critical stage in their life cycles (data 1992/93 to 1996/97 except where stated):

- Scaup Aythya marila (437 individuals, 4% of the GB population).
- Great crested grebe Podiceps cristatus (720 individuals, 7% of the GB population).
- Cormorant Phalacrocorax carbo (682 individuals, 5% of the GB population).
- Curlew Numenius arquata (1,928 individuals, 2% of the GB population).
- Eider Somateria mollissima (9,400 individuals, 13% of the GB population).
- Long-tailed duck Clangula hyemalis (1,045 individuals, 4% of the GB population).
- Common scoter Melanitta nigra (2,880 individuals, 8% of the GB population).
- Velvet scoter Melanitta fusca (635 individuals, 21% of the GB population).
- Red-breasted merganser Mergus serrator (670 individuals, 7% of the GB population).
- Oystercatcher Haematopus ostralegus (7,846 individuals, 2% of the GB population).
- Ringed plover Charadrius hiaticula (328 individuals, 1% of the GB population).
- Grey plover Pluvialis squatarola (724 individuals, 2% of the GB population),
- Dunlin Calidris alpina alpina (9,514 individuals, 2% of the GB population).

In the five-year winter period 1991/92 to 1995/96 the assemblage additionally included nationally important populations greater than 2,000 individuals of:

- Mallard Anas platyrhynchos (2,564 individuals, 0.5% of the GB population).
- Lapwing Vanellus vanellus (4,148 individuals, 0.3% of the GB population).
- Wigeon Anas penelope (2,139 individuals, 0.78% of the GB population).
- Red-throated diver, golden plover, Slavonian grebe, pink-footed goose, shelduck, knot, redshank, turnstone, goldeneye and bar-tailed godwit are also components of the waterbird assemblage.

Ramsar Criterion 6 by regularly supporting 1% or more of the individuals in a population of waterbirds (1993/94 to 1997/98 winter peak means):

- Slavonian grebe Podiceps auritus (84 individuals, 2% of the Northwest Europe biogeographic population).
- Pink-footed goose Anser brachyrhynchus (10,852 individuals, 6% of the Eastern Greenland/Iceland/UK biogeographic population).
- Shelduck Tadorna tadorna (4,509 individuals, 2% of the North-western Europe biogeographic population).
- Knot Calidris canutus (9,258 individuals, 3% of the NE Canada & Greenland/W Europe biogeographic population).
- Redshank Tringa totanus (4,341 individuals, 3% of the Eastern Atlantic biogeographic population).
- Turnstone Arenaria interpres (860 individuals, 1% of the NE Canada & Greenland/W Europe & NW Africa biogeographic population).
- Goldeneye Bucephala clangula (3,004 individuals, 1% of the NW & C Europe biogeographic population).
- Bar-tailed godwit Limosa lapponica (1,974 individuals, 2% of the Western European biogeographic population), and
- Sandwich tern Sterna sandvicensis during the passage period (a winter peak mean of 1,617 individuals, 1% of the Europe and West Africa biogeographic population).

Conservation Objectives:

- Refer to the conservation objectives for Firth of Forth SPA

Identified negative pressures:

- Recreation/ disturbance (e.g. dog walking, walking)
- Game/ fisheries management
- Climate Change
- Water quality
- Natural event

North Shotts Moss SAC
NatureScot site code: 8341 **EU site code:** UK0019768
Local planning authority(ies): North Lanarkshire
Qualifying features [and latest assessed condition]: • Active raised bog* [Favourable, Maintained] • Degraded raised bog [Unfavourable, No Change]
Conservation Objectives: 1. To ensure that the qualifying features of North Shotts Moss SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status. 2. To ensure that the integrity of North Shotts Moss SAC is restored by meeting objectives 2a, 2b and 2c. 3. Maintain the extent and distribution of the habitat within the site. 4. Restore the structure, function and supporting processes of the habitat. 5. Restore the distribution and viability of typical species of the habitat.
Identified negative pressures: • Dumping/ storage of materials
* A Priority habitat listed under Annex I of the Habitats Directive.

Inner Clyde SPA
NatureScot site code: 8514 **EU site code:** UK9003061
Local planning authority(ies): Argyll and Bute (Primary), Inverclyde, Renfrewshire, Scottish Government (Marine Directorate), West Dunbartonshire
Qualifying features [and latest assessed condition]: • Redshank Tringa tetanus [Favourable, Maintained]
Conservation Objectives: For the qualifying habitat: 1. 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 2. To ensure for the qualifying species that the following are maintained in the long term: a. Population of the species as a viable component of the site b. Distribution of the species within site c. Distribution and extent of habitats supporting the species d. Structure, function and supporting processes of habitats supporting the species e. No significant disturbance of the species
Identified negative pressures: • Dumping/ storage of materials • Game/ fisheries management • Recreation/disturbance

Inner Clyde Ramsar Site

NatureScot site code: 8514
EU site code: UK9003061

Local planning authority(ies): Argyll and Bute (Primary), Inverclyde, Renfrewshire, Scottish Government (Marine Directorate), West Dunbartonshire

Qualifying features [and latest assessed condition]:

Ramsar Criterion 6 by regularly supporting 1% or more of the individuals in a population of waterbirds:

- Redshank Tringa totanus (1992/1993 to 1996/1997, winter peak mean of 2,107 individuals, 1% of the East Atlantic biogeographic population).

Conservation Objectives:

- Refer to the conservation objectives for Inner Clyde SPA

Identified negative pressures:

- Dumping/ storage of materials
- Game/ fisheries management
- Recreation/disturbance

Slamannan Plateau SPA

NatureScot site code: 9184
EU site code: UK9004441

Local planning authority(ies): North Lanarkshire (Primary), Falkirk

Qualifying features [and latest assessed condition]:

- Taiga bean goose Anser fabalis fabalis [Favourable, Maintained]

Conservation Objectives:

1. 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.
2. 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.

Identified negative pressures:

- None

West Fannyside Moss SAC

NatureScot site code: 8603
EU site code: UK0030316

Local planning authority(ies): North Lanarkshire

Qualifying features [and latest assessed condition]:

- Blanket bog* [Favourable, Maintained]

Conservation Objectives:

1. To ensure that the qualifying feature of West Fannyside Moss SAC is in favourable condition and makes an appropriate contribution to achieving favourable conservation status.
2. To ensure that the integrity of West Fannyside Moss SAC is maintained by meeting objectives 2a, 2b and 2c.
3. Maintain the extent and distribution of the habitat within the site.
4. Maintain the structure, function and supporting processes of the habitat.
5. Maintain the distribution and viability of typical species of the habitat.

Identified negative pressures:

- None

* A Priority habitat listed under Annex I of the Habitats Directive.

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