

Inverclyde  
council

**LOCAL  
DEVELOPMENT  
PLAN**

**PROPOSED PLAN**  
MAY 2021

**HABITAT REGULATIONS APPRAISAL**

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## **1. INTRODUCTION**

- 1.1** Habitat Regulation Appraisal assesses the likely impact of plans on relevant ‘European Sites’, which are comprised of Special Protected Areas (SPA), classified under the Birds Directive (2009), Special Areas of Conservation (SAC), designated under the EC Habitats Directive (1992), and ‘candidate’ Special Areas of Conservation (cSAC). As Scottish Government policy affords the same level of protection to proposed SACs and SPAs that have been approved by Scottish Ministers for formal consultation, the effects on these sites should also be appraised.
- 1.2** All plans not directly connected with or necessary to the management of a European site, but likely to have a significant effect on such a site, are required under Article 6(3) of the EC Habitats Directive (1992) to undergo an ‘appropriate assessment’ of their implications on European site’s conservation objectives. The effect may be a direct consequence of the plan, or arise in combination with other plans or projects. The plan-making body may only approve the plan if the assessment shows it will not adversely affect the integrity of the site concerned. The only allowable exception is where the provisions of Article 6(4) of the Directive are met i.e. there are no alternative solutions and the plan is necessary for imperative reasons of overriding public interest. Where this is the case, compensatory measures must be taken to ensure the coherence of the European Sites network is protected.
- 1.3** The Habitats Regulations Appraisal procedure is applied in Scotland through The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and is known as the ‘Habitats Regulations Appraisal’ of plans. The Habitats Regulation Appraisal encompasses both the ‘screening’ process for determining whether an appropriate assessment is required, as well as any appropriate assessment. An appropriate assessment is only required where the authority determines, through the screening process, that the plan is likely to have a significant effect on a European site.
- 1.4** This Habitats Regulations Appraisal follows the staged appraisal process set out in NaturerScot’s Habitats Regulations Appraisal of Plans: Guidance for Plan-Making Bodies in Scotland (v. 3.0 January 2015). This facilitates the systematic assessment of the potential effects of plans.

### **Inverclyde Local Development Plan**

- 1.5** The Local Development Plan sets out the Council’s strategy, policies and proposals for the use of land and buildings within Inverclyde and, together with the Clydeplan Strategic Development Plan (2017), is the document the Council uses to direct development, determine planning applications and provide advice on development proposals.
- 1.6** While the current Local Development Plan was due to be in place for five years, until August 2024, a new Plan was required to address a decision by the Court of Session in July 2020 to quash Chapter 7 of the existing Plan (Our Homes and Communities), which provided the development plan policy context for housing and community facility development.

**1.7** The preparation of a new Plan formally commenced in September 2020 with the launch of a ‘Call for Sites’ exercise, followed by the publication of a Development Plan Scheme and a Participation Statement in October 2020. Following early engagement with a range of stakeholders, the Council prepared a Main Issues Report (MIR), which focused on the key issues which the next Plan needed to address and assessed the development opportunities proposed for inclusion in the next Plan through the Call for Sites exercise. The Main Issues Report (MIR) offered an opportunity at an early stage in the plan making process for the community and others with an interest in the future development of Inverclyde to have a say on the content of the new Plan. The MIR and accompanying Interim HRA Appraisal were published for consultation on 4<sup>th</sup> December 2020.

**1.8** After taking account of comments on the Main Issues Report and the HRA Appraisal, a Proposed Plan was prepared. The Proposed Plan is the Council’s settled view on what the next LDP should look like. The Proposed Plan and this updated HRA Appraisal were published for a 7 week consultation on the 17 May 2021.

## **2. THE APPRAISAL**

### **STAGE 1: Deciding if the plan should be subject to HRA**

**2.1** The Local Development Plan is a land use plan that is required under Part IVA (regulations 85A – 85E) of the Regulations to have its impact on European Sites assessed through the HRA process.

**2.2** This Habitats Appraisal Record has been carried out with regard to:

- The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)
- Planning Circular 1:2009, Development Planning Appendix 1: The Habitats Regulations;
- Habitats Regulations Appraisal of Plans, Guidance for Plan-Making Bodies in Scotland, version 2;
- Habitats Regulations Appraisal Advice Sheet 1: Aligning Development Planning procedures with Habitats Regulation Appraisal (HRA) requirements;
- Habitats Regulations Appraisal Advice Sheet 2: Screening General Policies and Applying Simple Mitigation Measures.

### **Stage 2: European Sites in Inverclyde**

**2.1** There are two European Sites that could be affected by the Inverclyde Local Development Plan.

- Inner Clyde Estuary Special Protection Area, which was designated in 2000 to protect the population of Redshanks that winter on the sandbanks in the river. This site was also designated as a Ramsar site in 2000, which is an International designation that protects wetlands. Although Ramsar sites are not regulated under European legislation, Scottish Ministers, as a matter of policy, have extended the requirement for Habitat Appraisal to Ramsar sites listed under the International Convention on the Conservation of Wetlands of International Importance.

- Renfrewshire Heights Special Protection Area, which was designated in 2007 to protect the population of Hen Harriers present in the area.

**2.2** Both sites span areas between Inverclyde and adjoining Authority areas. The Inner Clyde Estuary SPA falls within Inverclyde, Renfrewshire, West Dunbartonshire and Argyll and Bute council areas, and the Renfrewshire Heights SPA falls within Inverclyde, Renfrewshire and North Ayrshire Councils.

**2.3** Maps showing the location and extent of the two SPAs are included in Appendix 1.

**Stage 3: Information about European Sites**

**Table 1: European Sites Potentially Affected by Inverclyde Local Development Plan**

Information	Site 1	Site 2
Site name	Inner Clyde Estuary – Inverclyde Part	Renfrewshire Heights – Inverclyde Part
Designation status	SPA/RAMSAR	SPA
Date of designation	Classified 27/03/2000	Classified 14/12/2007
Qualifying interests	Redshank ( <i>Tringa totanus</i> )(over-wintering)	Hen harrier ( <i>Circus cyaneus</i> )
Conservation objectives	<p>To avoid deterioration of the habitats of the qualifying species (listed above) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site;</li> <li>• Distribution of the species within site;</li> </ul>	<p>To avoid deterioration of the habitats of the qualifying species (listed above) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> <li>• Population of the species as a viable component of the site;</li> <li>• Distribution of the species within site;</li> <li>• Distribution and extent of habitats supporting the species;</li> </ul>

	<ul style="list-style-type: none"> <li>• Distribution and extent of habitats supporting the species;</li> <li>• Structure, function and supporting processes of habitats supporting the species;</li> <li>• No significant disturbance of the species</li> </ul>	<ul style="list-style-type: none"> <li>• Structure, function and supporting processes of habitats supporting the species;</li> <li>• No significant disturbance of the species</li> </ul>
<b>Site condition</b>	Favourable – Maintained (Assessment dated 14 February 2007)	Unfavourable – Declining (Assessment dated 31 July 2010)
<b>Factors currently influencing the site</b>	<ul style="list-style-type: none"> <li>• Industrial activity (Ocean Terminal)</li> <li>• Dredging (not thought to conflict with nature conservation interest at current level)</li> <li>• Water quality</li> </ul>	<ul style="list-style-type: none"> <li>• Disturbance from recreational activities</li> <li>• Habitat loss through inappropriate land management and agricultural practices.</li> </ul>
<b>Vulnerabilities to change / potential effects of the plan</b>	<ul style="list-style-type: none"> <li>• None established at this time.</li> </ul>	<ul style="list-style-type: none"> <li>• Potential increased recreational disturbance from promotion of access through green network promotion.</li> </ul>

#### Stage 4: Discussion with NatureScot:

2.4 In their consultation response to the Interim HRA that accompanied the Main Issues Report, NatureScot advised that some of the development opportunities within the Port Glasgow Eastern Gateway Priority Place (Issue 6) were within the 150m disturbance threshold of the Inner Clyde SPA and would have a likely significant effect on the SPA.

#### Stage 5: Screening

2.5 The development opportunities identified in Table 2 were not screened because there is no scope for the LDP and in turn the HRA to influence their development due to (1) development having started on site (2) a site has an active planning permission (3) a specific site has not been identified.

**Table 2 – Development Opportunity Sites not Screened**

Site Ref	Site Name	Location	Reason for not screening
R1	Slaemuir	Port Glasgow	Development started
R3	Former Broadfield Hospital	Port Glasgow	Development started
R5	Southfield Ave (former St Stephens School)	Port Glasgow	Development started
R6	Dubbs Road (former Boglestone Clinic)	Port Glasgow	Development started
R8	Dougliehill Terrace	Port Glasgow	Site has planning permission
R11	Highholm Street	Port Glasgow	Site has planning permission
R12	Broadstone Ave (former Broadstone Hospital)	Port Glasgow	Development started
R13	Lilybank Road (former Lilybank School)	Port Glasgow	Development started
R14	James Watt Dock (East)	Greenock	Development started
R20	Cardross Crescent (former King's Glen school)	Greenock	Development started
R21	Glenbrae Road	Greenock	Site has planning permission
R27	Mount Pleasant Street (fmr Highlanders Aca)	Greenock	Development started
R30	25 West Blackhall Street	Greenock	Development started
R33	Ardgowan Square	Greenock	Development started
R35	Eldon Street	Greenock	Site has planning permission
R37	Eldon Street	Greenock	Development started
R40	Tay Street/Tweed Street	Greenock	Development started
R42	Ravensraig Hospital	Greenock	Development started

R43	Auchneagh Road	Greenock	Development started
R47	Auchmead Road (former Ravenscraig School)	Greenock	Development started
R51	Kempock House, Kirn Drive	Gourock	Development started
R56	Cowal Drive	Gourock	Development started
R58	The Glebe	Inverkip	Development started
R60	Leperstone Avenue	Kilmacolm	Development started
R63	Lochwinnoch Road	Kilmacolm	Development started
R64	Whitelea Road	Kilmacolm	Site has planning permission
R67	Craigbet Road	Quarriers	Site has planning permission
F1	Macleod Street	Greenock	Site has planning permission
F3	New cemetery capacity	n/k	Site not identified
F4	New West College campus	n/k	Site not identified
F5	Kilmacolm Village centre car park	n/k	Site not identified
E4	Bogston Lane	Greenock	Site has planning permission

2.6 Table 3 provides a screening summary for the policies and development proposals contained in the Proposed Plan. Comments made by NatureScot at the Main Issues Report stage have been incorporated into the reasons for screening out and in.

**Table 3 Screening Summary**

Aspects of the plan which would not be likely to have a significant effect on a European site alone	Relevant parts of the plan	Reasons for screening out
General policy statements (Step 1)	Policy 1 – Creating Successful Places Policy 2 – Priority Projects	<p>These policies are general statements which are screened out as they are unlikely to have a significant effect on the environment.</p> <p>The Inchgreen priority project in Greenock is within the SEIL that was determined as one of the areas where development is most likely to have a potential impact on the Inner Clyde</p>



		Estuary SPA. However, Policy 2 only supports development proposals in principle and such proposals would be subject to all the other relevant policies within the plan. Following consultation with NatureScot, it was agreed that, with regard to the HRA for The Inverclyde Local Development Plan 2019, there is sufficient distance between the SEIL at Inchgreen and the SPA to act as an effective buffer to ensure there are no significant impacts from development on the SPA.
Aspects excluded from the appraisal because they are not proposals generated by this plan (Step 2)	<p><i>Inverclyde Local Development Plan Priority Projects</i></p> <p><u>Glasgow City-Region City Deal</u></p> <ul style="list-style-type: none"> <li>• Greenock Ocean Terminal</li> <li>• Inverkip Infrastructure</li> <li>• Inchgreen, Greenock</li> </ul> <p><u>Inverclyde Council Projects</u></p> <ul style="list-style-type: none"> <li>• Affordable Housing Supply Programme</li> <li>• Early Learning and Childcare</li> <li>• Inverclyde Cemetery Capacity</li> <li>• Inverclyde Green Connections</li> </ul>	<p>These Priority Projects are either brought forward through the Glasgow City Deal or the internally through Inverclyde Council.</p> <p>While they are reflected in the Local Development Plan, they are not directly generated by it.</p>
Aspects which protect the natural environment, including biodiversity, or conserve or enhance the natural, built or historic environment (Step 3a)	<p>Policy 8 – Climate Change Adaptation</p> <p>Policy 9 – Managing Flood Risk</p> <p>Policy 10 - Surface and Waste Water Drainage</p> <p>Policy 13 – Air Quality</p> <p>Policy 16 – Soils</p> <p>Policy 17 – Brownfield Development</p> <p>Policy 28 – Conservation Areas</p> <p>Policy 29 – Listed Buildings</p> <p>Policy 31 – Scheduled Monuments and Archaeological Sites</p> <p>Policy 32 – Gardens and Designed Landscapes</p> <p>Policy 33 – Biodiversity and Geodiversity</p> <p>Policy 34 – Landscape</p>	<p>These policies are designed to protect, conserve or enhance the natural, built or historic environment. None of these policies actively encourages development and can have no effect on any European site.</p>

	<p>Policy 35 - Trees, Woodland and Forestry  Policy 36 – Safeguarding Green Infrastructure  Policy 37 - Delivering Green Infrastructure Through New Development  Policy 38 – Clyde Muirsheil Regional Park  Policy 39 – Water Environment</p>	
<p>Aspects which will not lead to development or other change (Step 3b)</p>	<p>Policy 11 – Promoting Sustainable and Active Travel  Policy 12 – Managing Impact of Development on the Transport Network  Policy 21 – Wheelchair Accessible Housing  Policy 24 – Network of Centres Sui Generis Uses</p>	<p>These policies mainly provide criteria for the assessment of development, and do not promote development themselves. The implementation of these policies will therefore have no impact on any European sites.</p>
<p>Aspects which make provision for change but which could have no conceivable effect on a European site, because there is no link or pathway between them and the qualifying interests, or any effect would be a positive effect, or would not otherwise undermine the conservation objectives for the site (Step 3c)</p>	<p>Policy 3 – Priority Places  Supplementary Guidance on Priority Places</p> <ul style="list-style-type: none"> <li>• The Harbours, Greenock</li> <li>• Peat Road/Hole Farm, Greenock</li> <li>• Drumfrochar Road, Greenock</li> <li>• James Watt Dock/Garvel Island, Greenock</li> <li>• Former Inverkip Power Station, Wemyss Bay</li> <li>• Spango Valley, Greenock</li> <li>• Port Glasgow Industrial Estate</li> </ul> <p>Policy 18 – Land for Housing  <i>Residential Development Opportunities</i>  <u>Port Glasgow</u>  R1 Slaemuir  R2 Arran Avenue  R7 Port Glasgow Industrial Estate  R9 Selkirk Road</p> <p><u>Greenock</u>  R15 James Watt Dock/Garvel Island  R16 Sinclair Street</p>	<p>The sites included in this step all make provision for development but are all distant from the SPAs with no link or pathway between them and the qualifying interests.</p> <p>Site R29 is identified indicatively as a private housing development opportunity with a capacity of 240 dwellings. It is part of the Harbours Priority Place, with an indicative development framework set out in the Supplementary Guidance on Priority Places supporting housing; tourist and heritage non-residential institutions related to the sites maritime use, location and historical importance; small-scale retail to service the tourism and leisure uses; food and drink and use as a public house; offices; and marine-based commercial uses. Development of the site is unlikely to cause a significant effect however, as it is more than 300 metres from the Inner Clyde SPA and is therefore unlikely to have any significant effects upon it.</p> <p>Site E6 – Inchgreen Glasgow is identified as a business and industrial development opportunity suitable for Class 4 (Business), 5 (General Industrial) and 6 (Storage or Distribution) uses. It is approximately 600 metres from the</p>

	<p>R17 Carwood Street  R18 East Crawford Street  R19 Ratho/MacDougall Street  R22 Whinhill  R23 Gareloch Road  R25 Drumfrochar Road  R26 Mearns Street  R28 Duncan Street  R29 Victoria/East India Harbour  R31 16 West Stewart Street  R32 Houston Street  R34 Union Street  R36 Madeira Street  R38 Lyle Road  R39 Peat Road/Hole Farm  R41 Davey Street  R44 Westmorland Road  R45 Cumberland Walk  R46 Norfolk Street  R48 Spango Valley</p> <p><u>Gourock</u>  R49 Weymouth Crescent  R50 Kirn Drive  R52 McPherson Drive  R53 Shore Street  R54 Ashburn Gate  R55 1 Ashton Road  R57 Levan Farm</p> <p><u>Inverkip and Wemyss Bay</u>  R59 Former Inverkip Power Station</p>	<p>Inner Clyde SPA within an industrial area, therefore any birds using the areas close by will be habituated to the existing industrial activities and is not therefore considered to have any likely significant effects.</p> <p>Site E8 – James Watt Dock/Garvel Island is identified as a business and industrial development opportunity suitable for Class 4 (Business), 5 (General Industrial) and 6 (Storage or Distribution) uses. It is part of the James Watt Dock Priority Place with an indicative development framework set out in the Supplementary Guidance on Priority Places supporting business and industry within a larger masterplan that includes residential, business, assembly and leisure, hotels and hostels, residential institutions, non-residential institutions including education, maritime-based commercial enterprises, including provision for marina berthing facilities and ancillary retail or food and drink. Development of the site is unlikely to cause a significant effect however, as it is more than 300 metres from the Inner Clyde SPA and is therefore unlikely to have any significant effects upon it.</p>
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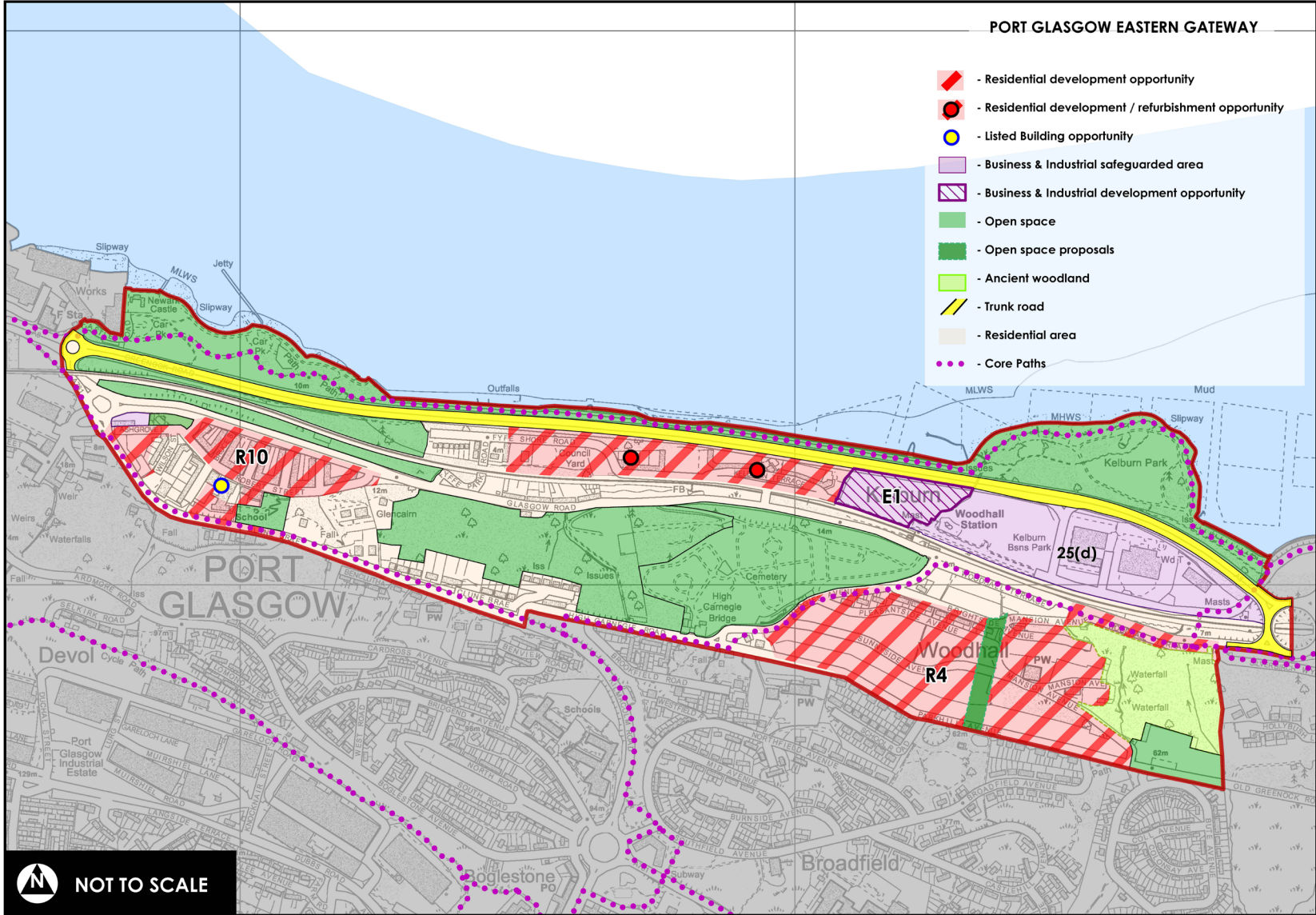
	<p><u>Kilmacolm and Quarriers Village</u>  R61 West od Quarry Drive  R62 Smithy Brae  R65 Former Balrossie School  R66 Kaimes Grove</p> <p>Policy 22 Community Facilities  F1 Community Centre - Macleod Street  F2 Community Learning Disability Hub – Brachelston Street</p> <p>Policy 23 Network of Centres Strategy  <i>Network of Centre Opportunities</i>  C1 15 Nelson Street, Greenock  C2 16 West Stewart Street, Greenock  C3 25 West Blackhall Street, Greenock  C4 Oak Mall Eastern Wing  C5 Main Street, Inverkip  C6 Inverkip Power Station  C7 Spango Valley  C8 Shore Street</p> <p>Policy 26 Business and Industrial Development Opportunities  E1 Kelburn (Parklea Road), Port Glasgow  E2. Duchal Road, Port Glasgow  E3. Newark Street, Port Glasgow  E5. Port Glasgow Road (south), Greenock  E6 Inchgreen, Greenock  E7 Sinclair Street, Greenock  E8 James Watt Dock/Garvel Island  E9 Main Street, Greenock  E10 Cartsydyke Avenue, Greenock</p>	
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	<p>E11 Crescent Street, Greenock  E12 Ingleston Street, Greenock  E13 Scott Street, Greenock  E14 Drumfrochar Road  E15 Drumfrochar Road  E16 Spango Valley  E17 Larkfield Industrial Estate, Greenock  E18 Former Inverkip Power Station</p>	
<p>Aspects which make provision for change but which could have no significant effect on the European site (minor residual effects), because any potential effects would be so restricted that they would not undermine the conservation objectives for the site (Step 3d)</p>	n/a	n/a

Aspects which are too general so that it is not known where, when or how the aspect of the plan may be implemented, or where any potential effects may occur, or which European sites, if any, may be affected (Step 3e)	<p>Policy 4 – Supplying Energy  Supplementary Guidance on Energy  Policy 5 – Heat Networks  Policy 6 – Low and Zero Carbon Generating Technology  Policy 7 – Waste Reduction and Management  Policy 14 – Communication Infrastructure  Policy 15 – Green Belt and the Countryside  Policy 19 – Individual and Small Scale Housing Development in the Green Belt and Countryside  Policy 20 – Residential Areas  Policy 25 – Business and Industrial Areas  Policy 27 – Tourism Development  Policy 30 – Enabling Development  Supplementary Guidance on Enabling Development  Supplementary Guidance on Affordable Housing</p>	<p>These policies and Supplementary Guidance apply across a range of sites or throughout the Inverclyde Area and promote a range of types of development. This means that it is not possible to know what may be developed and the specific locations that could be affected.</p> <p>Policies 20 and 25, along with Supplementary Guidance on Affordable Housing, apply across the built-up area of Inverclyde, while Policies 15 and 19 apply throughout the Greenbelt and Countryside, making any effects of development on European sites impossible to predict without specific locations.</p> <p>Policies 4, 5, 6, 7, 14, 27 and 30, along with Supplementary Guidance on Enabling Development apply throughout the Inverclyde area and therefore any impact on the European sites is impossible to predict.</p>
	<p><i>Inverclyde Local Development Plan Priority Projects</i></p> <p>Affordable Housing Delivery Programme  Early Learning and Childcare  Inverclyde Cemetery and Capacity</p>	<p>The sites for the priority projects and communities facilities opportunities are not defined, therefore it is not known where they may be implemented.</p>
<b>Aspects of the plan which would not be likely to have a significant effect on a European site alone</b>	<b>Relevant parts of the plan</b>	<b>Reasons for screening in</b>
	<p>Policy 3  Supplementary Guidance on Priority Place</p> <p>As it relates to Port Glasgow Eastern Gateway Priority Place</p>	<p>Three development opportunities within the Port Glasgow Eastern Gateway Priority Place (E1, R4 and R10) are within the 150m disturbance threshold of the Inner Clyde SPA and NatureScot have advised that there would be a likely significant effect on the SPA.</p>

2.7 As identified in Table 2, with the exception of the Port Glasgow Eastern Gateway Priority Place (shown in map 1 below), where a likely significant effect on the Inner Clyde SPA has been identified by NatureScot, all other development opportunities and policies in the Proposed Plan have been screened out of the assessment.

Map 1 – Port Glasgow Eastern Gateway Priority Place



**Consideration of likely effects in combination**

- 2.8 It is considered that the three development opportunities within the Port Glasgow Eastern Gateway, which have been identified as having a direct likely significant effect on the Inner Clyde SPA, i.e. E1, R4 and R10, could act in-combination to increase the effects on the SPA.
- 2.9 While the disturbance of redshank in small numbers is not likely to significantly alter redshank distribution or their population as a component of the SPA, particularly when relocation distances are not significantly further than the zone of likely disturbance (c. 150m) and regular disturbance can be accommodated by the dynamics of the SPA population, the cumulative effect of two or three of the relevant development opportunities in the Port Glasgow Eastern Gateway progressing concurrently could limit the opportunity for redshank to relocate.

**Stage 8 and 9 - Appropriate Assessment**

- 2.10 The appropriate assessment is an assessment of the implications of the Inverclyde Local Development Plan, in respect of those sites where a likely significant effect has been identified, in view of their conservation objectives. Table 2 outlines the scope of the appropriate assessment, with regard to how the Port Glasgow Eastern Gateway Priority Place could have a significant effect on the Inner Clyde SPA.

**Table 4 Scope of Appropriate Assessment**

Proposal	Inner Clyde SPA Qualifying Interest: redshank	
	Disturbance	Pollution
Port Glasgow Eastern Gateway Priority Place	√	√

**Port Glasgow Eastern Gateway: Description of site and proposal:**

- 2.11 The Port Glasgow Eastern Gateway is located adjacent to the A8 corridor and encompasses the neighbourhoods of Kelburn, Clune Park and the Woodhall area north of Parkhill Avenue. This area, which forms the entry point to Inverclyde for visitors travelling west along the A8/M8 corridor from Glasgow City Region, benefits from excellent transport links to the wider Glasgow City Region through the adjacent A8 and nearby rail stations. It also offers fantastic views across the Firth of Clyde and a wealth of greenspaces, including Newark Park and Kelburn Park. While parts of this area have a relatively flat topography, other areas such as Woodhall sit on a steep north facing slope.
- 2.12 The planning strategy for this area reflects the emerging Port Glasgow Eastern Gateway Development Strategy, which is housing led and includes a focus on increasing levels of new private housing in the area. It also includes placemaking elements and sites for economic development. The Strategy incorporates and builds on the masterplanning work already completed for Clune Park and Woodhall.
- 2.13 *Implications for qualifying interest(s):* Development of development opportunities E1, R4 and R10 within the Port Glasgow Eastern Priority Place can



be expected to cause acoustic and visual disturbance to redshank roosting within 150 metres of the sites during the construction phase (this applies to the winter months when redshank are present). As none of the relevant development opportunity sites are located on the water edge and all are separated from the SPA by the A8, it is unlikely that development will have any additional effect during the operational phase.

- 2.14** Pollution is also a potential cause of harm. This could have a direct impact upon the redshank through ingestion or fouling or, more likely, an indirect impact by modifying the habitat – either temporarily or permanently – including intertidal sediment quality.
- 2.15** Disturbance and the effects of pollution could significantly alter the redshank population as a viable component of the Inner Clyde SPA, or alter their distribution within the site. Both of these scenarios run contrary to the conservation objectives of the SPA.
- 2.16** *Mitigation measures applied or taken into account:* A wide range of mitigation measures may be appropriate. Noise and visual disturbance during the construction phase of developments can be avoided by preventing works during the overwintering period, between September and April (inclusive). This extremely precautionary approach may be refined with a better understanding of the redshank’s behaviour and less stringent mitigation measures may include:
- noise attenuation (including screening) or restrictions which prevent noise exceeding thresholds above which redshank are disturbed;
  - phasing plans or agreed programmes of work which prevent activities likely to cause a noise disturbance such as piling from occurring during the overwintering period, or for example, working during high tides at springs between sunrise and sunset during that period.
- 2.17** Screening can also be employed to mitigate visual disturbance.
- 2.18** To prevent pollution events, there should be standard adherence to pollution control measures.
- 2.19** With regard to cumulative effects of more than one development opportunity within the Port Glasgow Eastern Gateway coming forward at the same time, phasing plans can ensure works are planned for appropriate times in relation to both the presence of redshank within the Inner Clyde and other works that may be happening at the same time.
- 2.20** While the above mitigation measures are not specifically mentioned in the Plan, it is expected that they would be undertaken as part of the general mitigation statement included in the Development Framework for the Port Glasgow Eastern Gateway, as set out in the Supplementary Guidance on Priority Place and referenced below.
- 2.21** Taking account of the mitigation measures noted above it can be demonstrated that development of the Port Glasgow Eastern Priority Place could progress without significantly affecting the structure (size and distribution) or the functioning (normal patterns of feeding, roosting, immigration and emigration) of the redshank population within the Inner Clyde, or negatively affecting the habitats that support redshank. This mitigation will ensure

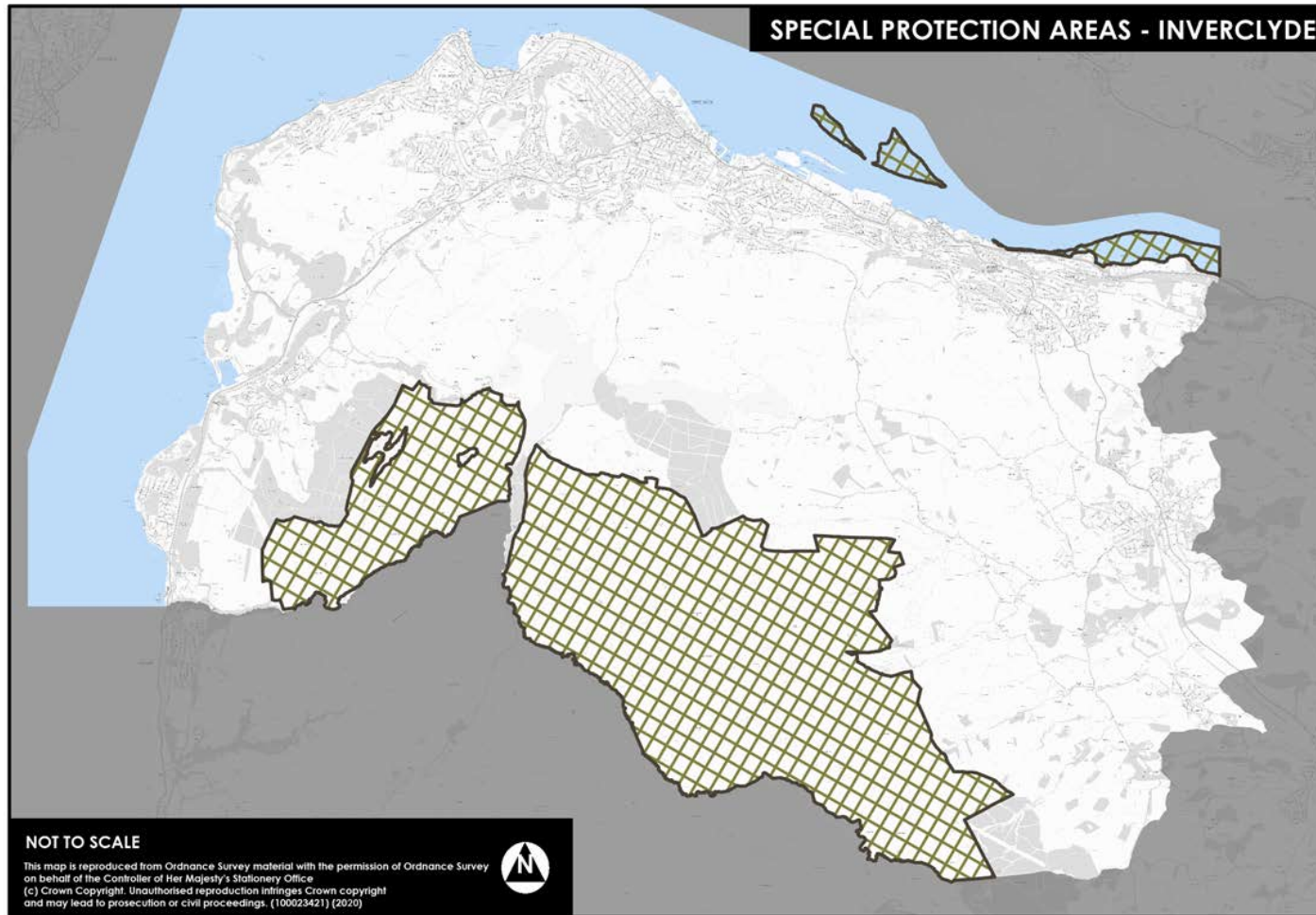
no adverse effect on site integrity. To ensure that this mitigation is applied at project level and that it can be demonstrated that development of the Port Glasgow Eastern Gateway will have no adverse effect on site integrity, the Local Development Plan will state the following:

*“The Habitats Regulations Appraisal of the Local Development Plan identified that a number of development opportunities in the Priority Place are within the 150m disturbance threshold of the Inner Clyde Special Protection Area, and therefore have potential to adversely impact the Special Protection Area. In light of this, development proposals will not be supported unless it is demonstrated that they will not have an adverse effect on the Special Protection Area”.*

### **3 CONCLUSION**

**3.1** Inverclyde Council, as the plan making body, concludes that it has been ascertained through this Habitats Regulations Appraisal that the implementation of the Local Development Plan: Proposed Plan (2021), alone or in combination, would have no adverse effect on the integrity of any Natura 2000 (European) site in the Inverclyde area.

**APPENDIX 1: Map of Special Protection Areas – Inverclyde**



Inverclyde  
council

**Regeneration and Planning**

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