Habitats Regulations Appraisal

Green Networks: Interim Supplementary Guidance

Version 6 – 24 June 2011

Contents

Version	Date	Contributor
1	10/04/2011	The Highland Council
2	20/04/2011	The Highland Council
3	06/05/2011	Scottish Natural Heritage
4	18/05/2011	Scottish Natural Heritage
5	14/06/2011	Scottish Natural Heritage
6	24/06/2011	Scottish Natural Heritage
7	04/07/2011	Scottish Natural Heritage

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1. **Introduction**

In October 2005 the European Court of Justice[1] ruled that all land use plans in the United Kingdom likely to have a significant effect on European sites (Natura sites), either Special Protection Areas (SPAs) or Special Areas of Conservation (SACs), can only be approved after an appropriate assessment of the policies and proposals has been undertaken, under the provisions of Article 6(3) of the Habitats Directive 1992[2]. The Directive states that 'any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon either individually or in combination with other plans or projects, shall be subject to appropriate assessments of its implications for the site in view of the site's conservation objectives'. The Directive goes on to say that the plan shall only be agreed if there is no adverse impact after mitigation is considered.

Scottish ministers have extended the requirement for assessment to Ramsar sites, listed under the International Convention on the Conservation of Wetlands of International Importance, and proposed SPAs and SACs, before they are fully classified. Hereafter in this assessment, the term 'European site' should be taken as referring to SPAs and SACs and also to proposed SPAs, SACs and Ramsar sites.

The purposes of this document are therefore firstly to consider whether the proposals of the Green Networks: Draft Supplementary Guidance are likely to have any significant effects on European sites, having regard to in combination effects, and secondly if there are any likely significant effects to ascertain whether the Guidance would not adversely affect the integrity of these sites (certainty that the Guidance would not adversely affect site integrity is required if the Guidance is to be adopted in all but exceptional circumstances). In doing this, reference must be made to the qualifying interests and conservation objectives of the European sites. Where there is the possibility of such adverse effects it may be possible to avoid these through mitigation. In such cases this document identifies the mitigation needed and shows how this has been incorporated into the guidance (Conclusions).

The assessment concludes that, subject to appropriate safeguarding and mitigation including certain modifications, the Green Networks Supplementary Guidance will not adversely affect the integrity of any European site.

This appropriate assessment has been compiled using the best available information and any subsequent planning applications may require further assessment to ensure that the integrity of European sites are not adversely affected.

[1] Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland, Case C 6/04 in the second chamber of the European Court of Justice, judgement 20th October 2005
[2] Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora.

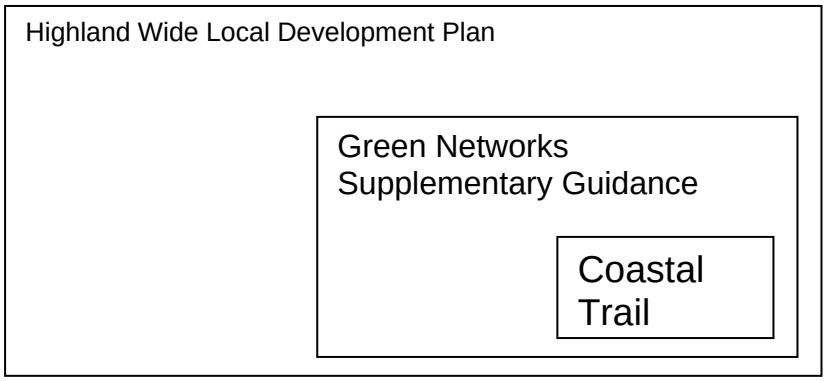
2. Context

Here we address the Green Networks Supplementary Guidance. The aim of the guidance is to help promote greenspace links and to safeguard and enhance wildlife corridors in and around new and existing developments. Only detail of the A96 Corridor is included at this early stage. As a result discussion on the likely significant effects of that Green Network is the focus of attention here.

In it a Coastal and Landward Trail are proposed between Inverness and Nairn as well as trails linking the two which are referred to as North-South Links. There is also a proposal to develop a road-based Tourist Trail between Auldearn and Culloden [see Map 1]

This Guidance is incorporated into Policy 75 of the Highland Wide Local Development Plan. However as a plan in itself the Guidance requires its own Habitats Regulations Appraisal.

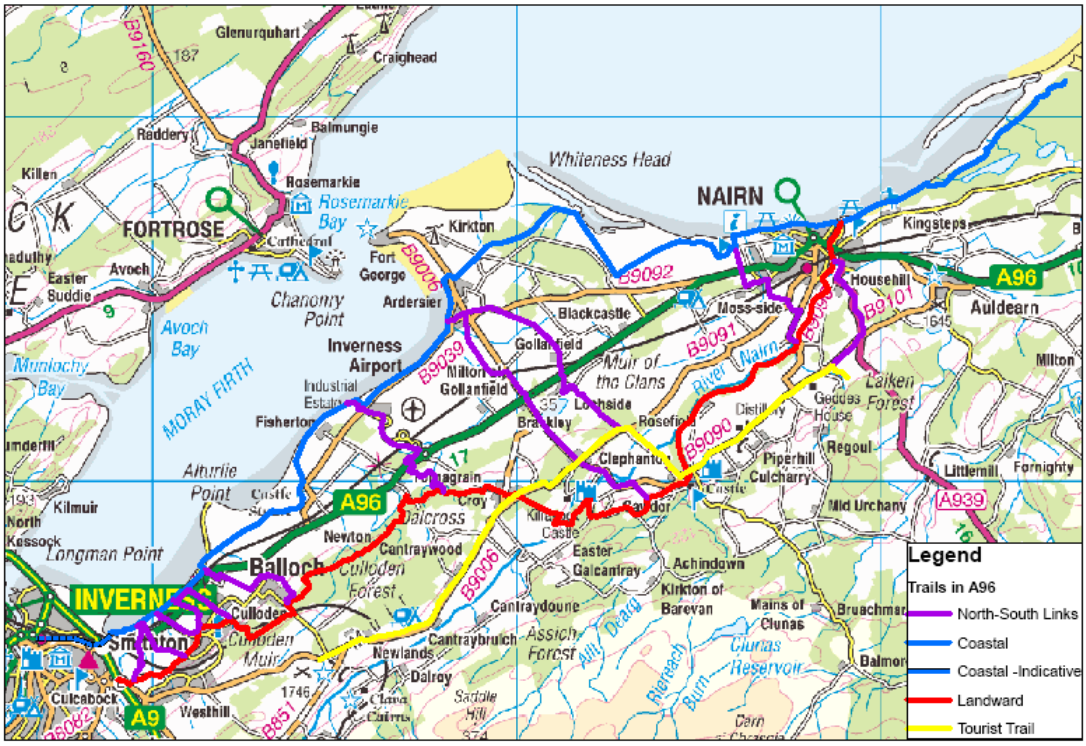
The broader ranging Highland Wide Local Development Plan includes several policies that will mean more people living between Inverness and Nairn. In turn that will mean more people will use existing and new paths developed as part of the Coastal Trail [see Map 2].



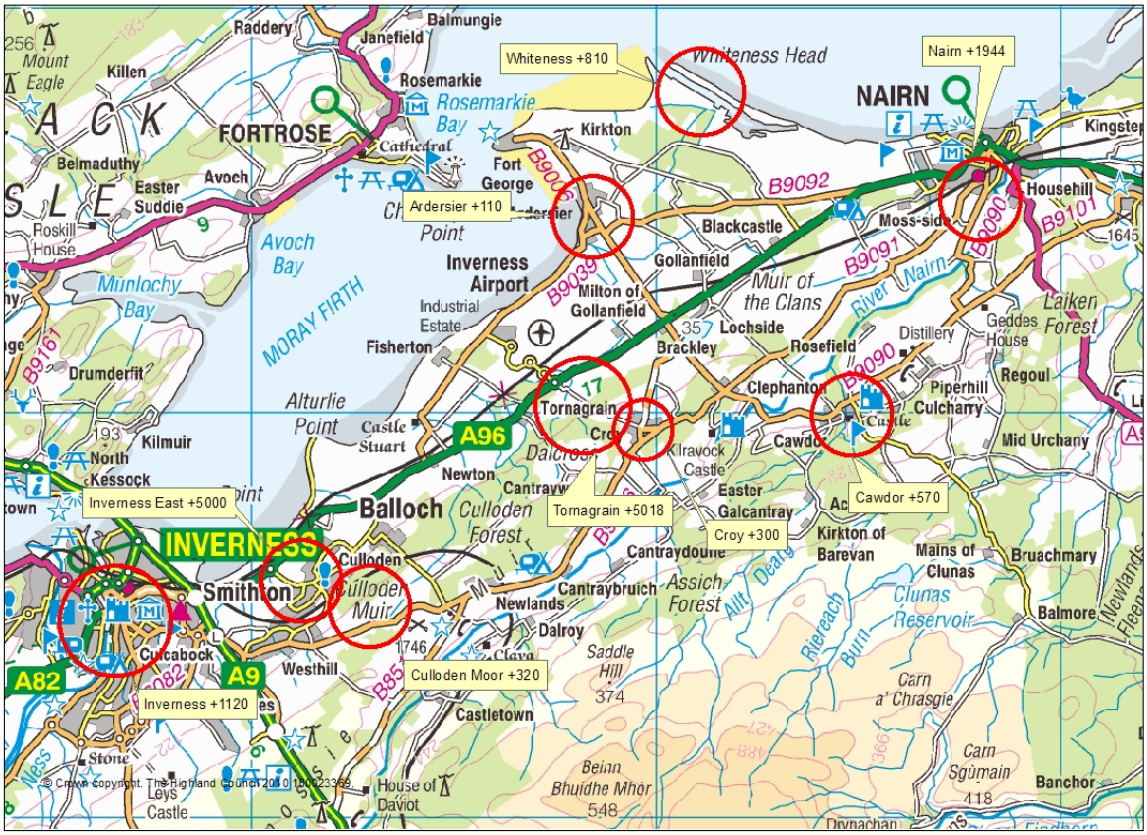
There are policies within the Highland Wide Local Development Plan that propose increasing the population between Inverness and Nairn by around 15,000 people by 2031. Using the Scottish Recreation Survey[3] figures this equates to around 3,000 more trips to the countryside every week, around 400 of which will be to the coast, of which about 160 will be trips with a dog.

[3] SNH Commissioned Report 395, Scottish Recreation Survey: Annual Summary Report 2009

Map 1 Provisional Indicative Routes of the trails in the Green Networks Supplementary Guidance



Map 2 Population Growth Areas of the Highland Wide Local Development Plan



3. Background Information on European Sites

Table 1. List of European Sites potentially affected

European Site	Reason for Selection
Special Protection Area (SPA)	
Inner Moray Firth	Proposed trails may pass close to this site
Moray and Nairn Coast	Proposed trails may pass close to this site
Loch Flemington	Proposed trails may pass close to this site
Ramsar Site	
Inner Moray Firth	Proposed trails may pass close to this site
Moray and Nairn Coast	Proposed trails may pass close to this site
Special Area of Conservation (SAC)	
Cawdor Wood	Proposed trails may pass close to this site
Culbin Bar	Proposed trails may pass close to this site

Table 2. Information on European Sites

Site Name	Inner Moray Firth
Designation	SPA
Date of Designation	22 March 1999
Qualifying Interests	• Common Tern (breeding) • Osprey (breeding) • Bar-tailed Godwit (wintering, non breeding) • Greylag goose (wintering, non breeding) • Red-breasted merganser (wintering, non breeding) • Redshank (wintering, non breeding) • Scaup (wintering, non breeding) • Curlew (wintering, non breeding)* • Oystercatcher (wintering, non breeding)* • Goosander (wintering, non breeding)* • Goldeneye (wintering, non breeding)* • Teal (wintering, non breeding)* • Wigeon (wintering, non breeding)* • Cormorant (wintering, non breeding)* • Waterfowl assemblage * Indicates assemblage qualifier only
Conservation Objectives	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.

	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
Site Condition	• Common Tern (breeding) – Unfavourable, No change • Osprey (breeding) – Favourable, Maintained • Bar-tailed Godwit (wintering, non breeding) – Favourable, Maintained • Greylag goose (wintering, non breeding) – Favourable, Maintained • Red-breasted merganser (wintering, non breeding) – Unfavourable, No change • Redshank (wintering, non breeding) – Favourable, Maintained • Scaup (wintering, non breeding) – Favourable, Maintained • Curlew (wintering, non breeding) – Favourable, Maintained • Oystercatcher (wintering, non breeding) – Favourable, Maintained • Goosander (wintering, non breeding) – Unfavourable, No change • Goldeneye (wintering, non breeding) – Favourable, Maintained • Teal (wintering, non breeding) – Favourable, Maintained • Wigeon (wintering, non breeding) – Favourable, Maintained • Cormorant (wintering, non breeding) – Unfavourable, No change • Waterfowl assemblage – Favourable, Maintained
Factors currently influencing the site	Disturbance is the main limiting factor to wader and wildfowl population size. Food supply is not believed to be a limiting factor, although further research is required. Climate change may limit populations and result in shifts into less well monitored areas (see Austin & Rehfisch 2005) and more research work is needed to determine the effects of climatic changes on wader and wildfowl distributions. It is suspected that the tern interest of the site is being influenced by predator numbers and climate change impacting food availability.
Vulnerabilities to change through the potential effects of the plan	Disturbance to qualifying species through increased recreational activity.

Site Name	Moray and Nairn Coast
Designation	SPA
Date of Designation	02 February 1997
Qualifying Interests	Aggregations of non-breeding birds; wildfowl and waders
Conservation Objectives	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. 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
Site Condition	Favourable Maintained apart from redshank
Factors currently influencing the site	Disturbance and damage to habitats by recreational activities including walkers and motorised vehicles.
Vulnerabilities to change through the potential effects of the plan	Disturbance to qualifying species through increased recreational activity and damage to habitat.

Site Name	Loch Flemington
Designation	SPA
Date of Designation	14 March 1997
Qualifying Interests	Slavonian Grebe (breeding)
Conservation Objectives	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. 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
Site Condition	Unfavourable
Factors currently influencing the site	Pollution, invasive non native plant species, unconfirmed/unknown factors affecting Slavonian grebe

	distribution across their Scottish range.
Vulnerabilities to change through the potential effects of the plan	Nutrient enrichment

Site Name	Inner Moray Firth
Designation	Ramsar
Date of Designation	22 March 1999
Qualifying Interests	Saltmarsh and intertidal flats; wildfowl and wader populations; overwintering wildfowl and waders
Conservation Objectives	
Site Condition	Broadly Favourable Maintained
Factors currently influencing the site	Disturbance is the main limiting factor to wader and wildfowl population size. Food supply is not believed to be a limiting factor, although further research is required. Climate change may limit populations and result in shifts into less well monitored areas (see Austin & Rehfisch 2005) and more research work is needed to determine the effects of climatic changes on wader and wildfowl distributions. It is suspected that the tern interest of the site is being influenced by predator numbers and climate change impacting food availability.
Vulnerabilities to change through the potential effects of the plan	Disturbance to qualifying species through increased recreational activity.

Site Name	Moray and Nairn Coast
Designation	Ramsar
Date of Designation	02 February 1997
Qualifying Interests	Saltmarsh and intertidal flats; wildfowl and wader populations; overwintering wildfowl and waders; woodland
Conservation Objectives	
Site Condition	Mixed
Factors currently influencing the site	Disturbance and damage to habitats by walkers and motorised transport.
Vulnerabilities to change through the potential effects of the plan	Disturbance to qualifying species through increased recreational activity and damage to habitat.

Site Name	Cawdor Wood
Designation	SAC
Date of Designation	17 March 2005
Qualifying Interests	Western acidic oak woodland
Conservation Objectives	To avoid deterioration of the qualifying habitat thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying species ; and

	To ensure for the qualifying habitat that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within site • Structure and function of the habitat • Processes supporting the habitat • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of species typical of the habitat
Site Condition	Favourable
Factors currently influencing the site	The concern would be damage or removal of habitat potentially through creation of new paths.
Vulnerabilities to change / potential effects of the plan	None

Site Name	Culbin Bar
Designation	SAC
Date of Designation	17 March 2005
Qualifying Interests	Atlantic salt meadows, shifting dunes, coastal shingle vegetation
Conservation Objectives	To avoid deterioration of the qualifying habitat thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying species ; and To ensure for the qualifying habitat that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within site • Structure and function of the habitat • Processes supporting the habitat • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of species typical of the habitat
Site Condition	Mixed
Factors currently influencing the site	Disturbance and damage to habitats by walkers and motorised transport.
Vulnerabilities to change through the potential effects of the plan	None

Table 3. Summary of early discussions with Scottish Natural Heritage

Date	Venue	Discussion	Resolution
17 March 2011	SNH Office, Dingwall	On HWLDP and Green Networks Habitat Regulations Appraisals [HRAs]; how to improve them	Joint site visit to coast to discuss conservation interests, impacts of Coastal Trail and HWLDP and mitigation
4 April 2011	Inner Moray Firth	Conservation interests, impacts of Coastal Trail and HWLDP and mitigation	Prepare site notes

4. Methodology for Assessment

After consulting the Habitats Regulations Appraisal of Plans – Guidance for Plan-making Bodies in Scotland (Aug 2010)[4] provided by SNH, the following methodology was established.

Highland Council worked closely with Scottish Natural Heritage (SNH) to carry out this assessment, gaining background information regarding qualifying interests and conservation objectives of European sites required to conduct an effective appropriate assessment. SNH have also been consulted regarding the wording of policies and proposals and the mitigation measures for any potential adverse impacts to ensure that the mitigation measures provided are tailored to the conservation objectives and qualifying interests.

All European sites within or close to the routes proposed by the Green Networks: Interim Supplementary Guidance area have been identified and mapped. All proposals of the guidance have been screened both individually and cumulatively to determine the possible impacts that may arise due to their implementation. Proposals which have been identified as having no impact or are unlikely to have a significant effect have been detailed and reasons for this have been given. Remaining policies likely to have a significant effect have been identified as requiring an appropriate assessment.

Likely significant effect can be defined as any effect that may reasonably be predicted as a consequence of a plan or project that may affect the conservation objectives of the features for which the site was designated.

Policies and proposals having no, or minimal, effects have been progressed without further assessment. Where it has been concluded that there is likely to be a significant effect, alone or in combination, then an appropriate assessment will be required to consider each proposal against the conservation objectives for the designated site and sensitivities of the relevant habitats/species.

[4] http://www.snh.gov.uk/docs/B698695.pdf

5. Screening

Table 4 summarises the elements of the Green Networks: Interim Supplementary Guidance proposals that could potentially have a likely significant effect on European sites from our early discussions with SNH. Where it has been identified with SNH that these are likely to have a significant effect on European sites, appropriate assessment will be undertaken. Policies that have been identified as unlikely to have a significant effect on European sites will not require an appropriate assessment to be carried out and have thus been '*screened out*' during our initial assessment.

Screening step 1

The following aspects would not be likely to have a significant effect alone on a European site for the reasons given:

Table 4. Screening Step 1

Aspects of the plan which would not be likely to have a significant effect on a European site alone	**Relevant parts of the plan**
General policy statements	Quality and function are more important than quantity Planning for the GN must be based on spatial analysis GN should be a starting point, not an afterthought GN will be a key contributor to place making and the enhancement of local distinctiveness Partnership working should maximise the range and scale of benefits delivered by the GN Long term management and maintenance of the GN should be considered from the outset
Projects excluded from the appraisal because they are not proposals generated by this plan	
Policies which protect the natural environment, including biodiversity, or conserve or enhance the natural, built or historic environment	Maintain and improve the green network connections between

	habitats in areas for proposed development Identify positive land uses for important undeveloped wedges providing an open setting around settlements and maintaining separation of existing settlements through the Local Development Plan Influence major development proposals within the corridor to minimise negative impacts on the green network and ensure they contribute positively to the further development of the green network and high quality local greenspace
Policies which will not lead to development or other change	
Aspects of the plan 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	Tourist Trail
Aspects of the plan which make provision for change but which could have no significant effect on a European site, because any potential effects would be minimal, or “de minimis” or so restricted that they would not undermine the conservation objectives for the site	
Aspects which are too general so that it is unknown where, when or how the aspect of the plan will be implemented, or where any potential effects may occur, or which European sites, if any, may be affected	Development should contribute positively to creation, maintenance and enhancement of the Green Networks

Screening step 2

Screening Matrix – In combination

A screening matrix of policies and proposals in the plan “in combination” with other aspects of the same plan, screened out individually above. And whether and how the effects of the plan, in combination, were or were not judged to be likely to be significant.

Here it has been assessed whether or not elements of the plan screened out individually under step 1 which have some likely effect were judged to have a likely significant effect in combination –

- Tourist Trail
- Green Network General Principle 1

The conclusion is that these would not have a likely significant effect in combination as well as alone.

Table 5 Screening Step 2

	Development should contribute positively to creation, maintenance and enhancement of the GN	Tourist Trail
Development should contribute positively to creation, maintenance and enhancement of the GN		
Tourist Trail		

	Not applicable
	No likely significant effect
	Likely Significant Effect

Screening step 3

Screening matrix – In combination with other plans or projects - Highland Wide Local Development Plan

Here the impact of the combination of the Highland Wide Local Development Plan and the three trails individually screened in has been assessed. The conclusion is that there will be a likely significant effect from the combination of the policies of the Highland Wide Local Development Plan and the Coastal Trail, Landward Trail and N-S Links.

Table 6 Screening Step 3

In combination	Coastal Trail	Inverness – Nairn Landward Trail	North – South Links
Highland Wide Local Development Plan			

	Not applicable
	No likely significant effect
	Likely Significant Effect

Screening step 4

No elements of the plan have been modified to avoid any likely significant effect on a European site.

Screening step 5

Aspects of the plans that are likely to have a significant effect on European sites, alone and in combination.

Table 7. Screening Step 5

Aspect of the plans likely to have a significant effect	**European site name**	**Qualifying interests of the European site**	**Summary of the likely significant effect**
Inverness – Nairn Coastal Trail	Inner Moray Firth SPA	Waterfowl assemblage; non-breeding wildfowl, common terns and osprey	Disturbance to wintering and feeding wildfowl
In combination: Inverness – Nairn Coastal Trail & Highland Wide Local Development Plan			
In combination: Inverness – Nairn Coastal Trail, North-South Links, Landward Trail & Highland Wide			

Local Development Plan			
Inverness – Nairn Coastal Trail	Inner Moray Firth Ramsar	Waterfowl assemblage; non-breeding wildfowl, common terns and osprey	Disturbance to wintering and feeding wildfowl
In combination: Inverness – Nairn Coastal Trail & Highland Wide Local Development Plan			
In combination: Inverness – Nairn Coastal Trail, North-South Links, Landward Trail & Highland Wide Local Development Plan			
Inverness – Nairn Coastal Trail	Moray and Nairn Coast SPA	Waterfowl assemblage; non-breeding wildfowl, common terns and osprey	Disturbance to wintering and feeding wildfowl.
In combination: Inverness – Nairn Coastal Trail & Highland Wide Local Development Plan			
In combination: Inverness – Nairn Coastal Trail, North-South Links, Landward Trail & Highland Wide Local Development Plan			
Inverness – Nairn Coastal Trail	Moray and Nairn Coast Ramsar	Waterfowl assemblage; non-breeding wildfowl, common terns and osprey	Disturbance to wintering and feeding wildfowl
In combination: Inverness – Nairn Coastal Trail & Highland Wide Local Development Plan			
In combination: Inverness – Nairn Coastal Trail, North-South Links, Landward Trail & Highland Wide Local Development Plan			

Loch Flemington SPA - While one of the N-S links runs immediately to the west of the site no new infrastructure is proposed. The Guidance will not adversely affect the

integrity of this site. There are no proposals to improve facilities so Loch Flemington SPA can be screened out of this HRA.

Cawdor Wood SAC - No new paths or trails in the wood are proposed in the Guidance. There is unlikely to be an increase in the number of people accessing the woodland as a result of the Landward Trail so this SAC can be screened out of this HRA.

Culbin Bar SAC - The location of this site means that access is limited from the coastal trail by the sea and coastal mud/sand flats. There is unlikely to be an increase in the number of people accessing the area as a result of the coastal trail as proposed so this SAC can be screened out of this HRA.

6. Appropriate Assessment

The basis for the appropriate assessment was formed by a joint site visit – the notes of which follow and which should be considered as a detailed consideration of the implications of both the Coastal Trail individually, and its in-combination effect with the Highland Wide Local Development Plan and other trails.

For reference the conservation objectives of the Inner Moray Firth and Moray and Nairn Coast SPA's sites are as follows:

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.

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

- *Population of the species as a viable component of the site*
- *Distribution of the species within site*
- *Distribution and extent of habitats supporting the species*
- *Structure, function and supporting processes of habitats supporting the species*
- *No significant disturbance of the species*

The qualifying interests are:

Common Tern (breeding)
Osprey (breeding)
Bar-tailed Godwit (wintering, non breeding)
Greylag goose (wintering, non breeding)
Red-breasted merganser (wintering, non breeding)
Redshank (wintering, non breeding)
Scaup (wintering, non breeding)
Curlew (wintering, non breeding)*
Oystercatcher (wintering, non breeding)*
Goosander (wintering, non breeding)*
Goldeneye (wintering, non breeding)*
Teal (wintering, non breeding)*
Wigeon (wintering, non breeding)*
Cormorant (wintering, non breeding)*
Waterfowl assemblage

* Indicates assemblage qualifier only

With reference to the Inner Moray Firth SPA, disturbance is the main limiting factor to population size. Food supply is not believed to be a limiting factor, although further research is required. Climate change may limit populations and result in shifts into less well monitored areas (see Austin & Rehfisch 2005) and more research work is needed to determine the effects of climatic changes on wader and wildfowl distributions.

Disturbance from people has already led to a number of smaller roosts being abandoned along the coast and with some birds concentrating into larger roosts at specific locations which currently remain undisturbed (Swann, 2007). Some species

do not change roost sites and as such these individuals (primarily site faithful species such as turnstone, redshank and ringed plover) will be removed from the populations (see Rehfisch *et al* 2003). Research has also shown that larger roosts are used more regularly than smaller roosts, that roosts must be within reasonable distance of feeding sites and that wind conditions are a major factor in roost selection on any given day. The latter can result in the smaller, more irregularly used roosts being key sites for species' survival in certain weather conditions (Peters & Otis, 2007). It is vital that a wide range of roosts with different exposures to wind and in reasonable proximity to different feeding areas are maintained within the SPA. Ensuring the long term protection of roost sites from disturbance is therefore important for the long term viability of the SPA interests.

Monitoring pre-, during construction and post construction will be essential to ascertain whether or not the mitigation installed is working. WeBS counts are already undertaken in Oct, Dec, Jan and Feb. This monitoring should be supplemented with WeBS style surveys in Sept, Nov and March. In addition the number of people walking past the site and the reaction of the birds present should be recorded for all of the surveys. Further research should be undertaken to determine the movements of birds around the Firths in relation to disturbance.

This presents a good opportunity to work with the knowledge of species movements, requirements and access to get workable solutions. Research on populations (counts, movements, survival etc) should be maintained or enhanced prior to the development of this coastal trail so that we can be sure what the effects are and be confident in assessing the significance of the impacts on species. To do this it is essential that THC and SNH liaise with the Highland Ringing Group who are the only group collecting this level of information.

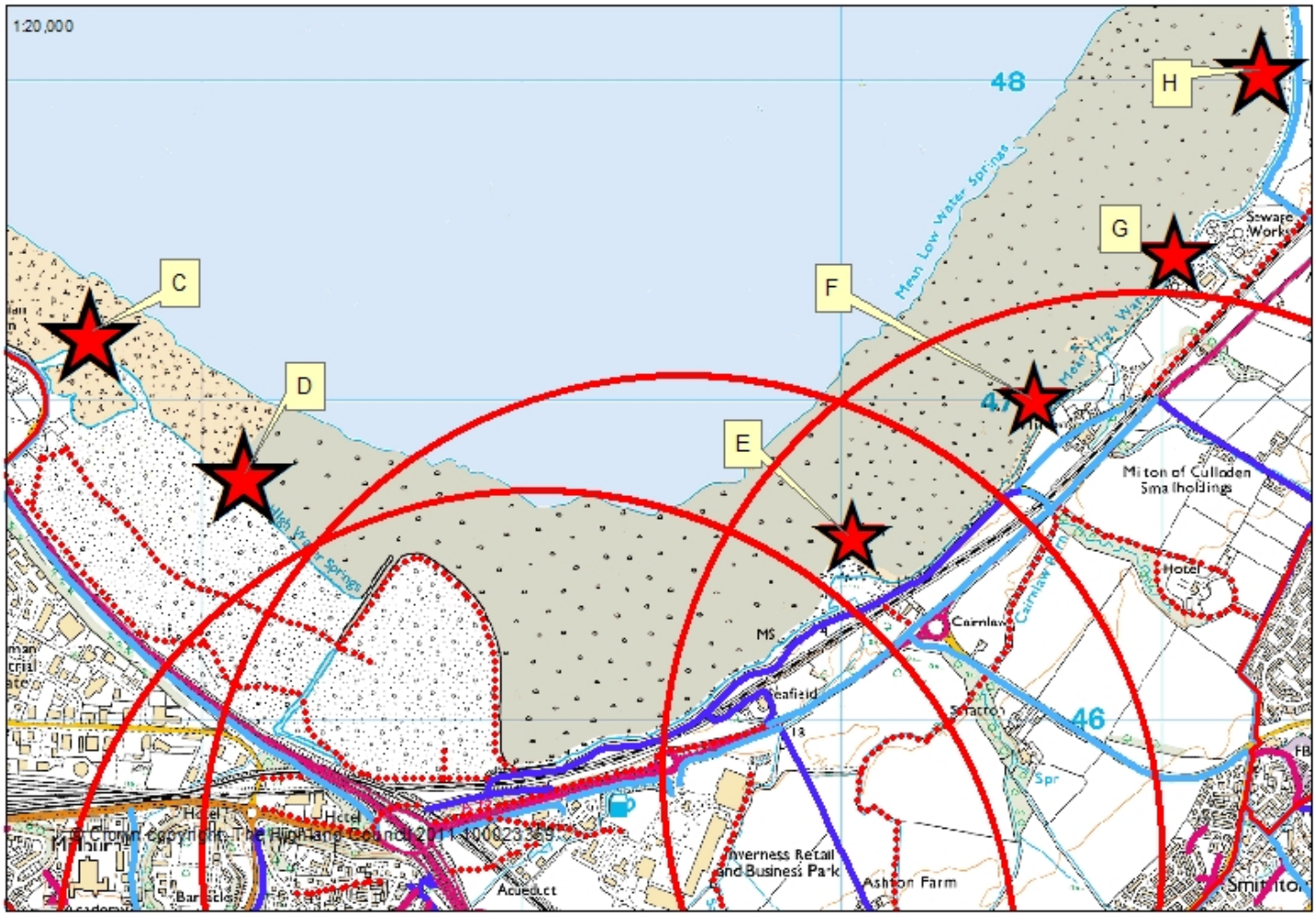
As part of the monitoring programme people counters will be located at Milton of Culloden (270931, 846990), Alturlie (271580, 847758) and Kingsteps (290066, 857531) to establish visitor numbers.

In addition the following measures should be applied to all development in the corridor:

- The quality and quantity requirements of the Open Space Supplementary Guidance should be met and assessed for their suitability as Suitable Alternative Natural Greenspace
- Location, provision and management of SUDS should be considered as possible feeding and roosting sites for waders**.** This is especially relevant where they are immediately adjacent to the coast (i.e. within 500m).

(The maps below show the location of key roost sites as per *Swann, Bob, North of Scotland Ornithological Services. (2007). Moray Firth Wildfowl & Wader Roosts. Scottish Natural Heritage Commissioned Report No.252 (ROAME No. F098LG02).*)

1. Longman and Alturlie



Longman [C & D & <u>other sites</u>]

Lack of disturbance has made this area critical for roosting birds and it is therefore very important that the mitigation is sufficient. The area is a key wader roost for the Inner Moray Firth wader population and scrub is also used by migrant warblers. The Millburn is used as a roost by *c.* 80 redshank which is nowadays a significant sized roost for the IMF area. Knot and bar-tailed godwit infrequently use Longman point in the winter. Also the undisturbed beach on the Longman is used by moulting goosanders in the autumn with numbers around 60 to 70 birds observed in recent years, making it one of the larger concentrations in the IMF. Large numbers of curlew and oystercatcher use the site and the top of the rock armouring is frequently used as a roost for around 250 oystercatchers and up to 300 curlew.

Any proposed development here that will result in the loss or reduction in use of the wader and wildfowl roosts will have a Likely Significant Effect on the qualifying interests of the SPA and due to the critical nature of the roosts at Longman, any development would have the potential for adverse effects on site integrity.

In addition any development is likely impact on UK Biodiversity Action Plan species – there are *c.* 20 pairs of breeding skylarks that use the site.

For the time being public access is limited and development sterilised for at least 5 years. It will be critical that the conservation interests of the site are taken into consideration in the Masterplanning exercise scheduled for the site.

The residential developments identified in the HWLDP will have no Likely Significant Effect for as long as public access to Longman is limited.

Old A96

People currently use this area over the winter months that are important for wintering birds. Dog walkers and families come down here, often having driven to park at the bend on the Milton of Culloden road. Observation confirms that the dogs running across the mud at low tide and/or the alluvial fan of the Screton Burn [E] disturb the birds, forcing them off a favoured and important source of fresh water. Children have also been observed running onto the fan and putting up the birds. Gypsy travellers sometimes park up along the old road. While the birds may become used to the presence of travellers on the old A96 the presence dogs and children on the shore or fan will disturb the birds.

The development of a Coastal Trail will result in more people using the Old A96. THC estimates that around 380 more people will walk the whole length of the coastal trail when it is promoted. Most of them will do so outside the months critical to the waders and wildfowl and statistically they are less likely to have dogs with them.

In addition to long distance walkers, it is estimated that the completed residential proposals of the HWLDP will introduce 105 additional weekly visits to the coast by individuals or groups who have a dog or dogs with them. A minority will not have their dog under proper control and will behave irresponsibly as defined by the Scottish Outdoor Access Code; allowing either their dogs or children to disturb the birds or disturbing the birds themselves. This will have a negative effect on the distribution of the birds at this location and will have a Likely Significant Effect on the Inner Moray Firth SPA.

This LSE can be mitigated by managing access to the foreshore. This will involve the following measures:

- Planting a dense, mixed species screening hedge along the same line that will also help manage access to the foreshore. Planting to be along the length of the route with prickly, wildlife-friendly, native shrubs – gorse, buckthorn, hawthorn, dog rose etc. The shrubs will take 5 to 10 years to grow to a reasonable size so it is of key importance that they are planted ASAP. This will involve repairing the sea wall – fence and planting to go on top of this.
- Managing access to the foreshore using a 2km long 1100mm high post and wire fence with rylock between the sea and old road
- undertake all works in the summer months – (end April to beginning of October)
- Directly address negative desire lines. Including discouraging access to the shore at Milton of Culloden.
- Interpretation and strategic education and awareness programme highlighting the issues on this section of coast. This would be co-ordinated by The Highland Council's Planning and Development Service.

- Local PR campaign to promote responsible access targeted especially at visitors and residents of Milton of Culloden. This would be co-ordinated by The Highland Council's Planning and Development Service in partnership with Scottish Natural Heritage
- 3-sided vandal resistant hide to encourage wildlife watching (ref to Musselburgh lagoons bird hide lean-to design)

All mitigation should be place before the route is promoted and the pedestrian bridge installed over the A96.

Provided that there is no LSE at Longman, with the above mitigation in place the Old A96 could accommodate the expected increase in visitors. Attracting greater numbers of walkers to this site and managing them well will help to lower and therefore mitigate the number and impact of people using the coast elsewhere in the A96 Corridor. It could be used as a 'honey pot' if managed correctly.

2. Alturlie [Road]

This shoreline used to support a number of high tide wader roosts and large concentrations of wildfowl (particularly wigeon and teal) with birds being attracted to the narrow strip of saltmarsh and the stream's freshwater.

Existing access is already having a negative impact on SPA qualifying birds. Parking, walking and dog-walking along the narrow shore at high tide is displacing roosting and feeding birds. The location of the lay-by style car park opposite the favoured roosting site is unfortunate. The extent of that activity and the severity of its impact is not known but it is accepted that it is negative.

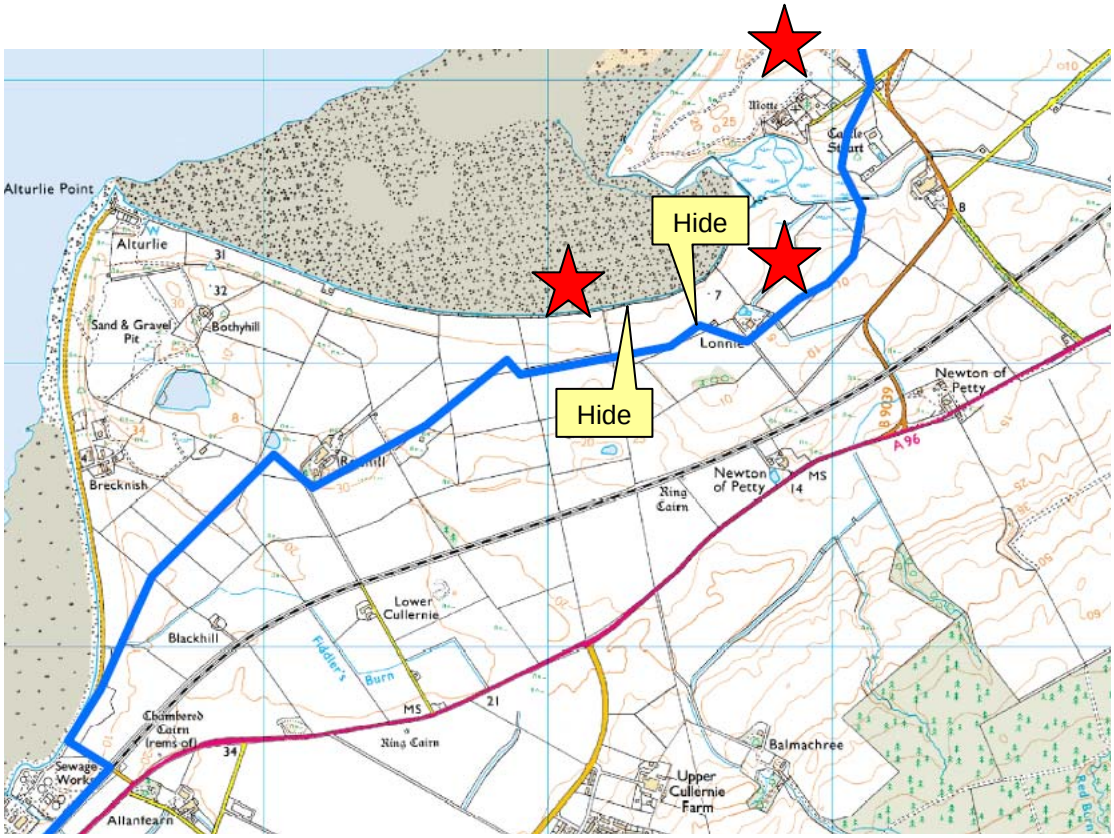
The course of the Coastal Trail will logically follow this road; either on the road or on a path beside it. There is limited scope for a path on the seaward side and a landward path is unlikely to be used over a preference for the foreshore. Screening too may be by-passed in favour of the foreshore.

It is unlikely that the Coastal Trail and the modest increase in walkers and cyclists to this section of the coast will have a LSE on the IMF SPA. However the completed residential proposals of the HWLDP are likely to have a LSE by introducing more walkers and dog walkers to this section of coast.

This can be mitigated by use of the following measures:

- With reference to the SPA, fully assess options re parking location and size, bin placement and alternative path location here. Act on findings so that there will be no significant effect on SPA birds.
- Investigate methods for managing access during high tide and implement where practicable.
- Interpretation and strategic education and awareness programme highlighting the issues on this section of coast. This would be co-ordinated by The Highland Council's Planning and Development Service.
- Local PR campaign to promote responsible access targeted especially at visitors during **high tide** co-ordinated by The Highland Council's Planning and Development Service in partnership with Scottish Natural Heritage

3. Castle Stuart (or Petty) Bay



Concern here relates to the line of the proposed Coastal Trail. It was felt that the route should follow the line shown below in order that it have no Likely Significant Effect on the bird interests of the site. It should be kept high off the shore and far enough inland to avoid disturbing birds on the mud and foreshore as well as the fields immediately behind that might offer alternative roosts or feeding areas in poor weather.

In isolation the proposals of the HWLDP will have limited effect. The land is accessible under the Land Reform (Scotland) Act 2003 but is seldom visited. Local residents suggest that only a handful of people visit that part of the coast. It is not promoted and there are currently no paths which the majority of people visiting the outdoors prefer to follow.

In combination there will be considerably more visitors to this area. They will be predominantly walkers but there may be cyclists and horse riders too. The majority will be walkers following the Coastal Trail heading out and back. There is little scope for an attractive circuit here unless a path is created by the A96 in the course of other development(s).

The following indicative route was proposed during the site visit. Before the route is finalised on the ground it needs to be walked and the exact line agreed by an experienced observer. This should be done at high tide to check that it is far enough from the coast to prevent disturbance. It is likely that birds use these fields during extreme high tides. Any hide on the shore line will need to be well screened to prevent disturbance.

Section Mitigation:

- Ensure route of path is sufficiently far from the roost sites (including lower fields) to ensure roosts are protected from disturbance. The final route should be approved by THC in consultation with SNH.
- Manage access by providing an appropriately sited path.
- Provide opportunities to see the coast and coastal birds from natural and built hides
- Promote responsible access and provide interpretation about the coast (including birds) at the hide.
- Manage car parking at either end – Alturlie and Petty

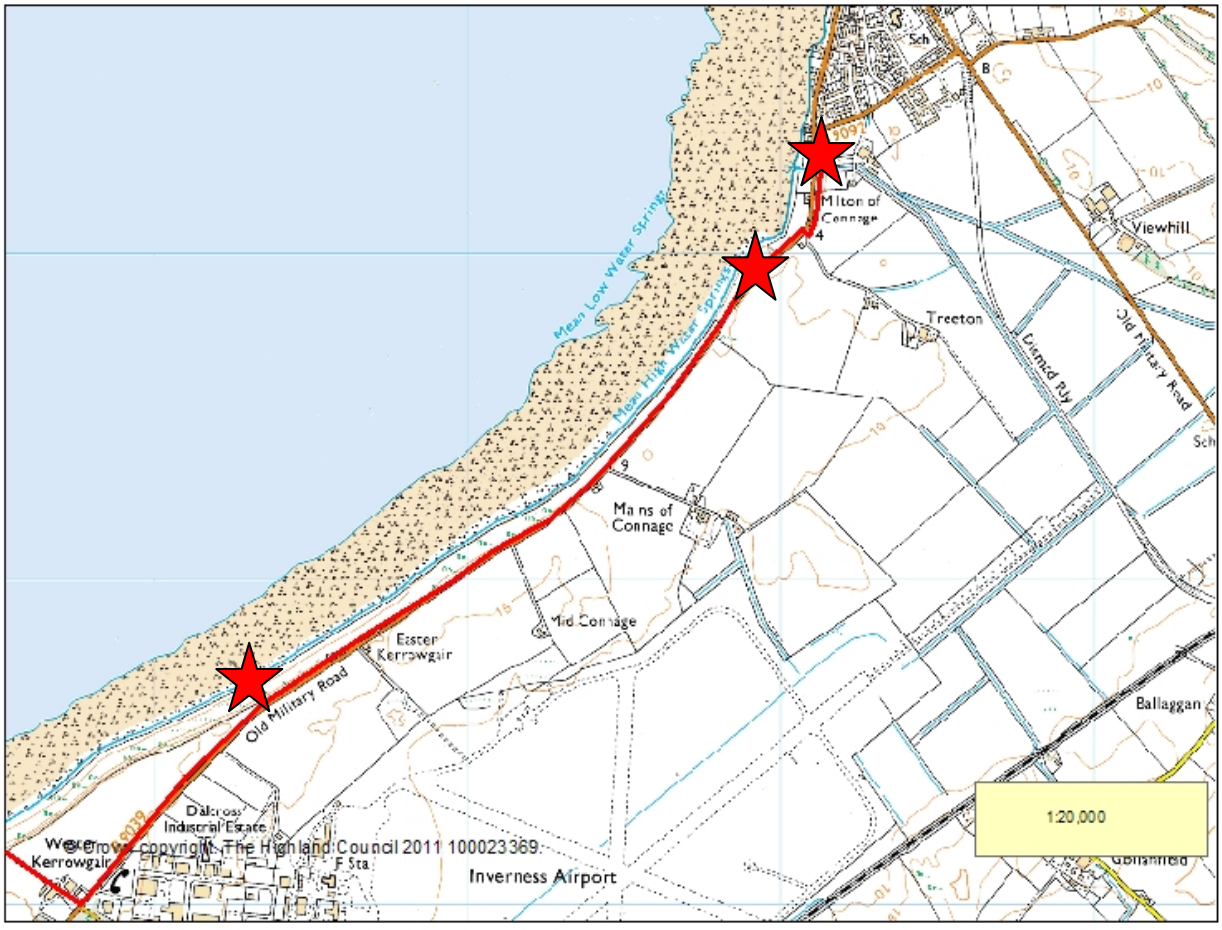
4. Dalcross – Ardersier

There are no paths and little access taken along most of this section. The area by the shore is limited to a 50m strip of grass; much of which is managed as organic grazing for Connage. Of conservation concern is that there are two important roosts along this stretch and, when the weather is poor, the fields between the road and shore may be used. The fields on the landward side of the road are also used.

Building and promoting a Coastal Trail here will have a Likely Significant Effect on the qualifying interests of the SPA as there is currently little or no recreational disturbance to this strip of coastline. There is currently no significant effect on the SPA for disturbance by people and dogs. An increase in disturbance has a strong potential to adversely affect the integrity of the SPA. Ardersier Common and a coastal path between the village and Fort George are the focus of most walking and dog walking attracting in the region of 18,000 walkers a year or around 360 per week. The paths are promoted, interpreted, surfaced and maintained. They offer attractive views across the firth and a link between the village and a regionally important tourist attraction and access to a wider network of paths and loops.

Creating and promoting a new path on the North side of the village (Ardersier Common) will attract a similar number of users although there are fewer opportunities to do a circuit. That will then mean about 263 weekly visits to the coastal path from locals, at least 100 of whom are likely to have a dog along with them. This means that it is essential that the mitigation is strong to protect the site interests.

That number will increase with the development proposal of the HWLDP which is for an additional 55 houses which is likely to result in about 10 more weekly visits to a new path in winter.



Section Mitigation

- Re path siting avoid the coast and foreshore and the fields behind the shoreline. i.e. avoiding all the land at the base of the raised shoreline between Dalcross and Ardersier.
- Seek a shrub screened roadside path on the top of the raised shoreline, on seaward side of the road. Cross by Connage dairy to southeast side of road to avoid a house with a roadside frontage and well-used field behind.
- Ensure good quality and quantity of open space provision as part of village expansion

5. Fort George – Whiteness

There is no intention that the Coastal Trail pass close to the critical roosts on this section. Current ideas are for the path to follow the minor roads between Ardersier and the Carse of Delnies or to pass through Carse Wood south of the road.

More information is needed on the sensitive sites within the wood.

A Coastal Trail here will provide a new path and direct link between Nairn, Whiteness and Ardersier that avoids sensitive sites and habitats and arguably will have a beneficial impact on qualifying interests here. In conjunction with an appropriate new network as part of a Delnies development it will accommodate the need for active travel and recreation for a population close to the SPA.

The proposals of the HWLDP, their impact on Natura interests at Whiteness and mitigation are dealt with in the Whiteness Access Management Plan.

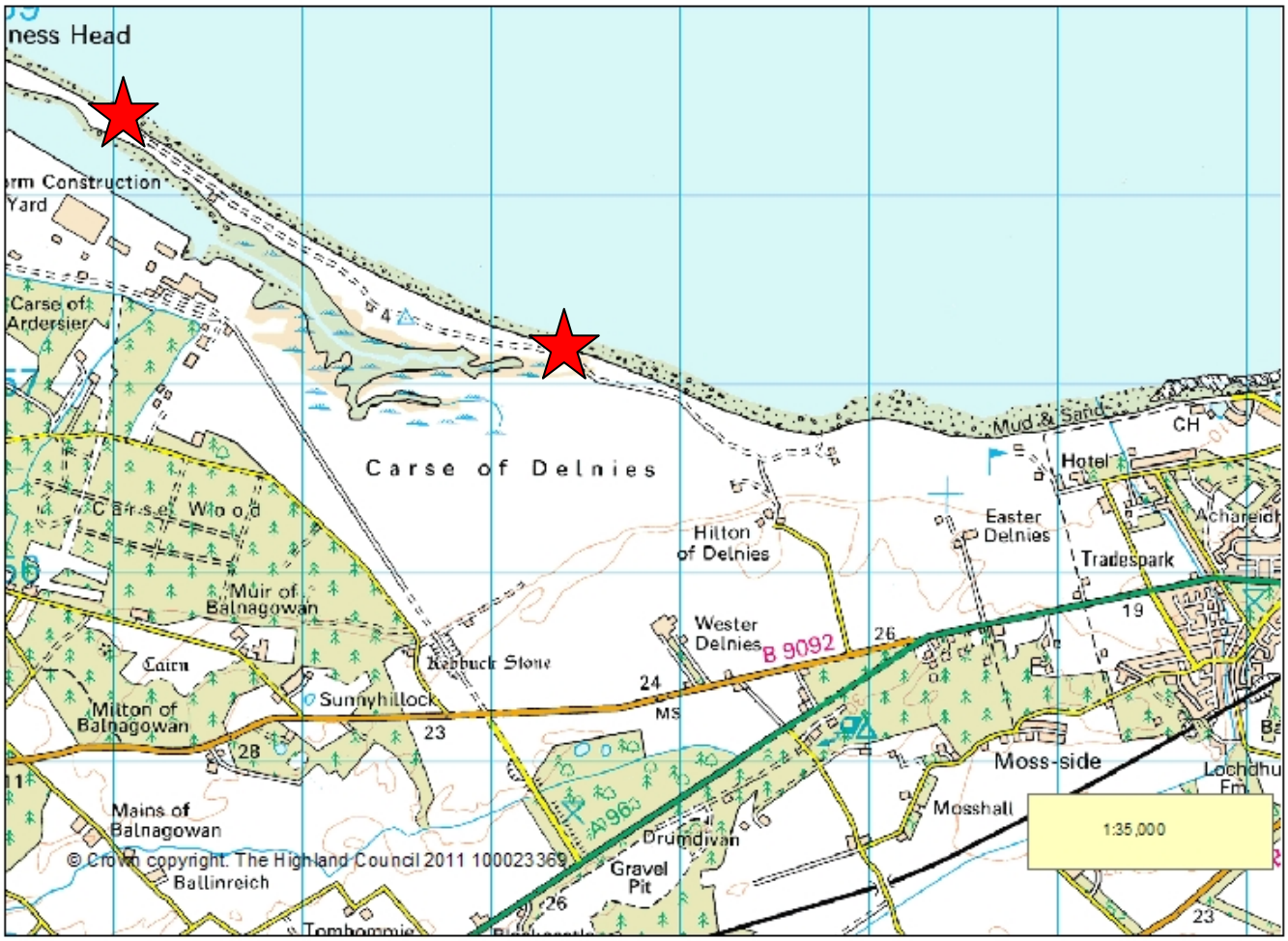
Section Mitigation

- Identify sensitive sites for breeding birds within Carse Wood
- Choose a route using quiet roads and forest tracks away from the coast
- Avoid Defence Estates property that will be closed from time to time
- In event of residential development at Whiteness pursue open space provision and delivery of the approved Access Management Plan

6. Carse of Delnies

A Coastal Trail here will provide a new path and direct link between Nairn, Whiteness and Ardersier that avoids sensitive sites and habitats and arguably will have a beneficial impact on qualifying interests here. In conjunction with an appropriate new network as part of a Delnies development it will accommodate the need for active travel and recreation for a population close to the SPA.

The proposals of the HWLDP [Whiteness and Nairn] will introduce approximately 200 new weekly trips to the countryside; 80 of which will have a dog along. This would have a Likely Significant Effect on the Natura interests in the area. More people in Whiteness and Nairn will mean more people out walking their dogs and exploring local paths and tracks, some of which pass close to sensitive roosting and breeding sites as well as by valuable saltmarsh.



Section Mitigation

- Choose a route at a distance from Saltmarsh, breeding, roosting and feeding sites. This will be secured through the Delnies Access Recreation Management Plan.
- Incorporate the Coastal Trail into a jointly approved Delnies Access Management Plan
- Ensure the identification and delivery of a comprehensive network of paths including signage and interpretation as appropriate.
- Make sure that good quality open space is provided as part of the developments

The measures' effectiveness could be established by:

- Extending the bird monitoring under the WeBS programme to monthly counts at high tide between October and March inclusive before, during and after development
- Adding observations on recreational access and their impact to that programme
- People counters to establish visitor numbers. The monitoring section of the Delnies Access Recreation Management Plan will identify locations.
- Integrating with monitoring at Whiteness

7. Nairn Bar

There are multiple designations in this area including:

- the Moray and Nairn Coast SPA which qualifies for non-breeding waders and wildfowl as well as for Osprey.
- Culbin Bar SAC qualifies for Atlantic salt meadows, coastal shingle vegetation outside the reach of waves and shifting dunes.
- Moray and Nairn Coast Ramsar qualifies for salt marsh and mudflat.
- Culbin Sands, Culbin Forest and Findhorn Bay SSSI notified for coastal geomorphology, intertidal flats, sand and shingle bars, dune, dune slacks, saltmarsh, heath, freshwater bodies, freshwater marshes and scrub woodland.

The Coastal Trail will pass important roost sites on and around the Nairn/Culbin Bar. However it is proposed that it follows a line inside the forest from Kingsteps; a preference expressed by SNH and RSPB. The path will still be close to the saltmarsh and visitor pressure is a sensitive issue at Culbin whether pressure comes from horses riding on vulnerable areas of saltmarsh or dogs off leads disturbing roosting, feeding and breeding birds.

The paths, particularly at the western end of Culbin Forest, are already heavily used although numbers are unknown. Kingsteps is a popular car parking area and is accessed easily from the population centre at Nairn. The Coastal Trail's promotion (signposting and web-based material) is estimated to result in around 10% more users. If the majority of these users are directed to the Kingsteps area then this could risk greater disturbance to roosts and feeding areas closest to Nairn. Responsible behaviour and discouraging increased use of the Kingsteps access is what Forestry Commission and RSPB have been working on by actively promoting alternative access points to Culbin Forest and the coast. The Explore Culbin project recently installed improved visitor facilities at sites within Moray aiming to draw more visitors to areas where access can be enjoyed safely and responsibly. Highland Council could support this approach within Highland by not actively promoting or encouraging increased access to Kingsteps. This could be done through control of the number of car parking bays at the Kingsteps car park but also Nairn's East Beach car park. This would help ensure numbers reaching coastal areas should not cause a significant problem of disturbance or damage to habitats.

The promotional material for the Coastal Path also presents the ideal opportunity to educate visitors on responsible access that would also help reduce potential impacts. If the promotion of the path can help distribute access more evenly and responsibly, and measures put in place to prevent increases in car parking availability at Kingsteps and East Beach (but especially Kingsteps), a likely significant affect should be avoidable.

The development of the area through the HWLDP will mean around 50 more weekly trips to the coast by individuals or groups with a dog. Whether or not there is a Likely Significant Effect depends on how access to the coast and Culbin Forest is promoted. Explore Culbin (FCS project) promotes access to these area through sites in Moray. The Highland Council's opportunity to support this arises through appropriately targeted promotion of access to the Coastal Path and some controls on car parking at key sensitive locations.

(It is important to note that the development of the paths at the western end of Culbin Forest will need to take into account the notified interests of Culbin Sands, Culbin

Forest and Findhorn Bay Site of Special Scientific Interest (SSSI). These include lichens which will be relevant if the path is to be widened.)

Section Mitigation

- THC in partnership with RSPB, FCS and SNH to build on existing visitor management arrangements including Explore Culbin. This will include promoting responsible access encouraging visitors to use less sensitive areas (with reference to both birds and habitats).
- Not expanding the Kingsteps or the Nairn East Beach car park
- In partnership with SNH and RSPB collate available bird and habitat information and then agree monitoring programme for this section. Additional monitoring (including expanding the WeBS counts to monthly) is likely to be required to ascertain whether or not the mitigation in place is sufficient to protect the SPA.
- Installing people, bike or horse counters
- Tackle user specific issues for especially re habitat damage caused by mountain bikers and horse riders. Also, work with police re groups not covered by SOAC including quad riders and motocross bikers.

8. Assessments of Effects In Combination

At the appropriate assessment stage, an in-combination assessment of the aspects of the Plan which were earlier screened in individually is carried out so that any unforeseen cumulative effects on a European site are considered within the Appropriate Assessment.

Table 8 Assessment of any cumulative effects of aspects of the Plan already screened in individually

	Inverness – Nairn Coastal Trail	North – South links	Landward Trail
Inverness – Nairn Coastal Trail			
North – South links			
Landward Trail			

	Not applicable
	No likely significant effect
	Likely Significant Effect

Table 8 shows, that there are likely cumulative effects of the North – South links with the Coastal Trail. The estimated use of the coastal trail have indicated that there may be an increased number of shorter walks for north-south links as these can be used in combination with the coastal trail to provide shorter walks rather than walking the full length of the Coastal Trail. The estimated useage of the Coastal Trail has allowed for those accessing via the North-South Links as well as those walking the full length of the coastal trail and starting at each end.

Any in combination effects of the aspects of the plan which have been screened out individually as unlikely to have a significant effect with those screened in are also assessed. This is shown in Table 9 below. This has been carried out because there may be adverse effects on a European site's integrity which go unidentified otherwise. The earlier screening of the 'Tourist Trail' and 'Green Network General Principle 1' identified no LSE when these were appraised cumulatively against each other – (see Screening step 2 above). However they both also need to be appraised against the aspects of the Plan which have been screened in as having a LSE individually to see if there are any cumulative effects arising, in addition to the effects already identified.

Table 9 Assessment of any cumulative effects of aspects of the Plan already screened in individually with other relevant aspects of the plan

	'Development should contribute positively to creation, maintenance and	Tourist Trail

	enhancement of the Green Network'	
Coastal Trail		
North – South Links		
Landward Trail		

	Not applicable
	No likely significant effect
	Likely Significant Effect

This identifies that the Landward Trail has a cumulative LSE with the Tourist Trail due to both these trails passing through Cawdor, which is very close to Cawdor Wood SAC. Although this additional connectivity has been identified, it is concluded that there would not be any adverse effects on site integrity here due to the nature of the site, and the assumed small increases of people using the woods for recreation.

References

Austin, G E & Rehfisch, M M (2005). Shifting non-breeding distributions of migratory fauna in relation to climatic change. Global Change Biology 11, 31–38.

Peters, K A & Otis, D L (2007). Shorebird roost-site selection at two temporal scales: is human disturbance a factor? Journal of Applied Ecology 44, 196-209.

Rehfisch M.M., Insley, H & Swann, B (2003). Fidelity of overwintering shorebirds to roosts on the Moray Basin, Scotland: implications for predicting impacts of habitat loss. Ardea 91(1): 53-70.

Swann, Bob, North of Scotland Ornithological Services. (2007). Moray Firth Wildfowl & Wader Roosts. Scottish Natural Heritage Commissioned Report No.252 (ROAME No. F098LG02).

Table 10. Summary table of proposed monitoring

Section	Proposal	Duration	Delivered by
General	Co-ordination of available information from various sources e.g. Highland Ringing Group, Whiteness, Delnies, BTO etc – This will inform the structure and length of a monitoring programme, the finals details of which should be agreed by THC in consultation with SNH. Pre- during and post- construction monitoring WeBS surveys extended to include September, October, November, December, January, February and March WeBS surveys to incorporate observations on people walking past the sites and bird reactions Research should be done to determine movements of birds around the Firth in relation to disturbance Programme of people counters to establish visitor numbers		
Fort George - Whiteness	Monitoring programme to be established as part of Access Management Plan		

Carse of Delnies	Programme of people counters to establish visitor numbers Integrate with Whiteness monitoring programme		
Nairn Bar	Collate available information on birds and habitat Agree monitoring programme		

If monitoring indicates that there are still adverse effects on the sites, further mitigation will be identified and put in place, having carried out a further HRA.

7. Conclusions

Pending representations from Scottish Natural Heritage, The Highland Council concludes that subject to mitigation measures and modification to the plan that there will be no adverse affects on the European sites.

Table 1 of The Green Networks Supplementary Guidance now reads:

The coastal trail will follow the line of the coast between Inverness and Nairn and connect with the paths through Culbin Forest to link up with the Moray Coast Trail in Forres. It will be accessible to walkers, cyclists and horse riders.

Section Name	Description	Remarks	Opportunities	Recommendation and Mitigation
Inverness City Centre to Coast (2.7km)	Inverness to Old A96	Potential for linkages between Inverness and City Centre via Proposed Campus at Beechwood.	NCN 1 & 7 to Old A96. Linkages via proposed Beechwood Campus.	Deliver Coastal Path through planning agreement. Explore opportunities for route between Inverness City Centre and Beechwood.
Seafield (2.04)	Old A96 to Milton underpass	Existing old tarmac road. Poor links to Inverness Retail and Business Park. A96 is a barrier No links to city	Existing route that is well-used locally. Develop formal link to IRBP through core paths implementation programme. UHI Beechwood links may emerge.	Deliver through core paths implementation. Deliver spurs through planning agreements. Managing access to the foreshore using a 2km long 1100mm high post and wire fence with rylock between the sea and old road Planting a dense, mixed species screening hedge along the same line that will screen and help manage access to the foreshore. Planting to be along the length of the route with prickly, wildlife-friendly, native shrubs – gorse, buckthorn, hawthorn, dog rose etc. The shrubs will take 5 to 10 years to grow to a reasonable size so it is of key importance that they are planted as soon as possible. This will involve repairing the sea wall – fence and planting to go on top of this. Undertake all works in the summer months – (end April to beginning of October)

				Directly address negative desire lines, including discouraging access to the shore at Milton of Culloden. Interpretation and strategic education and awareness programme highlighting the issues on this section of coast. This would be co-ordinated by The Highland Council's Planning and Development Service. Local PR campaign to promote responsible access targeted especially at visitors and residents of Milton of Culloden. This would be co-ordinated by The Highland Council's Planning and Development Service in partnership with Scottish Natural Heritage 3-sided vandal-resistant hide to encourage wildlife watching All mitigation should be place before the route is promoted and the pedestrian bridge installed over the A96.
Milton (0.53)	Milton underpass to level crossing	Existing adopted road Householders to consider Level crossing use may be resisted by Network Rail	Already used by walkers	Use this section
Works (0.7)	Milton level crossing to Allanfearn level crossing	Difficult section; access to shore down past houses, sewage works are a barrier to shoreline access and rail side path.	Railway, A96 and works are barriers Work being done to secure roadside path	Secure roadside path to Allanfearn junction via Transport Scotland
Alturlie (3.44)	Allanfearn level crossing to Lonnie	Level crossing use may be resisted by Network Rail	Using quarry stone	Leave shore road at approximately NH713484 and follow fence line to NH717487 heading on to NH721490. From there the trail will be set back from the shore by approximately

				250m. Exact line will be finalised by THC in consultation with SNH. Fully assess options re parking location and size, bin placement and alternative path location here. Act on findings so that there will be no significant effect on SPA birds. Investigate methods for managing access during high tide and implement where practicable. Interpretation and strategic education and awareness programme highlighting the issues on this section of coast. This would be co-ordinated by The Highland Council's Planning and Development Service. Local PR campaign to promote responsible access targeted especially at visitors during high tide co-ordinated by The Highland Council's Planning and Development Service in partnership with Scottish Natural Heritage Before the indicative route (as shown on the map on page 29) is finalised on the ground it should be walked and the exact line agreed by an experienced observer. This should be done at high tide to check that it is far enough from the coast to prevent disturbance. It is likely that birds use these fields during extreme high tides. Ensure route of path is sufficiently far from the roost sites (including lower fields) to ensure roosts are protected from disturbance. The final route should be approved by THC in consultation with SNH. Provide opportunities to see the coast and coastal birds from natural and built hides. Any hide

				on the shore line will need to be well screened to prevent disturbance. Promote responsible access and provide interpretation about the coast, including birds at the hide. Manage car parking at Alturlie
Castle Stuart (3.58)	Lonnie to Fisherton	Will be delivered as part of planning condition for Castle Stuart Golf Course Date of delivery uncertain Specifications, route and signposting secured		Confirm delivery and discharge of conditions Before the indicative route (as shown on the map on page 29) is finalised on the ground it should be walked and the exact line agreed by an experienced observer. This should be done at high tide to check that it is far enough from the coast to prevent disturbance. It is likely that birds use these fields during extreme high tides. Ensure route of path is sufficiently far from the roost sites (including lower fields) to ensure roosts are protected from disturbance. The final route should be approved by THC in consultation with SNH. Provide opportunities to see the coast and coastal birds from natural and built hides. Any hide on the shore line will need to be well screened to prevent disturbance. Promote responsible access and provide interpretation about the coast, including birds at the hide. Manage car parking at Petty
Fisherton (4.6)	Fisherton to Ardersier	Shoreline path between Fisherton and Wester Kerrowgair only Old link path into Westerton	Shoreline path possible. Agreement and accommodation works may be required	Secure path agreement Between Wester Kerrowgair/Dalcross and Arderseir siting path to avoid the coast and foreshore and the fields behind the shoreline, i.e.

		Some good quality grazing. Some whin-covered Short section of roadside may be needed at Ardersier opposite Milton of Connage	Traffic-free links to airport and business park	avoiding all the land at the base of the raised shoreline between these points. Path here to be a shrub screened roadside path on the top of the raised shoreline, on seaward side of the road. Path to cross by Connage dairy to southeast side of road to avoid house with a roadside frontage and well-used field behind. Ensure good quality and quantity of open space provision as part of village expansion
Ardersier (2.1)	Ardersier village	Roadside footway and shoreline path through village Lanes linking back to B9039	Tourism Improved links to Fort George Traffic free access to Fort George	Adopt existing paths as part of Coastal Path Signpost lanes to village centre
Fort George (1.55)	Ardersier village to east end of MoD land	Existing path part way Shingle beach for most Important site for butterfly conservation and water sports Looped shorter path options used by community and visitors	Community interest in delivering remaining path to Fort George by Highland Core Path Improvement Project Secure links back to road through planning agreements with Scottish Water	Assist community deliver this section Identify sensitive sites for breeding birds within Carse Wood and take into consideration in selecting route Route to be selected using quiet roads and forest tracks away from the coast Avoid Defence Estates property that will be closed from time to time In event of residential development at Whiteness pursue open space provision and delivery of the approved Access Management Plan
Carse of Ardersier (4.43)	MoD land to Carse of Delnies	Limited access when MoD site not in use Attractive but often inaccessible shoreline Conservation	Secure path through Whiteness Head development Use quiet and	Planning agreement – Whiteness Head Liaison with MoD and Cawdor re forest tracks TECS for quiet roads.

		interests – over-wintering birds Quiet roads, forest tracks	forest roads	
Carse of Delnies (4.0)	Carse of Delnies to Altonburn Hotel	High conservation interest – breeding birds and SSSI Managing access away from spit Nairn Golf Club Existing path network Mixed use demand will include horses	Delnies development presents planning agreement opportunities Expansion of Nairn Golf Club	Delivered as part of Delnies development Deliver shoreline route with planning agreement with Nairn Golf Club Incorporate the Coastal Trail into a jointly approved Delnies Access Management Plan Identification of route should be at a distance from Saltmarsh, breeding, roosting and feeding sites (distance to be agreed as part of Delnies AMP) Ensure the identification and delivery of a comprehensive network of paths including signage and interpretation as appropriate in the Delnies AMP. Ensure that good quality open space is provided as part of the developments Make sure that good quality open space is provided as part of the developments
Altonburn (1.08)	Altonburn Hotel to Nairn promenade	Existing path network	To secure aspirational shoreline path	Deliver shoreline route with planning agreement with Nairn Golf Club
Nairn (3.66)	West end of Nairn promenade to Kingsteps	Existing path network		Adopt as part of Coastal Path Not expanding the car parking at Nairn East Beech.
Culbin West (6.5)	Kingsteps to Moray boundary	Existing core path network Conservation concerns about increased use by coast Links to Moray	Use existing paths Develop alternative inland links with Forestry Commission	Coastal Trail to follow a line inside the forest from Kingsteps THC in partnership with RSPB, FCS and SNH to build on existing visitor management arrangements including Explore Culbin. This will include

		Coastal Path	Scotland	promoting responsible access encouraging visitors to use less sensitive areas (with reference to both birds and habitats). Not expanding the Kingsteps or the Nairn East Beach car parks Tackling of user specific issues especially re habitat damage caused by mountain bikers and horse riders. Also, work with police re groups not covered by SOAC including quad riders and motocross bikers.

General Mitigation

- The quality and quantity requirements of the Open Space Supplementary Guidance should be met and assessed for their suitability as Suitable Alternative Natural Greenspace.
- The location, provision and management of SUDS for developments should be considered as possible feeding and roosting sites for waders**.** This is especially relevant where they are immediately adjacent to the coast (i.e. within 500m).

Monitoring of Mitigation

To ensure that the mitigation is effective and that there is no significant adverse impact on the qualifying features of the European designated species, a monitoring programme will be required for the coastal trail. This monitoring programme will include the following elements and will be agreed with THC in consultation with SNH.

- Pre- during and post- construction monitoring along the entire length of the route to an agreed methodology between The Highland Council, Scottish Natural Heritage and with advice from the Highland Ringing Group.
- WeBS surveys extended to include September, October, November, December, January, February and March
- WeBS surveys to incorporate observations on people walking past the sites and bird reactions
- Research should be done to determine movements of birds around the Firth in relation to disturbance
- Programme of people counters to establish visitor numbers

Table 11. Conclusions

Policy	Reason for change	Change to plan
Green Networks – Interim Supplementary Guidance		
Realising the potential of the Inverness – Nairn Coastal Trail as well as a Landward Trail, north-south connections between the Trails and a tourist trail.	To safeguard European sites and reflect legal requirements, including that an appropriate assessment be carried out where it is likely that proposed development will have a significant effect on a European site. To reflect the strong legal protection to European sites and process of consideration of this proposal.	To incorporate mitigation, management and monitoring into the development and costs of the proposals.