voltalia

CRUACH CLENAMACRIE WIND FARM

APPENDIX 10.7 HABITAT REGULATIONS APPRAISAL

RESPONSIBILITIES

	DATE	NAME	FUNCTION
Elaboration	13/09/2024	Claire Hopkins	Technical Review
Validation	16/09/2024	Sarah Kydd	Technical Approval
Approval			

REVISION HISTORY

VERSION	DATE	AUTHOR	COMMENTS
00.00	16/09/2024	Robbie Watt and Georgina Walsh	First Issue to Client
00.01	11/10/2024	Georgina Walsh	Second Issue to Client
00.02	06/11/2024	Alastair Miller	Third Issue to Client

CONTENTS

1 INTRODUCTION

1.1 Background

Voltalia UK Ltd (hereafter referred to as 'the Applicant') is proposing to apply to the Scottish Ministers under Section 36 of the Electricity Act 1989[1] to construct and operate the Cruach Clenamacrie Wind Farm (hereafter referred to as 'the Proposed Development'). The location of the Proposed Development is approximately 7 kilometres (km) east of Oban, in Argyll and Bute, approximately 3km south of the A85 shown in **Figure 10-7-1**, and further described in **Section 2.**

The Habitat Regulation Appraisal (HRA) is required to assess potential impacts upon European Sites of nature conservation interest from the construction and operation of the Proposed Development.

1.2 The Habitats Regulations

In Scotland, the Scottish Parliament passed the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 (hereafter the Continuity Act), meaning that Scottish legislation in relation to devolved matters – including environmental matters - remains aligned with EU law. As such, the Conservation (Natural habitats &c.) Regulations 1994 (as amended) ('the Habitats Regulations'), which transposed European Council Directive 92/43/EEC 'the Habitats Directive' into Scottish law applies to plans and projects that may have significant effects on sites designated under the Habitats Directive and the Wild Birds Directive (Council Directive 79/409/EEC). Sites designated under the Directives include Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).

Under the fourth National Planning Framework (NPF4)[2] which came into effect in February 2023 and now supersedes all previous planning policy in Scotland, the effects of plans and projects on candidate SACs and proposed SPAs, and Ramsar Sites (Wetlands of International Importance under the 1971 Ramsar Convention), should also be assessed. For the purposes of this report these sites will be referred to collectively as European Sites.

The Habitats Regulations place a duty upon 'Competent Authorities'[3], to consider the potential for effects upon European Sites prior to granting consent for projects or plans. Should Likely Significant Effects (LSEs) be identified by the initial screening process it is necessary to further consider the effects by way of an 'Appropriate Assessment' (AA). Overall, this process of assessment is known as HRA, and further details of the applicable legislative context are summarised below.

---

1 HM Government (1989). The Electricity Act. Available at: http://www.legislation.gov.uk/ukpga/1989/29/contents.

2 The Scottish Government (2023). National Planning Framework 4. Available at: https://www.gov.scot/publications/national-planning-framework-4/ [Accessed: May 2024].

3 The Habitats Regulations state that a Competent Authority "includes any Minister, government department, public or statutory undertaker, public body or any description, or person holding a public office". In the case of the Proposed Development the Scottish Governments Energy Consents Unit is the Competent Authority.

1.3 Legislative Context

Article 6 (3) of the Habitats Directive sets out the need for AA of plans or projects that have potential to affect the integrity of European Sites (referred to as 'Natura 2000 sites in the Habitats Directive), as follows:

'Any plan or project likely to have a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects, shall undergo an Appropriate Assessment to determine its implications for the site. The competent authorities can only agree to the plan or project after having ascertained that it will not adversely affect the integrity of the site concerned' (Article 6(3)).

As the purpose of the Natura 2000 network is the preservation of examples of species and habitats across Europe, rather than preservation of individual sites, Article 6(4) allows for exceptional circumstances where negative effects may be permitted. This reads:

'In exceptional circumstances, a plan or project may still be allowed to go ahead, in spite of a negative assessment, provided there are no alternative solutions and the plan or project is considered to be of overriding public interest[4]. In such cases the Member State must take appropriate compensatory measures to ensure that the overall coherence of the Natura 2000 network is protected.' (Article 6(4)).

Regulation 48 (1) of the Habitats Regulations states that *'A Competent Authority, before deciding to undertake, or give any consent, permission or other authorisation for a plan or project which —*

(a) is likely to have a significant effect on a European Site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site,

— must make an Appropriate Assessment of the implications for that site in view of that site's conservation objectives.'

Like the Habitats Directive, the Habitats Regulations also make allowance for projects or plans to be consented if they satisfy 'imperative reasons of overriding public interest' (IROPI). Regulation 49 relates to such situations.

The Competent Authority is required to consult with NatureScot (the statutory nature conservation body in Scotland) in all cases where an AA is required.

[4] An exact definition of 'imperative reasons of overriding public interest' is not provided, but European Commission (EC) guidance states 'It is reasonable to consider that the "imperative reasons of overriding public interest, including those of social and economic nature" refer to situations where plans or projects envisaged prove to be indispensable:

- within the framework of actions or policies aiming to protect fundamental values for the citizens' life (health, safety, environment);
- within the framework of fundamental policies for the State and the Society;
- within the framework of carrying out activities of economic or social nature, fulfilling specific obligations of public service.'

1.4 Stages of Habitats Regulations

Guidance on the Habitats Directive sets out the stepwise approach which should be followed to enable Competent Authorities to discharge their duties under the Habitats Directive and provides further clarity on the interpretation of Articles 6 (3) and 6 (4). The process used is usually summarised in four distinct stages of assessment:

- Stage 1: Screening Assessment: the process which identifies whether effects upon a European Site of a plan or project are possible, either alone or in combination with other plans or projects and considers whether these effects are likely to be significant (i.e. LSE).
- Stage 2: Appropriate Assessment: the detailed consideration of the effect on the integrity of the European Site of the plan or project, either alone or in combination with other plans or projects, with respect to the site's conservation objectives and its structure and function.
- Stage 3: Assessment of alternative solutions: the process which examines alternative ways of achieving the objectives of the plan or project that avoid adverse effects on the integrity of the European Site.
- Stage 4: Assessment where no alternative solutions exist and where adverse effects remain: an assessment of whether the development is necessary for IROPI and, if so, of the compensatory measures needed to maintain the overall coherence of the European Site network.

1.5 Guidance

In undertaking this HRA, the following guidance was referred to:

- European Commission guidance on HRA methodology (European Commission, 2022)[5], the precautionary principle (European commission, 2000)[6], managing Natura 2000 sites (European Commission, 2019)[7] and wind energy infrastructure specific guidance (European Commission, 2020)[8].
- The Habitats Regulations Assessment Handbook (Tyldesley, D & Chapman, C, 2013)[9]; and
- NatureScot guidance on assessing connectivity with Special Protection Areas (SNH, 2016)[10].

Further guidance and reports are referred to in this HRA Report where required in relation to specific technical aspects of the assessment.

[5] European Commission (2022). Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.
[6] European Commission (2000) Communication from the Commission on the Precautionary Principle.
[7] European Commission (2019) Managing Natura 2000 Sites, the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
[8] European Commission (2020). Guidance document on wind energy developments and EU nature legislation.
[9] Tyldesley,D & Chapman, C (2013). DTA Publications Limited.
[10] SNH (2016). Assessing connectivity with Special Protection Areas.

2 PROPOSED DEVELOPMENT

The Proposed Development spans approximately 9.39 hectares (ha) and consists of:

- Six, three-bladed horizontal axis wind turbines, up to 200m in tip height and of 7.2MW each;
- 20MW Battery energy storage system (BESS) containers located adjacent to the substation compound;
- New and upgraded access tracks, passing places and turning heads;
- Hardstanding areas for cranes at each turbine location;
- Turbine foundations;
- Drainage works;
- two borrow pits;
- Power cables, linking the wind turbines, laid in trenches underground, including cable markers;
- An on-site electrical substation, parking, and a small storage compound;
- Temporary laydown areas;
- Temporary construction compound, including parking, and welfare facilities; and
- Associated ancillary works.

A full description of the Proposed Development is provided in the Environmental Impact Assessment (**EIA) Report Chapter 5: Project Description** and illustrated in **Figure 10.7.1**.

3 STAGE 1 SCREENING ASSESSMENT

3.1 Screening Process

The screening assessment will determine whether the Proposed Development presents any LSEs on the qualifying interests of the relevant designated sites, and therefore whether an assessment of effects on the integrity of the sites is required. To determine which European Sites are relevant to the Proposed Development and require consideration within the HRA, it is necessary to understand:

- What types of activities may be associated with the construction and operation of the Proposed Development;
- The geographic extent over which the potential effects could manifest as a result of these activities, i.e. the Zone of Influence (ZoI) for each of these effects;
- The ecological baseline at the site of the Proposed Development and within the ZoI; and

The qualifying features of European Sites that lie within the ZoI for these effects (and associated functionally linked habitats where applicable), and their sensitivity to the potential effects.

Table 3-1 - Potential Impacts during Construction

ACTIVITY	POTENTIAL IMPACT	POTENTIAL EFFECT	GEOGRAPHIC EXTENT
HABITAT LOSS			
Cable excavations and permanent hard standing and access tracks. Creation and use of temporary access tracks and working areas. Groundworks. Construction of buildings.	Permanent loss of habitat under the footprint of the Proposed Development. Temporary loss/degradation of habitats under temporary working areas.	Loss/degradation of habitat / habitat used by qualifying species could also occur in areas adjacent to the Proposed Development due to disruption of supporting hydrological pathways, introduction and/or spread of non-native plant species and/or the release of dust. Excavation of soil and bedrock during the construction phase of the Proposed Development has the potential to cause localised disruption and interruption to groundwater flow. Interruption of groundwater flow could potentially reduce the supply of water to Groundwater Dependent Terrestrial Ecosystems (GWDTE), thereby causing an alteration/change in the quality or quantity of and/or in the physical or biological characteristics of the GWDTE.	Direct or indirect loss or damage to habitat within a European Site or functionally linked habitat supporting qualifying features. The ZoI for indirect effects via surface water is any habitat located downstream of watercourses that cross or are directly adjacent to the Proposed Development. GWDTE are assessed by SEPA up to 250m away from excavations of greater than 1m.
Injury or Mortality			
Installation of permanent and temporary infrastructure	Direct mortality of qualifying features due to road traffic collisions or entrapment in excavations.	As a worst case this impact could result in direct mortality of dependent young/chicks of qualifying species (e.g., birds and otter) due to abandonment of eggs/dependent young.	The Proposed Development (extent of the works areas).
Disturbance and Displacement			

ACTIVITY	POTENTIAL IMPACT	POTENTIAL EFFECT	GEOGRAPHIC EXTENT
HABITAT LOSS			
Construction activity including use of plant and presence of workforce.	Visual and acoustic disturbance from the movement and operation of plant, equipment, construction vehicles and personnel.	Disturbance of qualifying species resulting in a reduction of energy intake and / or an increase in energy expenditure. Displacement (caused by disturbance) could prevent qualifying species from accessing otherwise suitable habitat. Disturbance and displacement could potentially lead to a reduction in survival or productivity rates.	The Proposed Development (extent of the works areas).
Changes to Water Quality			
Use of chemicals (for example fuels, solvents, concrete etc.) and the release of fine material (for example through excavation) into watercourses and waterbodies.	Impacts on freshwater through the release of sediment and hydrocarbons during work activities.	The introduction of toxic pollutants or sediments leading to direct effects (e.g. poisoning) or indirect effects (e.g. through impacts on prey species, water visibility or impacts on habitats) on qualifying features of European Sites.	European Site habitat or functionally linked habitats that are hydrologically connected to water bodies within the same catchment and downstream of the Proposed Development. The ZoI for this impact was assessed as a minimum of 5 km downstream of the Proposed Development. Where there is connectivity to SPAs supporting certain bird species (such as Greylag Geese), this distance is increased to 20 km.

Table 3-2 - Potential Impacts during Operation

ACTIVITY	POTENTIAL IMPACT	POTENTIAL EFFECT	GEOGRAPHIC EXTENT
Injury or Mortality – Collision			
Wind farm Operation	Death/injury to birds due to collision with turbines	Potentially affecting recruitment and population growth/stability.	The Proposed Development (extent of the works areas).
Displacement			
Wind farm Operation	Displacement from otherwise suitable habitat through avoidance of the operation wind farm.	The operational wind farm could act also as a barrier preventing individuals/ populations travelling between habitats of importance (e.g. between breeding and foraging sites)	The Proposed Development(extent of the works areas).
Disturbance/displacement			
Wind farm Operation	Disturbance/displacement of qualifying species from the Site and adjacent areas from an increase in recreational activities (e.g. waking/ cycling/ fishing) due to improved access to the area via wind farm access tracks.	The operational wind farm could act also as a barrier preventing individuals/ populations travelling between habitats of importance (e.g. between breeding and foraging sites).	The Proposed Development (extent of the works areas).

4 SUPPORTING INFORMATION

4.1 Introduction

A desk top study and suite of ornithology and ecology surveys were undertaken in 2022 and updated in 2024 to inform the EIA and HRA for the Proposed Development. Methodology and results of relevance to this HRA are detailed below. Based on the identified European Sites' qualifying features (as detailed in **Table 4.2**) and potential impacts (see **Table 3-1** and **Table 3-2)** it is considered that only data for otter, golden eagle and habitats are of relevance to this HRA.

4.1.1 Desk Study

A review of the existing ecological baseline information was undertaken. This was obtained from the public domain. A search for European Sites was undertaken within a minimum of 10 km of the Proposed Development (extended to 20 km for SPAs with goose qualifying interests (specifically pink-footed and greylag goose due to ranging distances[9]). This search area was deemed proportionate based on the location of the Proposed Development[11] and the type and magnitude of potential impacts from the Proposed Development (**Table 3-1** and **Table 3-2**). European Sites within these search parameters are thus considered potentially to be within the Proposed Development's Zone of Influence (ZoI) and/or connected to the Site due to mobile qualifying interests.

Eight European Sites were located within the above search parameters. Information for the European Sites is shown in **Table 4-2** below and their location relative to the Proposed Development is shown in **Figure 10-7-2**. All information in **Table 4-2** is taken from NatureScot's Site link website[12] except for population estimates for ornithological qualifying species which are taken from the most recent estimates provided by the Joint Nature Conservation Committee[13].

[11] The Site is located inland and therefore has no connectivity to wide-ranging species groups such as marine mammals and seabirds.

[12] NatureScot (2023). Sitelink. Available online: https://sitelink.nature.scot/home. [Accessed May 2024].

[13] Stroud, D.A., Bainbridge, I.P., Maddock, A., Anthony, S., Baker, H., Buxton, N., Chambers, D., Enlander, I., Hearn, R.D., Jennings, K.R, Mavor, R., Whitehead, S. & Wilson, J.D. - on behalf of the UK SPA & Ramsar Scientific Working Group (eds.) 2016. The status of UK SPAs in the 2000s: the Third Network Review. [c.1,108] pp. JNCC, Peterborough.

Table 4-1 Surveys undertaken of Proposed Development

Species	Survey Area	Date surveys undertaken
Otter	200m from the Proposed Development (access tracks and turbine locations)	October 2022, updated May 2024
Golden Eagle	Proposed Development and surrounding area	April 2021 and were completed in February 2023, with the compilation of 23 months of survey effort. The surveys covered the 2021 and 2022 breeding seasons (taken from March to August inclusive) and the 2021/22 and 2022/23 non-breeding seasons (taken as September to February inclusive).

4.1.2 Field Surveys

All surveys were undertaken by a WSP Consultant Ecologist capable of surveying that site and species. For a list of all surveys undertaken and the buffers used see below, and for more detail on methodology and results of the surveys not included in this report see ***Chapter 10***.

4.1.2.1 Habitats

A UKHab survey was undertaken of the Survey Area on the 22nd - 24th June, 12th - 14th and 19th – 20th October 2022 of the Proposed Development. The 'Survey Area' comprised the Developable Area and 250m buffer. The Developable Area was defined as a 10m buffer to the turbine layout within the Proposed Development.

4.1.2.2 Otter

Otter surveys were undertaken in October 2022, updated May 2024 of the Proposed Development and the buffer. An otter survey was undertaken along the banks of the watercourses within 200 m of the Proposed Development. The survey followed best practice guidelines (Chanin, 2003a and b and NatureScot, 2020a). The surveys involved conducting a thorough visual inspection of the banks and immediate vicinity for otters or their field signs. Otter field signs included:

- Resting sites - including temporary and permanent sites;
- Prints - characteristic footprints often observed in soft ground and muddy areas;
- Spraints - otter faeces that may be used to mark territories, often observed on in-stream boulders. They can be present within or outside the entrances of holts and couches. Spraints have a characteristic smell and often contain fish remains. Features with two or more spraints of mixed age are considered to be spraint sites, with signs of regular use;
- Anal jelly - like spraint often observed on prominent in-stream boulders;

- Feeding signs - remains of prey items may be found at preferred feeding stations. Remains of fish, crabs, or skinned amphibians can indicate the presence of otter;
- Paths - terrestrial routes that otters can take when moving between resting sites and watercourses, or at high flow conditions when they will travel along bank sides in preference to swimming; and
- Slides and play areas - typically worn areas on steep slopes where otters slide on their front, often found between holts/couches and watercourses. Play areas are used by juvenile otters and are often evident by trampled vegetation and the presence of slides. These are often in sheltered areas adjacent to natal holt.

Terminology used for resting sites is as follows:

- Resting site - collective term for holts and couches;
- Potential resting site - a site considered to provide suitable resting habitat together with inconclusive signs of use or potential use;
- Holt - an underground, resting site, often underneath heather root matrices or within tree roots;
- Couch - an above-ground resting site that can be used for sleeping or grooming;
- Breeding site - a term used to identify an area of land in which otters breed, within which a natal holt (see below) is located;
- Natal holt - a discrete holt that is used by the female to birth the cubs and where they can remain for up to three months; and
- Nursery area - an area within a breeding site with high levels of activity associated with cubs. Holts within these areas are considered unlikely to be the primary natal holts where cubs are born.

4.1.2.3 Ornithology

Ornithological surveys of the Site and surrounding area commenced in April 2021 and were completed in February 2023, with the compilation of 23 months of survey effort. The surveys covered the 2021 and 2022 breeding seasons (taken from March to August inclusive) and the 2021/22 and 2022/23 non-breeding seasons (taken as September to February inclusive). Additionally, surveys of the proposed access route through Fearnoch Forest are being conducted throughout the 2023 breeding season. Surveys focused on a number of species, including golden eagle.

4.1.2.3.1 Flight Activity Surveys

A programme of flight activity surveys has been undertaken from a single vantage point (VP) overlooking the Proposed Development and surrounding 500m; located at Deadh Choimhead Ordnance Survey grid reference NM 94725 28716. Surveys have been completed to achieve a minimum of 36 hours of survey effort over the 2021 and 2022 breeding seasons and the 2021/22 and 2022/23 non-breeding seasons and

have followed the methods set out in NatureScot's standard survey guidance for onshore wind farms (SNH, 2017[14]).

4.1.2.3.2 Scarce Breeding Bird Surveys

Scarce Breeding Bird Surveys have been completed over the 2021 and 2022 breeding seasons. Surveys for scare breeding raptor surveys, including golden eagle, were undertaken across the Proposed Development site and a surrounding buffer of up to 2km in accordance with standard survey guidance (Hardey et al., 2013[15])

The surveys involved a minimum of four survey visits conducted between April and July in each year, with additional walkovers conducted in March 2022 for early display activity by hen harrier. Additionally, surveys have been undertaken for scarce raptors in relevant areas of suitable habitat used for foraging or hunting within 1 km of the access track in 2023 including vantage point (VP) watches from strategic locations overlooking Fearnoch Forest.

4.1.2.3.3 Golden Eagle Surveys

Throughout the 2021 breeding season, and in March 2022, dedicated eagle surveys were undertaken to determine the presence of and signs of breeding activity by golden eagle in the wider area surrounding the Proposed Development. The surveys were conducted from the same hill from which the flight activity surveys were undertaken (Deadh Choimhead) but looking due south and east in the opposite direction from the Site, towards areas of habitat with the highest suitability for eagles (i.e. across Fearnoch Forest and south of Glen Lonan including towards Glen Nant). These surveys involved using a telescope to scan for the presence of birds up to 6km from the Site.

4.2 Results

4.2.1 Habitats

Habitats within the Proposed Development area are predominantly blanket bog and degraded blanket bog but also include wet heathland, purple moor-grass and rush pastures, bracken, dry heath and woodlands as well as standing and running water. The wider Survey Area included the same habitats as well as mixed and coniferous plantation woodlands. The plant species recorded are moderately diverse, although considered to be predominantly common and widespread. With the exception of the bracken and plantation woodland, all of the habitats identified within the Survey Area are priority habitats including Annex I habitats, SBL priority habitats or identified in the Argyll and Bute LBAP habitat action plans. The majority of the Site sits on Class 2 deep peat[16]. The peat-based habitats at the Proposed Development, including blanket bog

[16] https://soils.environment.gov.scot/

[16] https://soils.environment.gov.scot/

[16] https://soils.environment.gov.scot/

(and degraded areas), wet heath and possibly purple moor-grass and rush pastures, are considered irreplaceable given the significant length of time over which they have formed.

4.2.2 Otter

The closest evidence of otter to the Proposed Development was two otter spraints recorded beyond the Proposed Development, one under a bridge (TN38) located 180m from the proposed access track, and another adjacent to the proposed access track (TN45) located 240m from the proposed access track. Suitable resting features (TN7) were also identified along the water courses that are located within the Proposed Development in the northeastern limit, on the boundary to the west of the Proposed Development. These potentially suitable resting features were identified along an unnamed tributary burn of the Eas nam Meirleach approximately 50 m north of the Proposed Development (access track to Turbine 5). These are presented within **Figure 10.2.1** of **Appendix 10.2**. Given the connectivity to the wider area through the Allt an t-Sean-achaidh and Eas nam Meirleach, the habitat is suitable for resting sites, foraging and commuting by otter.

4.2.3 Golden Eagle

4.2.3.1 Flight Activity Survey

A single Golden Eagle flight was recorded over the north-west boundary of the Proposed Development site during the flight activity surveys in 2021.

In 2022, six golden eagle flights were recorded over and around the Site (i.e. within 500m). These involved at least three different birds including a single adult bird and two separate observations of two sub-adult birds. Only a very small number of golden eagle flights were recorded over and around the Site during flight activity surveys in the two non-breeding seasons covered during the survey programme.

4.2.3.2 Scarce Breeding Bird and Eagle Surveys

There was no evidence that golden eagles were breeding within, or in close proximity to the Proposed Development. Indeed, the habitat within and immediately surrounding the Proposed Development is largely unsuitable for breeding golden eagles with negligible nesting opportunities, although the Site does offer foraging/hunting potential. Eminently more suitable habitat is located over 3km south of the Site, south of Glen Lonan.

The dedicated wide-ranging eagle surveys undertaken in 2021 only recorded a single bird which was observed flying east over high ground approximately 4km south of the Site in April. During the dedicated eagle surveys undertaken in March 2022, a total of 13 golden eagle flights were recorded. Most of these flights were located over 3km south of the Site and involved up to two adults which were assumed to be a territorial pair. Only one of the observed flights came into proximity to the Site; this involved a single adult bird which flew around the southern and eastern peripheries of the Site.

Table 4-2 – European Site Information

EUROPEAN SITE NAME AND DISTANCE FROM SITE	QUALIFYING INTERESTS	CONSERVATION OBJECTIVES	CONDITION ASSESSMENT	NEGATIVE PRESSURES
Loch Etive Woods SAC 170 m west of the Proposed Development access track. A further two SAC land parcels are located approximately 330 m and 410 m north of the Site within the Planning Application Boundary.	Qualifies for supporting the following Annex I habitats: Alluvial forests with *Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion alvae)* (hereafter 'Alder woodland on floodplains'); Old sessile oak woods with *Ilex* and Blechnum in the British Isles (hereafter 'western acidic oak woodland'); and *Tilio-Acerion* forests of slopes, screes and ravines (hereafter 'mixed woodland on base-rich soils associated with rocky slopes') Qualifies for supporting the following Annex II species: Otter *Lutra lutra.*	Overarching Conservation Objectives for all habitat qualifying features: • To ensure that the qualifying features of Loch Etive Woods SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status; • To ensure that the integrity of Loch Etive Woods SAC is restored by meeting objectives 2a, 2b and 2c for all qualifying features[17]. Conservation objectives for otter: • To ensure that the qualifying features of Loch Etive Woods SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status. • To ensure that the integrity of Loch Etive Woods SAC is restored by meeting objectives 2a, 2b and 2c: • Maintain the population of the species as a viable component of the site;	Alder woodland on floodplains - Unfavourable Recovering. Western acidic oak woodland - Unfavourable Recovering. Mixed woodland on base-rich soils associated with rocky slopes - Favourable Declining. Otter -Favourable maintained.	Alder woodland on floodplains – Over grazing. Western acidic oak woodland – Over grazing. Mixed woodland on base-rich soils associated with rocky slopes – overgrazing and invasive species. Otter – Forestry operations.

[17] Ful details on conservation objectives available in NatureScot (2020) Loch Etive Woods Special Area of Conservation (SAC) – Conservation Advice Package. Available online: file:///C:/Users/UKGMW003/Downloads/Conservation_Advice_Package_8295%20(4).pdf

EUROPEAN SITE NAME AND DISTANCE FROM SITE	QUALIFYING INTERESTS	CONSERVATION OBJECTIVES	CONDITION ASSESSMENT	NEGATIVE PRESSURES
		• Maintain the distribution of the species throughout the site; and • Maintain the habitats supporting the species within the site and availability of food.		
Inner Hebrides and Minches SAC 8 km west of the Site	Qualifies for supporting the following Annex II species: Harbour porpoise (*Phocoena phocoena*)	• To ensure that the Inner Hebrides and the Minches SAC continues to make an appropriate contribution to harbour porpoise remaining at favourable conservation status. • To ensure for harbour porpoise within the context of environmental changes, that the integrity of the Inner Hebrides and the Minches SAC is maintained through 2a, 2b and 2c: ○ Harbour porpoise within the Inner Hebrides and the Minches are not at significant risk from injury or killing; ○ The distribution of harbour porpoise throughout the site is maintained by avoiding significant disturbance; and ○ The condition of supporting habitats and the availability of prey for harbour porpoise are maintained.	Harbour porpoise – Favourable maintained	Harbour porpoise - no negative pressures
Loch Creran SAC 9.4 km north of the Site	Qualifies for supporting the following Annex I habitats: Reefs	• To avoid deterioration of the qualifying habitat (listed below) thus ensuring that the integrity of the site is maintained and the site makes an appropriate	Reefs – unfavourable declining	Reefs – Game/fisheries management, recreation/disturbance

EUROPEAN SITE NAME AND DISTANCE FROM SITE	QUALIFYING INTERESTS	CONSERVATION OBJECTIVES	CONDITION ASSESSMENT	NEGATIVE PRESSURES
		contribution to achieving favourable conservation status for each of the qualifying features; and • To ensure for the qualifying habitat that the following are maintained in the long term: ○ Extent of the habitat on site; ○ Distribution of the habitat within site; ○ Structure and function of the habitat; ○ Processes supporting the habitat; ○ Distribution of typical species of the habitat; ○ Viability of typical species as components of the habitat; and ○ No significant disturbance of typical species of the habitat.		and water management.
Glen Etive and Glen Fyne SPA 6.6 km west of the main Site access track and 8.5 km west of the Site within the Planning Application Boundary.	Qualifies under Article 4.1 by regularly supporting populations of European importance of the following Annex 1 species during the breeding season: Golden Eagle 19 pairs (4.3% of the GB population).	• To avoid deterioration of the habitats of the qualifying species or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and • To ensure for the qualifying species that the following are maintained in the longer term: ○ Population of the species as a viable component of the site; ○ Distribution of the species within the site;	Golden eagle – favourable maintained.	Golden eagle – recreation/disturbance.

EUROPEAN SITE NAME AND DISTANCE FROM SITE	QUALIFYING INTERESTS	CONSERVATION OBJECTIVES	CONDITION ASSESSMENT	NEGATIVE PRESSURES
		○ Distribution of the habitats supporting the species; ○ Structure, function, and supporting processes of habitats and species; and ○ No significant disturbance of typical species of the habitat.		

4.3 Likely Significant Effects

This section details the HRA Screening Assessment for the Proposed Development. In accordance with established case law HRA Screening Assessment comprises a 'cursory check' to establish if closer examination of possible effects is required (i.e., during an AA) or if effects self-evidently can be excluded as nil or negligible. LSEs are considered, in line with the outcome of CJEU C-323/17 People Over Wind and Peter Sweetman vs Coillte Teoranta, in the absence of mitigation or measures that are not intrinsic to the project.

Table 4-3 - Loch Etive Woods SAC Screening Assessment

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
Construction Phase	
Loss/degradation of habitats	**Habitat Qualifying Features** The Proposed Development does not directly overlap the SAC and therefore there will be no direct loss of SAC habitat. The Proposed Development is located approximately 170 m west of the SAC at its closest point (the northern section of the main access track). Within the Application Boundary the Proposed Development is located approximately 330m south of the SAC at its closet point (a different SAC land parcel to the one above). None of the qualifying habitats are dependent on ground water flows and therefore would not be affected by any disruption of these flows. Scottish Environmental Protection Area (SEPA) guidance recommends that potential impacts on GWDTE are considered to 100m and 250m from development sites for excavations up to 1m in depth and greater than 1m in depth respectively. All areas of the site, apart from the northern section of the main access track, are greater than 250m from the Proposed Development. The main access track at this location will involve an upgrade of existing forestry tracks and would not comprise excavations greater than 1m in depth. The release of dust is unlikely to impact qualifying habitats due to distance between the Proposed Development and habitats, the presence of screening features between the Site and SAC e.g. woodland, and the predominantly wet climate of the Site and soils that will limit the extent of dust released. The spread of Rhododendron is noted as negative pressure for the mixed woodland on base-rich soils associated with rocky slopes qualifying habitat. The closest works area to the SAC is 170 m west and separated by dense plantation woodland. No rhododendron was recorded within 30 m of the Site. Therefore, spread of this spread, via the transport of seeds to the SAC, is unlikely.

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
	The Alder woodland on floodplains qualifying habitat depends on hydrological conditions that lead to a high-water table, wet conditions and sufficient variation to allow channel dynamics and vegetation succession to occur. The Proposed Development crosses burns or tributary burns which subsequently flow through the SAC at three locations (watercourses identified from 1:25,000 scale Ordnance Survey mapping): The access track to Tower 6 crosses an unnamed tributary burn of the Eas nam Meirleach which flows through the SAC approximately 520m downstream of the Proposed Development at the crossing point; Main site access track crossed the Allt an Taillir which flows through the SAC approximately 680m downstream of the Site at the crossing point; and Main site access track crosses the Eas na Laraiche Moire which forms the western boundary of an SAC approximately 500m upstream of the crossing point. The SAC is comprised of numerous distinct land parcels. The SAC Conservation Advice Package states that the alder woodland on floodplain habitat is located within the following areas 'Bonawe to Cadderlie, Kennacraig to Esragan Burn, Barran Dubh, Ard Trilleachan and Glen Nant'. On review of the SAC habitat parcels hydrologically connected to the Proposed Development neither of these parcels correspond to the areas listed above and are thus not within the ZoI of the Site and would be unaffected by the Proposed Development. The drainage design comprises culverting burns at crossing points and therefore surface water flow to the SAC should be largely unaffected. In conclusion, **no LSEs from the Proposed Development** were identified on any of the qualifying habitats with respect to their conservation objectives. **Otter** As described under habitats above the Proposed Development is hydrologically connected to the SAC via three watercourses (and their tributary burns) and located approximately 170m and 330m from two SAC land parcels at the closet points to the Proposed Development. The closest evidence of otter to the Proposed Development was two otter spraints recorded beyond the Proposed Development, one under a bridge (TN38) located 180m from the proposed access track, and another adjacent to the proposed access track (TN45) located 240m from the proposed access track. Suitable resting features were also identified along the water courses (TN7) that are located in the north eastern limit and to the west of the Proposed Development. These potentially suitable resting features were identified along an unnamed tributary burn of the Eas nam Meirleach approximately 50m north of the Proposed Development (access track to Turbine 5). Given the connectivity to the wider area through the Allt an t-Sean-achaidh and Eas nam Meirleach, the habitat is suitable for resting sites, foraging and commuting by otter. However, otters are wide ranging animals, particularly males

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
	which can have home ranges extending across 32 km (NatureScot, 2024[18]). In addition, there was no evidence of usage by otter or any suitable resting features within the Proposed Development recorded during the surveys and little fish interest in the headwater streams, so habitat suitability on the Proposed Development site is deemed negligible.[19]. Evidence suggests that use of this habitat would be infrequent, if at all, and therefore it does not provide an important role in maintaining or restoring the population of qualifying species at favourable conservation status. In conclusion, **no LSEs from the Proposed Development were identified** on otter with respect to their conservation objectives.
Disturbance / displacement	**Otter** As described under loss/degradation of habitats above, habitat on and adjacent to the Proposed Development is not considered functionally linked land as it is of relatively low importance to the SAC population. The impact on this habitat would also be temporary for the duration of construction. In conclusion, **no LSEs from the Proposed Development were identified** on otter with respect to their conservation objectives.
Injury or Mortality	**Otter** As otters are not using the Site or areas adjacent to the Proposed Development direct mortality is considered highly unlikely. Collision with construction vehicles is considered unlikely, particularly as works activities would likely to further deter otter from the area and the slow speed of construction vehicles on access tracks would reduce this likelihood of collision (restricted to 15 mph). In conclusion, **no LSEs from the Proposed Development were identified** on otter with respect to their conservation objectives.
Changes in water quality	**Habitats** As described above the Proposed Development is hydrologically connected to two SAC land parcels via crossing three watercourses, and tributary burns. Potential pollutants from the Proposed Development would be limited to accidental fuel spills

[18] NatureScot (2014). Otter. Available online: https://www.nature.scot/plants-animals-and-fungi/mammals/land-mammals/otter. Date accessed: May 2024.

[19] The term 'functional linkage' refers to the role or 'function' that land or sea beyond the boundary of a European site might fulfil in terms of ecologically supporting the populations for which the site was designated or classified. Such land is therefore 'linked' to the European site in question because it provides an important role in maintaining or restoring the population of qualifying species at favourable conservation status.

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
	from plant and the release of sediment at water crossing locations. The alder woodland on floodplains qualifying habitat, which is dependent on surface water flows, is not located in the SAC parcels hydrologically connected to the Proposed Development. Any pollutants and sediment released during the works would be rapidly 'flushed' through the network of burns on site and through the SAC, to ultimately discharge in Loch Etive to the north. Accumulation of pollutants and sediment would be unlikely in the SAC and terrestrial habitats in any case are unlikely to be affected by changes in water quality of burns passing through the SAC. However, as there is a **potential pathway through the hydrological linkages, Likely Significant Effects due to Changes in Water Quality** for the qualifying habitats cannot be ruled out at this stage. **Otter** Otters require continued proximity to unpolluted open water, either freshwater or coastal. Changes to water quality can adversely affect otter habitat and prey on which they depend. However, as discussed otter are wide ranging animals. Therefore, as there is a **potential pathway through the hydrological linkages to areas used by this designated species**, **Likely Significant Effects due to Changes in Water Quality** for otters cannot be ruled out at this stage.
Operational Phase	
Collison mortality	As described above the Proposed Development and surrounding area is considered of relatively low importance to otter and therefore movement across access tracks, and therefore at risk of collision with vehicles, would be infrequent during the operational phase and involve vehicles at low speeds. In conclusion, **no LSEs from the Proposed Development were identified** on otter with respect to their conservation objectives.
Displacement (operational infrastructure)	As described above the Proposed Development and surrounding area is considered of relatively low importance to otter. Otter frequently inhabit areas within the built environment and therefore a relatively unobtrusive development such as the Proposed Development would be unlikely to displace otter from habitat on and adjacent to the Proposed Development. Watercourses would be culverted to maintain access for otter and otter frequently traverse across terrestrial habitat (including tracks). It is not anticipated that the Proposed Development would act as a barrier for otter. In conclusion, **no LSEs from the Proposed Development were identified** on otter with respect to their conservation objectives.

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
Disturbance / displacement (recreation)	As described above the site and surrounding area is of relatively low importance to otter. In addition, otter living within the freshwater environment are predominantly nocturnal so activities would not typically overlap with any recreational activities (e.g. walking and cycling). In conclusion, **no LSEs from the Proposed Development were identified** on otter with respect to their conservation objectives.

Table 4-4 - Glen Etive and Glen Fyne SPA Screening Assessment

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
Construction Phase	
Loss/degradation of habitats	The Proposed Development (main access track) is located approximately 6.6km west of the SPA and the Site within the Planning Application Boundary is located approximately 8.5km west. Guidance published by NatureScot 2016[10] states that the core foraging range for golden eagle is 6km from nest sites (rising to a maximum of 9km) and lists a distance between nest sites as 3km (for high density areas) rising to 6km for low density areas. At 6.6km from the SPA the Site is outside the anticipated core foraging range and range for alternative nest sites. Furthermore, the habitat in closest proximity to the Site, crossed by the main access track, is dense coniferous plantation woodland. This habitat is unlikely to be used by golden eagle for foraging or nesting (Whitfield *et al*, 2006[20]). Open moorland habitat within the Planning Application boundary is approximately 8.5km west of the SPA, towards the limit of the maximum foraging range for golden eagle from nest sites (9km). NatureScot guidance says that in most cases the core foraging range should be used when assessing connectivity to SPAs (NatureScot, 2016)[10]. As such habitat lost or degradation during construction of the Proposed Development is not considered to be functionally linked to the SPA. In conclusion, **no LSEs from the Proposed Development were identified** on golden eagle with respect to their conservation objectives.
Disturbance / displacement	Potentially suitable foraging habitat, within 6km of the SPA, is located 600m east of the main access track. A disturbance buffer of 250m to 500m is recommended for foraging birds in NatureScot guidance and furthermore this habitat is screened from the Proposed Development by dense planation woodland. As such suitable foraging habitat within the core foraging range of the SPA is considered to be outside the ZoI for disturbance and displacement impacts to foraging birds. Golden eagle surveys identified no nesting sites within 1km of the Proposed Development (the maximum disturbance distance for nesting golden eagle (NatureScot, 2016[10]). Evidence of territorial golden eagles was recorded approximately 3km south of the Proposed Development within across areas greater than 6km from the SPA (and therefore would not comprise SPA qualifying golden eagle). Based on the above no SPA qualifying golden eagle nest sites are located within the ZoI of disturbance/displacement impacts from the Proposed Development.

[20] Whitfield, D, P., Fielding, A, H., Gregory, M, J, P., Godon, A, G., McLeod, D, R, A and Haworth, P, F (2006). Complex effects of habitat loss on Golden Eagles Aquila chrysaetos. IBIS, 149, 26-36.

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
	In conclusion, **no LSEs from the Proposed Development were identified** on golden eagle with respect to their conservation objectives.
Injury or Mortality	Impact pathway is considered as an operational phase impact below.
Changes in water quality	There is no hydrological connectivity between the Site and the SPA and therefore no potential for changes in water quality to impact SPA habitat. The main Proposed Development access track crosses a water course (Allt an Taillir) which flows through habitat within 6km of the SPA (and therefore potentially functionally linked). This habitat, however, is predominantly wooded (within the Loch Etive Woods SAC) and low lying (generally less than 50 m above sea level) and therefore is likely to be avoided by foraging golden eagle[20,21]. In conclusion**, no LSEs from the Proposed Development were identified** on golden eagle with respect to their conservation objectives.
Operational Phase	
Collison mortality	The closest turbine to the SPA is approximately 8.7km west. As detailed in the sections above the core foraging range for golden eagle is 6km from the SPA. As such habitat on the Proposed Development would not be used by SPA qualifying golden eagles and therefore birds would not be at risk of colliding with turbines. In conclusion, **no LSEs from the Proposed Development were identified** on golden eagle with respect to their conservation objectives.
Displacement (operational infrastructure)	The closest turbine to the SPA is approximately 8.7km west. As detailed in the sections above the core foraging range for golden eagle is 6km from the SPA. As such habitat on Proposed Development would not be used by SPA qualifying golden eagles and therefore birds would not be at risk of displacement impacts during operation (including those from barrier effects). In conclusion, **no LSEs from the Proposed Development were identified** on golden eagle with respect to their conservation objectives.

[21] Fielding, A.H.; Anderson,D.; Barlow, C.; Benn, S.; Reid, R.;Tingay, R.; Weston, E.D.; Whitfield,D.P. Golden Eagle Populations, Movements, and Landscape Barriers:Insights from Scotland. Diversity 2024,16, 195.

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
Disturbance/ displacement (recreation)	As described above the Proposed Development is beyond the core foraging range for golden eagle and therefore habitat on and adjacent to the Site is not functionally linked. In conclusion, **no LSEs from the Proposed Development were identified** on golden eagle with respect to their conservation objectives.

Table 4-5 - Inner Hebrides and Minches SAC Screening Assessment

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
Construction Phase	
Loss/degradation of habitats **Disturbance/ displacement** **Direct mortality** **Changes in water quality**	There are no impact pathways between the Proposed Development and the SAC. The sole qualifying species, harbour porpoise, utilises marine habitat the closest of which is approximately 1.3km north of the Proposed Development at Loch Etive. The SAC itself is approximately 8km west. SAC habitat and functionally linked marine habitat is hydrologically connected to the Site via the three watercourses, and tributary burns, detailed under the Loch Etive Woods SAC above. Any elevated concentrations of suspended sediments or polluting events arising during the construction phase will likely decrease as a result of dispersion and dilution in the water column over time and with distance before reaching the first marine water body; Loch Etive. Furthermore, given the spatial separation of Loch Etive from the SAC and the contribution of dilution, it is not considered that effects on harbour porpoise or the marine habitat are likely. In conclusion**, no LSEs from the Proposed Development were identified** on harbour porpoise with respect to their conservation objectives.
Operational Phase	

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
Collison mortality **Displacement** **Disturbance/ displacement (recreation)**	There are no operational impact pathways as harbour porpoise do not use terrestrial habitats. In conclusion, **no LSEs from the Proposed Development were identified** on harbour porpoise with respect to their conservation objectives.

Table 4-6 - Loch Creran SAC Screening Assessment

POTENTIAL IMPACT PATHWAY	SCREENING ASSESSMENT
Construction Phase	
Loss/degradation of habitats **Disturbance / displacement** **Direct mortality** **Changes in water quality**	There are no impact pathways between the Proposed Development and the SAC. The SAC is not designated for any mobile qualifying species, is located approximately 9.4km north of the Proposed Development and is not directly hydrologically connected. In conclusion**, no LSEs from the Proposed Development were identified** on reefs with respect to their conservation objectives.
Operational Phase	
Collison mortality **Displacement** **Disturbance / displacement (recreation)**	There are no operational impact pathways between the Proposed Development and the SAC as the Site is located on terrestrial habitat distant from the SAC. In conclusion, **no LSEs from the Proposed Development were identified** on reefs with respect to their conservation objectives.

5 STAGE 2 APPROPIATE ASSESSMENT

This Appropriate Assessment (AA) investigates the impacts of the LSE identified in **Section 4.3** in relation to the integrity of the European Sites, in respect to their respective Conservation Objectives. Identified LSE are described in relation to details of the Proposed Development, European Site information, ecological supporting information and impact avoidance.

It is the responsibility of Argyll and Bute Council as the Competent Authority, to undertake the AA, on review of all available information presented and from other relevant sources, including from any consultation. On review of the identified impact pathways, LSE due to **Changes in Water Quality** for all qualifying interests cannot be ruled out at this stage for **Loch Etive Woods SAC** from the Proposed Development.

Table 5-1 - Loch Etive Woods SAC

QUALIFYING FEATURES AFFECTED	LIKELY SIGNIFICANT EFFECTS	ASSESSMENT OF IMPACT/EFFECT	MITIGATION	AA DETERMINATION
Habitat **Alder woodland on floodplains** **Mixed woodland on base-rich soils associated with rocky slopes** **Western acidic oak woodland** **Otter**	Changes in water quality	The Proposed Development is hydrologically connected to two SAC land parcels via crossing three watercourses, and tributary burns. Potential pollutants from the Proposed Development would be limited to accidental fuel spills from plant and the release of sediment at water crossing locations. The alder woodland on floodplains qualifying habitat, which is dependent on surface water flows, is not located in the SAC parcels that are hydrologically connected to the Proposed Development. Any pollutants and sediment released during the works would be rapidly 'flushed' through the network of burns on site and through the SAC, to ultimately discharge in Loch Etive to the north. Accumulation of pollutants and sediment would be unlikely in the SAC and terrestrial habitats in any case are unlikely to be affected by changes in water quality of burns passing through the SAC. However, as there is a potential pathway through the hydrological linkages, Likely Significant Effects due to Changes in Water Quality for the qualifying habitats cannot be ruled out.	To ensure no construction runoff into the SAC, the Construction Environmental Management Plan (CEMP), once defined will be adhered to. All mitigation will be monitored by an ECoW. Mitigation measures within the CEMP will include, but are not limited to: • Installation of silt fences; • Oil storage and refuelling at least 10 m from the SAC boundary and any watercourse with the Proposed Development[22] with appropriate spill kits and training provided; • Material/soil stockpiles will be subject to regular monitoring and stored in such a way as to prevent the release of particulate matter/dust to air (e.g., wind shielding, damping down, use of sheeting/covering, and storage away from site boundaries); • Appropriate covering, orientation and height of material stockpiles, to minimise wind dispersion; • Roads will be dampened down, particularly during heavy vehicle	Impact avoidance and mitigation solutions have been provided in respect of the potential release of pollutants and fine materials into Loch Etive Woods SAC. Taking account of all the above, no significant effects on the conservation status to habitat features with respect to any listed conservation objectives have been identified Therefore, **no adverse effect** on site integrity has been identified.

[22] SEPA Guidance for Pollution Prevention (GPP) https://www.netregs.org.uk/media/1418/gpp-5-works-and-maintenance-in-or-near-water.pdf

QUALIFYING FEATURES AFFECTED	LIKELY SIGNIFICANT EFFECTS	ASSESSMENT OF IMPACT/EFFECT	MITIGATION	AA DETERMINATION
			movement and periods of dry weather; and • Vehicles will maintain low speeds (10mph or less) to avoid generating dust. • Drainage will be designed in line with the flood risk/drainage strategy. In addition to the above mitigation, it is expected that there will be positive effects on the qualifying woodland that will be delivered though the habitat enhancement measures relating to deer management and control of invasive non-native plant species invasive non-native plant species, described within the outline Habitat Management Plan (oHMP) provided as **Appendix 10.5**.	
Otter	Changes in water quality	Otters require continued proximity to unpolluted open water either freshwater or coastal. Changes to water quality can adversely affect otter habitat and prey on which they depend. However, no evidence of otter holts was recorded through the protected species survey. The closest evidence of otter to the Proposed Development was two otter spraints recorded beyond the Proposed Development, one under a bridge (TN38) located 180m from the proposed access track, and another adjacent to the proposed access track (TN45) located 240m from the proposed access track. Potentially suitable resting features were identified	The mitigation described above for the habitats of Loch Etive Woods SAC will apply to otter also to prevent any changes to water quality.	Impact avoidance and mitigation solutions have been provided in respect of the potential release of pollutants and fine materials into Loch Etive Woods SAC. Taking account of all the above, no significant effects on the conservation status of otter have been identified

QUALIFYING FEATURES AFFECTED	LIKELY SIGNIFICANT EFFECTS	ASSESSMENT OF IMPACT/EFFECT	MITIGATION	AA DETERMINATION
		along an unnamed tributary burn of the Eas nam Meirleach approximately 50m north of the Proposed Development (access track to Turbine 5). The Eas nam Meirleach is designated as part of the Loch Etive Woods SAC. Due to their location, if there are resting sites, it is likely they are being utilised by otters forming part of the qualifying population of the Loch Etive Woods SAC. Based on the evidence above and the fact that otters are wide ranging animals, the conclusion is reached that the following mitigation will be sufficient (see next section of table).		Therefore, **no adverse effect** on otter has been identified.

6 CONCLUSION

This HRA Appropriate Assessment Report provides the requisite information to enable the Competent Authority to undertake an AA in relation to the potential effects of the Proposed Development on European Sites.

LSEs were identified from the Proposed Development on the following European Site:

- **Loch Etive Woods SAC**

Further investigation of qualifying features ecology, potential effects from the Proposed Development and the implementation of impact avoidance and mitigation measures enabled a conclusion of **no adverse effect on the integrity of Loch Etive Woods SAC.**

This conclusion was determined based on the Proposed Development alone. It must also be decided if a proposal will have a LSE on a designated site in combination with other proposals or plans. However, as the Proposed Development has embedded best practice and the mitigation discussed above, no significant effects are predicted, either alone or in combination.