

Dundee City Council  
Dundee Local Development Plan 2  
Draft Habitats Regulations Appraisal Record  
December 2017



## **Revised Habitats Regulations Appraisal Record**

### **Proposed Dundee Local Development Plan 2019**

Revised 18/12/2017 – (Proposed Plan comments from SNH taken into consideration, amendments to text on page 6, 21, 120 and 121)

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## **1. Legislative Requirement to undertake Habitats Regulations Appraisal**

In Scotland, the requirements of Article 6(3) of the EC Habitats Directive have been transposed into The Conservation (Natural Habitats, &c.) Regulations 1994 as amended. These regulations, which transpose the obligations imposed by both the Birds and Habitats Directives, are commonly abbreviated to the Habitats Regulations. In order to ensure compliance with the Directives, the Habitats Regulations protect internationally designated conservation sites and require all planning authorities in Scotland to undertake a Habitats Regulations Appraisal (HRA) of a Development Plan before that plan can be adopted or submitted to Scottish Ministers. The Habitats Regulations Appraisal process is an effective way of helping to protect European sites and thereby fulfilling the requirements of the Directives, whilst making and implementing plans for sustainable economic growth.

In Scotland, European sites which are to be considered in the appraisal process are Special Protection Areas (SPA) classified under the Birds Directive and Special Areas of Conservation (SAC) designated under the EC Habitats Directive 1992. These form an EU-wide network of protected areas known as Natura 2000. Scottish Government policy affords the same level of protection to proposed SAC and SPA which have been approved by Scottish Ministers for formal consultation and the effects on these sites should also be appraised.

Scottish Planning Policy (2014) states that any development plan or development proposal which is likely to have a significant effect on a Natura site and is not directly connected with or necessary to the conservation management of that site must be subject to an appropriate assessment, by the planning authority, of the implications for the site's conservation objectives. Such plans or proposals may only be approved if the competent authority has ascertained by means of an "appropriate assessment" that there will be no adverse effect on the integrity of the site.

Derogation is available for authorities to approve plans or projects which could adversely affect the integrity of a Natura site if:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, including those of a social or economic nature; and
- compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

Where an authority intends to use derogation, Scottish Ministers must be notified. For sites hosting a priority habitat or species (as defined in Article 1 of the Habitats Directive), prior consultation with the European Commission via Scottish Ministers is required unless either the proposal is necessary for public health or safety reasons or it will have beneficial consequences of primary importance to the environment.

## **2. Compliance with the Directive and Regulations**

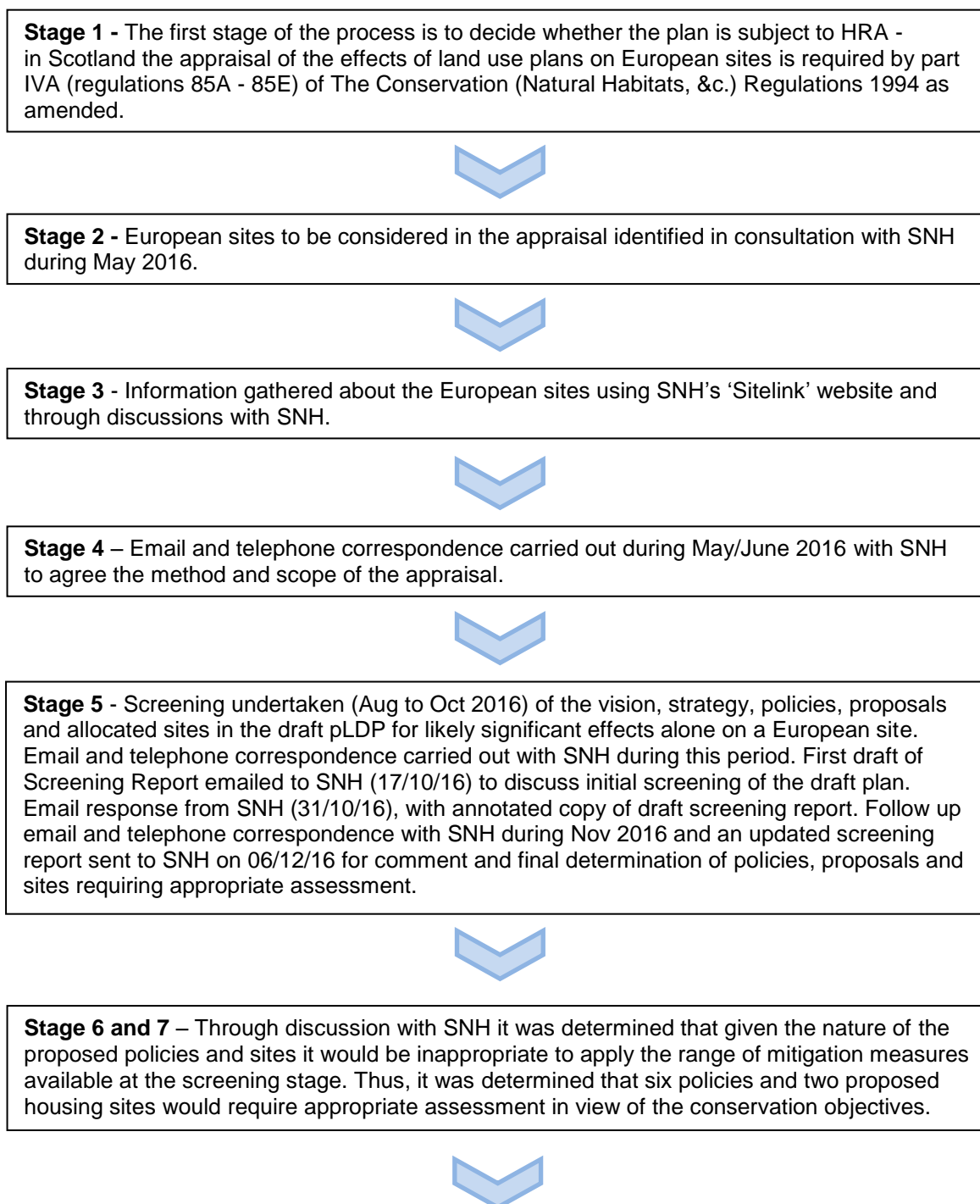
It is a legal requirement to ensure that plans are appraised for their effects on European sites in compliance with the requirements of the Directive and Regulations. The Habitats Regulations set out a step-by-step sequence of statutory procedures to be followed. This has to be followed in the correct and particular order to comply with the requirements of the Directive. This has to be stitched into the plan-making process and procedural guidance on the application of the Habitats Regulations to the development planning system in Scotland, as per Figure 2 of Planning Circular 6/2013. The Scottish Government provides further guidance through Advice Sheet No.1 (Version 1) *Aligning Development Planning procedures with Habitats Regulations Appraisal (HRA) requirements*, published July 2012. This document has been referred to during the HRA of the Proposed Dundee Local Development Plan.

The Regulations do not prescribe a particular methodology for carrying out the appraisal of plans, or how to report the outcomes of appraisals. Scottish Natural Heritage (SNH), with the support of a steering group, has produced practical guidance on how to undertake an HRA. SNH's recommended approach to carrying out the appraisal of plans and reporting is published in *Guidance for Plan-Making Bodies in Scotland* (version 3, 2015) and this has been used to guide the HRA of the Proposed Dundee Local Development Plan.

### 3. Stages of the HRA process for plans

SNH's guidance establishes thirteen stages in the HRA process for plans. This should demonstrate in a systematic manner how the plan making body has identified if any elements of the plan are likely to have significant effects on European sites, and if so, how it is then to be concluded that there would be no adverse effects on the integrity of European sites. Figure 1 below shows the key stages of the HRA process undertaken for the Proposed Dundee Local Development Plan.

**Figure 1 Key Stages of the HRA process undertaken for the Proposed Dundee Local Development Plan**



**Stage 8** – An appropriate assessment of six policies and two proposed housing sites, in view of conservation objectives, was undertaken in consultation with SNH from Dec 2016 to Feb 2017.



**Stage 9** – Mitigation measures applied to policies and sites to ensure that there is no adverse effect on the site integrity of the European sites. Mitigation measures agreed in consultation with SNH during Feb 2017.



**Stage 10** – First draft of HRA Record issued to SNH 05/04/2017.  
Second draft of HRA Record issued to SNH 03/05/2017 (reflecting Proposed Plan status). SNH responded with no further comments or questions at this point (30/05/2017).  
Third draft of HRA Record issued to SNH 25/07/2017 (reflecting combination of two transportation policies and the renumbering of policies 54 to 58.)



**Stage 11** – SNH and public consulted on the Proposed Plan and Draft HRA Record. Consultation period duration, 28/08/2017 to 09/10/2017.



**Stage 12** – The amendments proposed by SNH are designed to ensure a consistent approach across the assessment process and do not alter the proposed mitigating measures. Through email correspondence with SNH (late December 2017) we have come to an agreement on the proposed alterations to the HRA Record/Proposed Plan which do not have any impact on the likelihood of significant effect.

Amendment 1. The Appendix 3 caveat to housing site H41 will now include the following sentence, "*Please refer to the Development Site Assessment document for further detail*", see page 21. This amendment adds another marker to ensure that developers of allocated housing site H41 refer to the Development Site Assessment for further information on the mitigation requirements.

Amendment 2. Former "*Appendix X*" reference updated to "*Appendix 3*", see page 120 and 121.



**Stage 13** – HRA Record and Proposed Plan amended (18/12/2017), as set out above in stage 12.

#### **4. Screening for potential effects on a European site**

Screening is a term used in the SNH Guidance 2015 to describe the initial stages of the HRA process. The purpose of this stage is to:

**a)** identify all aspects of the plan which would have no effect on a European site, so that they can be eliminated from further consideration in respect of this and other plans;

**b)** identify all aspects of the plan which would not be likely to have a significant effect on a European site (i.e. would have some effect, because of links/connectivity, but which are minor residual), either alone or in combination with other aspects of the same plan or other plans or projects, which therefore do not require 'appropriate assessment'; and

**c)** identify those aspects of the plan where it is not possible to rule out the risk of significant effects on a European site, either alone or in combination with other plans or projects. This provides a clear scope for the parts of the plan that will require appropriate assessment.



## 5. European sites included in the screening process

The following European sites have been included in the screening process in consultation with SNH:

- **Firth of Tay and Eden Estuary SAC**
- **Firth of Tay and Eden Estuary SPA**
- **Barry Links SAC**
- **Moray Firth SAC**
- **River Tay SAC**
- **Isle of May SAC**
- **Outer Firth of Forth & St Andrews Bay Complex marine Proposed SPA**

Information on the qualifying interests, conservation objectives and condition of the European sites has been compiled using SNH's Sitelink and reference has also been made to the Record of Habitats Regulations Appraisal for the TAYplan Strategic Development Plan (May 2015). This information, together with the current pressures for each European Site (identified by SNH), is outlined below.

### **Firth of Tay and Eden Estuary SAC**

#### SAC Qualifying Habitats

- **Estuaries, intertidal mudflats and sandflats, and subtidal sandbanks.**

#### Conservation Objectives

To avoid deterioration of the qualifying habitats (listed below) thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and to ensure for the qualifying habitats that the following are maintained in the long term:

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

#### SAC Qualifying Species

- **Common seal**

#### Conservation Objectives

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

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

- Population of the species 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

#### Assessed Condition and Feature Pressures

The qualifying habitats and species are vulnerable to land reclamation and developments and activities which could affect the quality of the waters of the Firth of Tay and Eden Estuary. Current pressures identified by SNH include coastal protection works, construction of the V&A, port activities, recreational pressure e.g. jet skiers, Tay Bridge repairs, erosion and Ecotourism. Possible future pressure has been identified from marine renewables wind/wave/tidal.

The condition of the qualifying species, the common seal, is 'unfavourable declining'. The condition of the qualifying habitats, subtidal sandbanks and intertidal mudflats and sandbanks, is 'favourable maintained'.

### **Firth of Tay and Eden Estuary SPA**

#### SPA Qualifying Species

- **Bar-tailed godwit** (*Limosa lapponica*)
- **Black-tailed godwit** (*Limosa limosa islandica*)\*
- **Common scoter** (*Melanitta nigra*)\*
- **Cormorant** (*Phalacrocorax carbo*)\*
- **Dunlin** (*Calidris alpina alpina*)\*
- **Eider** (*Somateria mollissima*)\*
- **Goldeneye** (*Bucephala clangula*)\*
- **Goosander** (*Mergus merganser*)\*
- **Grey plover** (*Pluvialis squatarola*)\*
- **Greylag goose** (*Anser anser*)
- **Little tern** (*Sterna albifrons*)
- **Long-tailed duck** (*Clangula hyemalis*)\*
- **Marsh harrier** (*Circus aeruginosus*)
- **Oystercatcher** (*Haematopus ostralegus*)\*
- **Pink-footed goose** (*Anser brachyrhynchus*)
- **Red-breasted merganser** (*Mergus serrator*)\*
- **Redshank** (*Tringa totanus*)
- **Sanderling** (*Calidris alba*)\*
- **Shelduck** (*Tadorna tadorna*)
- **Velvet scoter** (*Melanitta fusca*)\*
  
- **Waterfowl assemblage**

\*Indicates assemblage qualifier only

#### Conservation Objectives

To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and

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

#### Assessed Condition and Feature Pressures

The qualifying species are vulnerable to development or activities which can cause disturbance during roosting, breeding and feeding periods. Elevated levels of disturbance have been identified by SNH at key areas including Invergowrie Bay, Dighty Burn Mouth, Buddon Burn Mouth and Eden Estuary. Current pressures identified by SNH include coastal defence works, recreational users, climate change, wildfowling, construction of the V&A, housing and steading developments along the Tay, wind farms/turbines. Possible future pressure has been identified from marine renewables wind/wave/tidal.

The condition of the qualifying species is a mix of 'Favourable Maintained', 'Unfavourable No Change', 'Favourable Declining', 'Favourable Recovered' and 'Unfavourable Declining'.

### **Barry Links SAC**

#### SAC Qualifying Habitats

- **Coastal dune heathland\***
- **Dune grassland\***
- **Humid dune slacks**
- **Shifting dunes**
- **Shifting dunes with marram**

\* Indicates priority habitat

#### Conservation Objectives

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

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

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

#### Assessed Condition and Feature Pressures

The qualifying features of Barry Links SAC are sensitive to atmospheric pollution. SNH advise that emissions from heavy industry in Dundee may affect the qualifying features of the SAC.

The condition of the qualifying habitats of the site is 'Unfavourable Recovering' and 'Unfavourable No Change'.

### **Moray Firth SAC**

#### SAC Qualifying Habitat

- **Subtidal sandbanks**

#### Conservation Objectives

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 contribution to achieving favourable conservation status for each of the qualifying features; and

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

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

**Note:** The qualifying habitat, subtidal sandbanks, is considered to be remote enough from Dundee City that development as a result of the LDP's plans and proposals will not have a significant effect.

#### SAC Qualifying Species

- **Bottlenose dolphin**  
(Site screened into HRA for Bottlenose dolphin qualifying interest alone)

#### Conservation Objectives

To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the

site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and

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

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

#### Assessed Condition and Feature Pressures

The Moray Firth supports the only known resident population of bottlenose dolphins in the North Sea. A small population of about 120 animals that ranges throughout the Moray Firth and all the way down the east coast at least as far as the Firth of Forth, including the Tay Estuary. The qualifying species are vulnerable to land reclamation and developments and activities which could affect the quality of the waters of the Firth of Tay and Eden Estuary. Current pressures have been identified by SNH and include coastal protection works, construction of the V&A, port activities, recreational pressure e.g. jet skiers, Tay Bridge repairs, erosion and Ecotourism. Possible future pressure has been identified from marine renewables wind/wave/tidal.

The condition of the qualifying species, bottlenose dolphin, is 'Favourable Recovered'.

### **River Tay SAC**

#### SAC Qualifying Habitat

- **Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels**

#### Conservation Objectives

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 contribution to achieving favourable conservation status for each of the qualifying features; and

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

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

### SAC Qualifying Species

- **Atlantic salmon**
- **Brook lamprey**
- **Otter**
- **River lamprey**
- **Sea lamprey**

### Conservation Objectives

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

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

- Population of the species, including range of genetic types for salmon, as a viable component of the site
- Distribution of the species within site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species

### Assessed Condition and Feature Pressures

The qualifying habitats and species are vulnerable to developments and activities which could affect the quality of waters of the Firth of Tay and Eden Estuary because they migrate through the estuary as part of their life cycle. Potential impacts could include those resulting from the construction and operation of new developments in Dundee, particularly actions which would impede fish and their passage upstream to the River Tay SAC.

The condition of the qualifying features of the site is 'Favourable Maintained'.

## **Isle of May SAC**

### SAC Qualifying Habitat

- **Reefs**

### Conservation Objectives

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 contribution to achieving favourable conservation status for each of the qualifying features; and

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

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

**Note:** The qualifying habitat, reefs, is considered to be remote enough from Dundee City that development as a result of the LDP's plans and proposals will not have a significant effect.

#### SAC Qualifying Species

- **Grey seal**  
(Site screened into HRA for Grey seal qualifying interest alone)

#### Conservation Objectives

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

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

- Population of the species 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

#### Assessed Condition and Feature Pressures

Grey seals travel large distances during routine foraging and favour more exposed coasts and islands. They are known to haul out on outer sandbanks in the Firth of Tay. The qualifying species are vulnerable to land reclamation and developments and activities which could affect the quality of the waters of the Firth of Tay and Eden Estuary. Current pressures have been identified by SNH and include coastal protection works, construction of the V&A, port activities, recreational pressure e.g. jet skiers, Tay Bridge repairs, erosion and Ecotourism. Possible future pressure has been identified from marine renewables wind/wave/tidal.

The condition of the qualifying species grey seal is 'Favourable Maintained'.

### **Outer Firth of Forth and St Andrew's Bay Complex marine pSPA**

#### SPA Qualifying Species

- **Red-throated diver**

- Slavonian grebe
- Little Gull
- Common tern
- Arctic tern
- Common eider
- Long-tailed duck
- Common Scoter
- Velvet scoter
- Goldeneye
- Red-breasted merganser
- Northern gannet
- Manx shearwater
- European shag
- Black-legged kittiwake
- Common guillemot
- Razorbill
- Atlantic puffin
- Black-headed gull
- Common gull
- Herring gull

#### Conservation Objectives

To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and

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

**Note:** no Conservation Objectives are available as yet. SNH advised to proceed with the existing list used for other SPAs.

#### Assessed Condition and Feature Pressures

Loss of supporting habitat.

Non-physical disturbance from noise and vibration during construction, increase in shipping movements associated with marine renewables and other port activities as well as operational phase of marine renewables.

Disturbance and displacement due to recreational activity.

Land reclamation and development/activity which could affect water quality.

**Note:** Detail on the feature pressures is still to be determined, however, SNH advised to proceed on the above information.



## 6. Screening of policies and proposals in the proposed local development plan

Reference has been made to section 4 of the SNH guidance on the Habitats Regulations Appraisal of Plans: Guidance for Plan-Making Bodies in Scotland (V3.0 – JAN 2015) which states some of the reasons why a particular aspect of a plan would not be likely to have a significant effect on a European site.

The eight reasons shown in Table 1 below have been drawn from this guidance and agreed with SNH prior to being used in the screening process.

**Table 1 Reasons for screening 'out' policies and proposals**

| Reason for screening 'out' | Description                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>a</b>                   | General Policy Statements/General Criteria based policies which set out the Council's aspirations for a certain issue.                                                                                                                                                                                                                                                                    |
| <b>b</b>                   | Projects and other proposals referred to in, but not proposed by, this plan.                                                                                                                                                                                                                                                                                                              |
| <b>c</b>                   | Projects and other proposals which make provision for change but have already been granted planning permission. However, such projects should be included in consideration of in-combination effects.                                                                                                                                                                                     |
| <b>d</b>                   | Policies or proposals intended to protect the natural environment, including biodiversity, or to conserve or enhance the natural, built or historic environment, where enhancement measures will not be likely to have any negative effect on a European site.                                                                                                                            |
| <b>e</b>                   | Policies which will not themselves lead to development or change such as design or other qualitative criteria.                                                                                                                                                                                                                                                                            |
| <b>f</b>                   | Policies or proposals which make provision for change but which could have no conceivable effect on a European site, because: <ul style="list-style-type: none"> <li>• there is no link or pathway with the qualifying interests; or</li> <li>• any effect would be a positive effect; or</li> <li>• it would not otherwise undermine the conservation objectives of the site.</li> </ul> |
| <b>g</b>                   | Policies or proposals which make provision for change but could have no significant effect on a European site because any potential effects would be insignificant and therefore 'minor residual' in nature or so restricted or remote from the site that they would not undermine the conservation objectives for the site.                                                              |
| <b>h</b>                   | Policies for which effects on any particular European site cannot be identified, because it is too general or vague and it is not known where, when or how the proposal may be implemented or where effects may occur, or which sites if any may be affected.                                                                                                                             |

The screening stage is a series of systematic steps to ensure that those areas of the plan that pose a potential risk of significant effects to a European site are 'screened in' and subject to further appraisal. An effect that could undermine the conservation objectives would be a significant effect and the likelihood of it occurring is a case-by-case judgement, taking account of the precautionary principle and the local circumstances of the site. The Waddensee case is identified in the SNH Guidance 2015 as providing the most up to date interpretation of how to assess the effects of a plan or project for a likely significant effect.

The results of the screening exercise for likely significant effects, alone, for the proposed Local Development Plan's policies, proposals and site allocations is shown in Appendix 1. This indicates whether there is:

- a likely significant effect (red);
- a minor residual effect (orange); or
- no likely significant effect (green)

on a European site as a result of its potential impacts on their qualifying interests.

## 7. The In-Combination Test

The in-combination test is about addressing 'cumulative effects'. Elements of the plan that have individually been screened out because any effects of change are likely to be 'minor residual' should also be assessed in combination with other projects, proposals and plans to consider any possible cumulative effect.

The screening process identified no 'minor residual effects' and for this reason it does not require an in-combination assessment.

## 8. Appropriate Assessment

The appropriate assessment is undertaken under the provisions of Regulation 85. It is the stage of the HRA process that comes after the screening, and is an assessment of the implications of the plan for the policies, sites and proposals where a likely significant effect has been identified. The conservation objectives are critical to and the focus of the assessment which also considers the potential implications of development in light of conservation objectives and mitigation measures that may be applied to remove any adverse effect on site integrity.

An adverse effect would be something that affects the ability of the site to meet its conservation objectives across all parts of the site. Importantly the appropriate assessment embodies the precautionary principal.

The screening stage identified six policies and two proposed housing sites, highlighted in red in Appendix 1, to be taken forward for appropriate assessment in view of conservation objectives. These policies and sites steer development to an area where it is not possible to rule out the risk of likely significant effect on a European site. The six policies and two housing sites include:

- **Policy 3: Principal Economic Development Areas**
- **Policy 7: Tourism and Leisure Developments**
- **Policy 8: Visitor Accommodation**
- **Policy 45: Energy Generating Facilities**
- **Policy 55: Dundee Airport**
- **Policy 57: Transportation Interchanges**
- **H41: New Mill of Gray – Western Gateway**
  
- **MIR 99: Star Inn Farm** (*not allocated in the Proposed Plan*)

The appropriate assessment has been undertaken in consultation with SNH and the detail of this is provided in Appendix 2. The appropriate assessment recommends the use of a policy caveat as a mitigation measure to ensure no adverse effects on the integrity of a European site. This is in line with Scottish Government advice issued in July 2012 Screening general policies and applying simple mitigation measures.

## 9. Appropriate Assessment – Applying Mitigation Measures

The process of Habitats Regulations Appraisal for the Proposed Dundee Local Development Plan has followed the key stages in SNH Guidance published in January 2015 and the advice issued by Scottish Government in July 2012.

The policies and proposals in the Proposed Dundee Local Development Plan have been screened for likely significant effects. As part of this process, it has not been possible to rule out the risk of likely significant effects on a European site and an appropriate assessment has been undertaken for six policies and two proposed housing sites identified in the screening process.

The appropriate assessment recommends the inclusion of a policy caveat in five of the policies, shown in bold below, as a mitigation measure to ensure no adverse effects on the integrity of the European sites identified in the Habitats Regulations Appraisal process. Policy 57: Transportation Interchanges does not include a policy caveat because any development under this policy will also be covered by Policy 3 Principal Economic Development Areas and therefore subject to Policy 3's mitigation requirements.

To ensure that development at the two housing sites (H41 & MIR99) do not adversely affect the greylag geese associated with the Firth of Tay SPA, either alone or in combination with other plans or projects, the appropriate assessment recommends the inclusion of caveats to the Proposed Plan's Appendix 3: Allocated Housing Sites and the supporting information within the Development Site Assessment document, see bold text below. The caveats will require proposed developments to prove through assessment that development would not adversely affect greylag geese of the Firth of Tay SPA either alone or in combination with other plans or projects.

### ***Policy 3: Principal Economic Development Areas***

*Principal Economic Development Areas are of City-wide significance and as such will be safeguarded for Class 4 "Business", Class 5 "General Industry" and Class 6 "Storage and Distribution". Uses other than these will be resisted.*

***Any development at the Port of Dundee Principal Economic Development Area should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site.***

### **Policy 7: Tourism and Leisure Developments**

#### *a) Tourist Visitor Attractions and Facilities*

*Proposals for tourist visitor attractions and facilities capable of strengthening the appeal and attraction of Dundee to a wide range of visitors will be supported. Proposals should complement existing visitor facilities and be located in the City Centre unless activity-specific issues indicate that this is impractical.*

#### *b) Leisure Developments*

*Proposals for major leisure uses will be directed firstly towards the City Centre and the District Centres followed by the existing leisure parks at Douglasfield and Camperdown and to The Stack to support its redevelopment. Proposals for leisure developments outwith these locations will only be acceptable where it can be established that:*

- 1) no suitable site is available, within and thereafter on the edge of the City Centre or District Centre or within the existing leisure parks;*
- 2) individually or cumulatively it would not prejudice the vitality or viability of the City Centre or District Centres;*
- 3) the site is readily accessible by modes of transport other than the car; and*
- 4) activity-specific issues indicate that this is impractical*

***Any development in the City Centre should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site.***

### **Policy 8: Visitor Accommodation**

*The provision of a range of high quality visitor accommodation within the City Centre is supported. Additional visitor accommodation that is complementary to the existing townscape, will be supported within the Central Broughty Ferry area to further enhance its attractiveness as a location for smaller scale tourism.*

*Visitor accommodation, with the exception of small scale B&B and guesthouse style accommodation, will not be supported outwith the City Centre or Central Broughty Ferry except where these involve enhancements to existing facilities.*

***Any development in the City Centre should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site.***

### **Policy 45: Energy Generating Facilities**

*Major energy generating plants, not ancillary to wider development proposals, will be directed to the Principal or General Economic Development Areas. **Any development at the Port of Dundee Principal Economic Development Area should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura Site.***

*Proposals for small scale energy generating plants out with Principal or General Economic Development Areas, other than single user or domestic appliances, will only be acceptable where their primary function is the production of heat or combined heat and power for local residential or business consumption.*

*Development may be acceptable where:*

- 1) the Council is satisfied that there will be no significant negative effects in terms of their scale, design, location, emissions, landscape setting, storage facilities, and cumulative impact, odour, noise and storage requirements; and*
- 2) levels of pollutants have been minimised through the use of best available technology, including abatement technology.*

**Policy 55: Dundee Airport**

*Developments associated with the function of the Airport will be supported where they complement or enhance the existing facilities and /or support the development of new or improved air services.*

*New developments in the vicinity of Dundee Airport will be required to be designed to comply with airport safety requirements. Developments which increase risk to airport safety will not be permitted.*

*Within the runway safety zone identified on the Proposals Map there will be a presumption against development. The presumption against development applies only to that area of the runway safety zone within the Dundee City Council administrative area.*

***Any development within or in the vicinity of Dundee Airport should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura Site.***

**Appendix 3: Allocated Housing Sites**

*(Proposed caveat for allocated housing site H41)*

***Any development within the site should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site. Please refer to the Development Site Assessment document for further detail."***

**Development Site Assessment Document**

*(Supporting information for sites H41 & MIR99)*

***Any development within the site should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site.***

***Avoidance of significant disturbance to the qualifying interests of the SPA can be controlled at the project stage through demonstration that the development would not adversely affect greylag geese of the Firth of Tay SPA either alone or in combination with other plans or projects.***

The Council concludes that subject to the mitigation identified in the appropriate assessment, the policies and proposals contained in the Proposed Dundee Local Development Plan will not adversely affect the integrity of the European sites identified in the Habitats Regulations Appraisal process.

## Appendix 1 - Screening of the proposed plans policies and proposals for likely significant effects alone

| Proposal/Policy and description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Likely Significant Effect    | Screen In/Out | Reason                                                                                                                                                                   |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Minor Residual               |               |                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | No Likely Significant Effect |               |                                                                                                                                                                          |
| <b>Screening for likely significant effects alone</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                              |               |                                                                                                                                                                          |
| <b>Vision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                              |               |                                                                                                                                                                          |
| <p><b>2.1</b> The Dundee Local Development Plan sits within the TAYplan Strategic Development Plan area and therefore follows the vision that has been set out in the current Strategic Development Plan which is:</p> <p><i>“By 2036, the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit and where businesses choose to invest and create jobs”</i></p> |                              | <b>Out</b>    | <b>Reason (a)</b> General policy statement which sets out the aspirations for the TAYplan region and provides the context for the development of the Dundee city region. |
| <p><b>2.2</b> This vision takes into account the individual visions set out by each of the constituent councils in their Council Plans and Single Outcome Agreements. For Dundee this was the Dundee Council Plan and the Dundee Partnership's Single Outcome Agreement. The vision for Dundee as agreed through the Dundee Partnership is:</p> <p><i>“ Dundee will have a strong and sustainable city economy that will provide jobs for the people of Dundee, retain more</i></p>                                                                          |                              | <b>Out</b>    | <b>Reason (a)</b> General policy statement which sets out the vision for Dundee as agreed through the Dundee Partnership.                                                |

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| <p><i>of the universities' graduates and make the city a magnet for new talent;</i></p> <p><i>Dundee will offer real choice and opportunity in a city that has tackled the root cause of social and economic exclusion, creating a community which is healthy, safe, confident, educated and empowered;</i></p> <p><i>Dundee will be a vibrant and attractive city with an excellent quality of life where people choose to live, learn, work and visit"</i></p> <p><b>2.3</b> The Local Development Plan seeks to promote and implement policies and proposals which help to deliver the aims of the TAYplan and Dundee Partnership Vision to create a more sustainable, inclusive and vibrant city.</p> |  |            |                                                                                                                                                                                       |
| <b>Strategy</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |            |                                                                                                                                                                                       |
| <p><b>Quality Housing and Sustainable Communities</b><br/>The quality of housing in Dundee will be improved. This will be done in a sustainable manner and will promote the principles of lifetime communities. Brownfield development will be a priority. Choice will be encouraged through design that ensures that new development is appropriate to the character of the area in which it is built.</p>                                                                                                                                                                                                                                                                                               |  | <b>Out</b> | <p><b>Reason (a)</b> General policy statement which sets out the Council's aspirations for the sustainable development of the city and which is reflected in the Plan's policies.</p> |
| <p><b>A City recognised for Design, Leisure and Culture</b><br/>Dundee's growing position as a City recognised for design, leisure and cultural activity will be promoted. We will seek opportunities to promote high quality, innovative and sustainable design solutions. We will seek to deliver an increased number and range of leisure related facilities by directing growth to the highly accessible central area.</p>                                                                                                                                                                                                                                                                            |  | <b>Out</b> | <p><b>Reason (a)</b> General policy statement which sets out the Council's aspirations for the sustainable development of the city and which is reflected in the Plan's policies.</p> |
| <p><b>Town Centres and Retailing</b><br/>Dundee will have a vibrant and thriving City Centre, ensuring its position as a regional shopping destination is maintained. High quality shops will be encouraged in accessible</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  | <b>Out</b> | <p><b>Reason (a)</b> General policy statement which sets out the Council's aspirations for the sustainable development of the city and which is reflected in the Plan's policies.</p> |



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| locations to support the vitality and viability of the existing network of retail locations throughout the City. We will put our City Centre and District Centres first to protect and promote them as places to work, shop and visit.                                                                                                                                                                                                                                                                                                                           |  |            |                                                                                                                                                                                |
| <b>Sustainable Natural and Built environment</b><br>The quality of Dundee's environment is a vital ingredient in the quality of life for people living and working in the city. The impact of climate change challenges our duty to protect and enhance the environment for this and succeeding generations. The Local Development Plan encourages a lower carbon, sustainable City where development avoids, mitigates or adapts to the effects of climate change while protecting and enhancing the City's environmental assets.                               |  | <b>Out</b> | <b>Reason (a)</b> General policy statement which sets out the Council's aspirations for the sustainable development of the city and which is reflected in the Plan's policies. |
| <b>Sustainable Economic Growth</b><br>A focus on providing a land use context that facilitates the delivery of jobs to support Dundee's population and wider economy. Increased employment land will be available through Strategic Development and Enterprise Areas with existing land protected from inappropriate development. Policies will encourage existing and new businesses to invest with confidence in the City. Dundee will be increasingly recognised for tourism and cultural activity focused on the City Centre, Waterfront and Broughty Ferry. |  | <b>Out</b> | <b>Reason (a)</b> General policy statement which sets out the Council's aspirations for the sustainable development of the city and which is reflected in the Plan's policies. |
| <b>Sustainable and Accessible Transport</b><br>Dundee will be better connected to its region, the rest of Scotland and beyond. It will be a City that encourages sustainable movements through careful consideration of land use, planning and the promotion of active and sustainable travel.                                                                                                                                                                                                                                                                   |  | <b>Out</b> | <b>Reason (a)</b> General policy statement which sets out the Council's aspirations for the sustainable development of the city and which is reflected in the Plan's policies. |
| <b>Screening of policies for likely significant effects alone</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |            |                                                                                                                                                                                |
| <b>City of Design</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |            |                                                                                                                                                                                |

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| <p><b>Policy 1: High Quality Design and Placemaking</b><br/>All development proposals should follow a design-led approach to sustainable, high quality placemaking. Development should contribute positively to the quality of the surrounding built and natural environment and should be planned and designed with reference to climate change mitigation and adaptation.</p> <p>The design and siting of development should respect the character and amenity of the place, create a sense of community and identity, enhance connectivity and incorporate creative approaches to urban design, landscaping and green infrastructure, appropriate to the local context and the scale and nature of the development.</p> <p>New development will be required to meet the six qualities of successful place in accordance with the guidance provided in Appendix 1.</p> |  | <p><b>Out</b></p> | <p><b>Reason (e)</b> This policy will not itself lead to development or change as it seeks to ensure that new development enhances environmental quality and contributes to creating quality places.</p>                                                                                                                                                              |
| <p><b>Policy 2: Public Art Contribution</b><br/>All developments in Dundee with construction costs of £1 million or over will be required to allocate at least 1% of construction costs for the inclusion of art projects in a publicly accessible/visible place or places within the development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  | <p><b>Out</b></p> | <p><b>Reason (e)</b> This policy will not itself lead to development or change as it seeks to ensure that new development enhances environmental quality and contributes to creating quality places.</p>                                                                                                                                                              |
| <p><b>Sustainable Economic Growth</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                   |                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>Policy 3: Principal Economic Development Areas</b><br/>Principal Economic Development Areas are of City-wide significance and as such will be safeguarded for Class 4 "Business", Class 5 "General Industry" and Class 6 "Storage and Distribution". Uses other than these will be resisted.</p> <p><b>Any development at the Port of Dundee Principal Economic Development Area should not have an</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  | <p><b>In</b></p>  | <p>Principal Economic Development Areas provide quality environments in locations that are proven to be highly suitable to both the transport network and workforce accessibility.</p> <p>This policy steers development towards Dundee Port PEDAs which are situated adjacent to the Firth of Tay. It is not possible to rule out the risk of likely significant</p> |

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| <p>adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura Site.</p> |  | <p>effect at this stage of the HRA on the following European sites:</p> <ul style="list-style-type: none"> <li>• <b>Firth of Tay &amp; Eden Estuary SAC</b> – potential impact on qualifying habitats and species during construction and operational stages.</li> <li>• <b>Firth of Tay &amp; Eden Estuary SPA</b> – potential disturbance to qualifying species during construction and operational stages and impacts on food sources and loafing/roosting space through habitat reduction.</li> <li>• <b>Moray Firth SAC</b> – potential impact on the bottlenose dolphins from the Moray Firth population which frequent the Tay estuary.</li> <li>• <b>River Tay SAC</b> – potential impact on qualifying species that migrate through the Tay estuary.</li> <li>• <b>Isle of May SAC</b> – potential impact on the grey seals from the Isle of May SAC which use the sandbanks in the Tay estuary.</li> <li>• <b>Outer Firth of Forth &amp; St Andrews Bay Complex marine draft SPA</b> – potential impact on food sources through habitat reduction and disturbance during construction and operational stages.</li> </ul> <p>Dundee Port is identified as a Strategic Development Area in TAYplan 2016-2036 and is part of the Low Carbon/Renewables East Enterprise Area and is a key renewables site identified within the National</p> |
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|                                                                                                                                                                                                                                                                                                                                            |  |            | <p>Renewables Infrastructure Plan (N-RIP). The Port of Dundee has permitted development rights which allow development associated with port related activities.</p> <p>Under Policy 3: A First Choice for Investment, which concerns employment land and Strategic Development Areas, TAYplan's HRA mitigation recommendations include:</p> <p><i>"Further HRA/EIA assessment may be required at the planning application stage for any proposals arising from this policy."</i></p> <p>The Riverside Business Park PEDAs is close to the River Tay however the airport runway acts as a buffer and for this reason the site can be screened out. All other Principal Economic Development Areas shown on the proposals map have no link or pathway with the European sites and their qualifying interests and can be screened out.</p> |
| <p><b>Policy 4: Specialist Economic Development Areas</b><br/>Encouragement will be given to the establishment and retention of uses within Class 4 (Business) on the Specialist Economic Development Areas identified on the Proposals Map, particularly those uses which are in accordance with the distinctive nature of each area.</p> |  | <b>Out</b> | <p>Specialist Economic Development Areas provide prestigious and unique locations from high quality landscaped settings to those adjacent to complimentary centres such as Dundee's Universities and Ninewells Hospital. The location of the sites means there is no link or pathway with the European sites and their qualifying interests. This policy is screened out for <b>Reason (f)</b> as it makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.</p>                                                                                                                                                                                             |
| <p><b>Policy 5: General Economic Development Areas</b><br/>In areas designated as General Economic Development Areas, proposals for Class 4, 5 and 6 developments will be</p>                                                                                                                                                              |  | <b>Out</b> | <p>General Economic Development Areas fulfil an important role in providing for the expansion and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <p>supported. Other uses of a wider industrial nature such as car showrooms, wholesaling and scrap yards may be permitted provided:</p> <ol style="list-style-type: none"> <li>1) there is no detrimental impact on neighbouring uses and local residential amenity;</li> <li>2) there is no unacceptable traffic impact; and</li> <li>3) the scale of development is appropriate to the size and location of the site.</li> </ol>                                                                                                                                                                                                                                                                           |  |            | <p>growth of existing firms, as well as an attractive location for new enterprises. A variety of sites are available throughout the City and the location of the sites means there is no link or pathway with the European sites and their qualifying interests. This policy is screened out for <b>Reason (f)</b> as it makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.</p> |
| <p><b>Policy 6: Ancillary Services within Economic Development Areas</b><br/> Within Economic Development Areas, appropriate small scale ancillary services which can be demonstrated to meet the needs of employees and complement existing businesses will be supported.</p>                                                                                                                                                                                                                                                                                                                                                                                                                               |  | <b>Out</b> | <p>This policy relates to small scale ancillary services to meet the needs of employees within economic development areas. Because of the small scale nature of development that is likely to come forward this policy is screened out for <b>Reason (f)</b> as it makes provision for change but could have no conceivable effect on a European site because it would not otherwise undermine the conservation objectives of the sites.</p>                                                                                                                    |
| <p><b>Proposal 1: Blackness Regeneration</b></p> <p>To highlight the potential to reuse vacant land and buildings within the Blackness GEDA and set a framework for physical improvements the City Council will prepare a design framework. This will identify and support the development of appropriate complementary uses within the Blackness area such as creative industry workspaces; social and cultural uses; shared work hubs; live-work units; micro-businesses; wholesaling; and ancillary retail sales.</p> <p>All proposals for development will be considered against the approved design framework, and must demonstrate how the development will support the regeneration of Blackness.</p> |  | <b>Out</b> | <p>The location of the sites means there is no link or pathway with the European sites and their qualifying interests. This policy is screened out for <b>Reason (f)</b> as it makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.</p>                                                                                                                                           |

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| <p>In order to safeguard the objectives of the design framework the City Council may impose planning conditions removing the right to change between Use Classes.</p> <p>Whilst this proposal encourages new development within the Blackness GEDA this must not prevent the operation or expansion of the existing employment uses.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>Policy 7: Tourism and Leisure Developments</b></p> <p><b>a) Visitor Attractions and Facilities</b><br/>Proposals for tourist visitor attractions and facilities capable of strengthening the appeal and attraction of Dundee to a wide range of visitors will be supported. Proposals should complement existing visitor facilities and be located in the City Centre unless activity-specific issues indicate that this is impractical.</p> <p><b>b) Leisure Developments</b><br/>Proposals for major leisure uses will be directed firstly towards the City Centre and the District Centres followed by the existing leisure parks at Douglasfield and Camperdown and to The Stack to support its redevelopment. Proposals for leisure developments outwith these locations will only be acceptable where it can be established that:</p> <p>1) no suitable site is available, within and thereafter on the edge of the City Centre or District Centre or within the existing leisure parks;<br/>2) individually or cumulatively it would not prejudice the vitality or viability of the City Centre or District Centres;<br/>3) the site is readily accessible by modes of transport other than the car; and<br/>4) activity-specific issues indicate that this is impractical.</p> |  | <b>In</b> | <p>This policy steers tourism and leisure developments towards the city centre area identified on the proposals map which includes the frontage to the Firth of Tay. At this stage of the HRA process it is not possible to rule out the risk of a likely significant effect on the following European sites:</p> <ul style="list-style-type: none"> <li>• <b>Firth of Tay &amp; Eden Estuary SAC</b> – potential impact on qualifying habitats and species during construction and operational stages.</li> <li>• <b>Firth of Tay &amp; Eden Estuary SPA</b> – potential disturbance to qualifying species during construction and operational stages and impacts on food sources and loafing/roosting space through habitat reduction.</li> <li>• <b>Moray Firth SAC</b> – potential impact on the bottlenose dolphins from the Moray Firth population which frequent the Tay estuary.</li> <li>• <b>River Tay SAC</b> – potential impact on qualifying species that migrate through the Tay estuary.</li> <li>• <b>Isle of May SAC</b> – potential impact on the grey seals from the Isle of May SAC which use the sandbanks in the Tay estuary.</li> </ul> |

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| <p><b>Any development in the City Centre should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                  | <ul style="list-style-type: none"> <li>• <b>Outer Firth of Forth &amp; St Andrews Bay Complex marine proposed SPA</b> – potential impact on food sources through habitat reduction and disturbance during construction and operational stages.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>Policy 8: Visitor Accommodation</b><br/> The provision of a range of high quality visitor accommodation within the City Centre is supported. Additional visitor accommodation that is complementary to the existing townscape, will be supported within the Central Broughty Ferry area to further enhance its attractiveness as a location for smaller scale tourism.</p> <p>Visitor accommodation, with the exception of small scale B&amp;B and guesthouse style accommodation, will not be supported outwith the City Centre or Central Broughty Ferry except where these involve enhancements to existing facilities.</p> <p><b>Any development in the City Centre should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site.</b></p> |  | <p><b>In</b></p> | <p>This policy steers high quality visitor accommodation to the city centre area identified on the proposals map which includes the frontage to the Firth of Tay. At this stage of the HRA process it is not possible to rule out the risk of a likely significant effect on the following European sites:</p> <ul style="list-style-type: none"> <li>• <b>Firth of Tay &amp; Eden Estuary SAC</b> – potential impact on qualifying habitats and species during construction and operational stages.</li> <li>• <b>Firth of Tay &amp; Eden Estuary SPA</b> – potential disturbance to qualifying species during construction and operational stages and impacts on food sources and loafing/roosting space through habitat reduction.</li> <li>• <b>Moray Firth SAC</b> – potential impact on the bottlenose dolphins from the Moray Firth population which frequent the Tay estuary.</li> <li>• <b>River Tay SAC</b> – potential impact on qualifying species that migrate through the Tay estuary.</li> <li>• <b>Isle of May SAC</b> – potential impact on the grey seals from the Isle of May SAC which use the sandbanks in the Tay estuary.</li> </ul> |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |            | <ul style="list-style-type: none"> <li>• <b>Outer Firth of Forth &amp; St Andrews Bay Complex marine draft SPA</b> – potential impact on food sources through habitat reduction and disturbance during construction and operational stages.</li> </ul>                                                                                                                                                                                                                                                                                                                       |
| <b>Quality Housing and Sustainable Communities</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>Policy 9: Housing Land Release</b><br/>Priority will be given to the development of the allocated brownfield and the greenfield sites.</p> <p>To ensure that an effective 5 year supply of housing land is maintained over the plan period the sites allocated in Appendix 3 shall not be developed for other uses.</p> <p>Housing land release on brownfield sites, in addition to the allocations set out in Appendix 3, may be acceptable where it can be demonstrated that it will improve the tenure mix in an area where existing choice is limited and would make a positive contribution to the regeneration objectives of the area.</p> <p>Progress on the release of housing land will be monitored through the Action Programme and the annual Housing Land Audit. Where the annual housing land audit identifies a shortfall in the effective 5 year land supply the Council will look to bring forward additional housing land with sites that have been allocated within the second 5 year period of the Plan to be considered first.</p> |  | <b>Out</b> | <p>This policy refers to Appendix _ sites which are screened separately in the following section, 'Sites proposed to be allocated for housing within the proposed LDP'. The policy is therefore screened out as any LSEs are covered in that section.</p> <p>With regard to windfall brownfield sites. <b>Reason (h)</b><br/>The effects on any particular European site cannot be identified because it is too general or vague and it is not known where, when, how the proposal may be implemented or where effects may occur, or which sites if any may be affected.</p> |
| <p><b>Policy 10: Design of New Housing</b><br/>The design and layout of new housing developments in Dundee should be of a high quality and contribute to creating</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  | <b>Out</b> | <p><b>Reason (e)</b> This is a design related policy which will not itself lead to development or change.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



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| <p>places that respect and enhance the distinct character and identity of the different parts of the City.</p> <p>All new housing developments should meet the six qualities of successful place, as set out in Policy 1 and should provide a balanced choice and type of housing.</p> <p>All new housing developments will be required to conform to the guidance on the Design of New Housing set out in Appendix 4.</p> <p>All new housing developments will need to ensure that the design and layout respects* and enhances the character of adjoining properties and the surrounding area and does not have a detrimental impact on residential amenity and parking.</p> |  |                   |                                                                                                                                                                                |
| <p><b>Policy 11: Householder Development</b><br/>Householder development will be supported where it:</p> <ol style="list-style-type: none"> <li>1) does not have a detrimental impact on the character or environmental quality of the house and the surrounding area by virtue of size, design and materials;</li> <li>2) does not result in a significant loss of private/useable garden ground;</li> <li>3) does not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking; and</li> <li>4) does not have a detrimental impact* on the existing level of parking provision.</li> </ol>                         |  | <p><b>Out</b></p> | <p><b>Reason (e)</b> This is a policy which sets out a qualitative criteria approach to support householder development and will not itself lead to development or change.</p> |
| <p><b>Policy 12: Formation of New Residential Accommodation</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  | <p><b>Out</b></p> | <p><b>Reason (h)</b> This is a policy for which effects on any particular European site cannot be identified because</p>                                                       |

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| <p>The creation of new residential accommodation through the development of existing roof/basement space or the subdivision of existing residential accommodation or change of use will be supported where:</p> <ol style="list-style-type: none"> <li>1) the requirements for the design of new housing (Policy 10 and Appendix 4) are met;</li> <li>2) all new dwellings created will have a quality surrounding environment;</li> <li>3) main living areas will be located on a principal elevation or on an elevation with an attractive open aspect; and</li> <li>4) it will not have a detrimental effect on the environmental quality enjoyed by existing residents by virtue of the loss of amenity/garden ground, the loss of both off/on street parking provision and increased traffic movements.</li> </ol> |  |                   | <p>it is too general and it is not known where, when or how the proposal may be implemented or where effects may occur.</p>                                                                                                                   |
| <p><b>Policy 13: Development of Garden Ground for New Housing</b></p> <p>The development of garden ground for new houses will be supported where the proposal meets the following criteria:</p> <ol style="list-style-type: none"> <li>1) the proposed new house/s meet/s the requirements for the design of new housing (Policy 10 and Appendix 4);</li> <li>2) no new building is proposed in front of the principal elevation of the existing house;</li> <li>3) both the curtilage of the existing house and the proposed house maintain the prevailing density of the surrounding area;</li> <li>4) that the useable private garden ground of the existing house is maintained to a level in keeping</li> </ol>                                                                                                    |  | <p><b>Out</b></p> | <p><b>Reason (h)</b> This is a policy for which effects on any particular European site cannot be identified because it is too general and it is not known where, when or how the proposal may be implemented or where effects may occur.</p> |

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| <p>with the scale of the house and that of similar houses in the surrounding area;</p> <p>5) that sufficient off street car parking is maintained/provided with the existing house in accordance with its size; and</p> <p>6) the development will not have a detrimental effect on the existing house and neighbouring properties in terms of physical impact, overshadowing or overlooking.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |                   |                                                                                                                                                                                                                                               |
| <p><b>Policy 14: Residential Accommodation for Particular Needs</b></p> <p>The development of residential accommodation for particular needs such as the elderly, special needs and varying needs will be supported where:</p> <ol style="list-style-type: none"> <li>1) a high quality residential environment will be created with appropriate amenity space provided for the scale of development, in a sheltered, private location that is not overshadowed for most of the day;</li> <li>2) the design reflects the scale, massing and materials of adjacent buildings and does not impact adversely on the amenity of neighbours by virtue of layout, overshadowing, overlooking, parking and traffic movement, noise or smell;</li> <li>3) the site is well connected to a range of local services and facilities in the surrounding area;</li> <li>4) the site is accessible by public transport and by other modes of travel as well as by the private car;</li> <li>5) appropriate car parking provision is made relative to the needs of occupants, visitors and support staff; and</li> <li>6) it will not lead to an excessive concentration of non-mainstream residential uses to the detriment of the character of the particular area.</li> </ol> |  | <p><b>Out</b></p> | <p><b>Reason (h)</b> This is a policy for which effects on any particular European site cannot be identified because it is too general and it is not known where, when or how the proposal may be implemented or where effects may occur.</p> |

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| <p>Conditions may be applied to permissions to ensure that they do not change into mainstream residential accommodation without an assessment that they can meet the necessary requirements in terms of design and layout in Policy 10 and Appendix 4.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |            |                                                                                                                                                                                                                                               |
| <p><b>Policy 15: Student Accommodation</b><br/>Student accommodation will only be supported where:</p> <ol style="list-style-type: none"> <li>1) it can be suitably demonstrated that a demand exists within the particular area for the level and type of student accommodation proposed;</li> <li>2) it is within convenient walking distance of the higher education institution to which a need exists and is well connected to local services and facilities; and</li> <li>3) the design and layout of the proposed development is of a high quality and provides an appropriate level of amenity space, car parking provision, refuse/recycling storage space and secure bike storage facilities.</li> </ol> <p>A Section 75 obligation will be required to restrict occupancy to students unless a higher education institution is a partner in the proposed development, in which case planning conditions may be appropriate.</p> |  | <b>Out</b> | <p><b>Reason (h)</b> This is a policy for which effects on any particular European site cannot be identified because it is too general and it is not known where, when or how the proposal may be implemented or where effects may occur.</p> |
| <p><b>Policy 16: Houses in Multiple Occupation</b><br/>Houses in Multiple Occupation (HMO) that require planning permission* will be supported where:</p> <ol style="list-style-type: none"> <li>1) they do not involve the change of use of a tenement flat** or other form of flat with a common stair or a shared entrance, unless in the City Centre;</li> <li>2) they will not be detrimental to traffic or pedestrian safety on account of increased parking pressures and must not lead to or exacerbate existing parking problems in the surrounding area;</li> </ol>                                                                                                                                                                                                                                                                                                                                                              |  | <b>Out</b> | <p><b>Reason (a)</b> General Policy statement/General criteria based policy which sets out the Council's aspirations for a certain issue.</p>                                                                                                 |

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| <p>3) they will not have a detrimental impact on the residential amenity. In this regard each proposal must provide adequate refuse storage space, garden ground, car parking and secure bike storage space; and</p> <p>4) the approval of a planning application for an HMO would not result in the proportion of licensed HMOs in any Census Output Area (excluding the City Centre) exceeding 12.5% of the total residential stock***.</p> <p>Proposals for new HMOs within census output areas that already exceed 12.5% will not be supported.</p> <p>The occupation of new mainstream residential developments and substantial conversions by 3 or more unrelated people within the Central Waterfront and in close proximity to higher education institutions (including Ninewells Hospital) will be prevented. The Council will secure this objective through obligations under Section 75 of the Town &amp; Country Planning (Scotland) Act 1997.</p> <p>(*Planning permission is required for the occupation of a house by more than 5 unrelated people and by 4 or more unrelated people in a flat.)<br/> (**Flat: means a separate and self-contained set of premises whether or not on the same floor and forming part of a building from some other part which it is divided horizontally. Part 1 (2) Town &amp; Country Planning (General Permitted Development) (Scotland) Order 1992)<br/> (***)Purpose built HMO accommodation will be excluded from this assessment)</p> |  |                   |                                                                                                                                                                                                                            |
| <p><b>Policy 17: Small Scale Commercial Uses within Residential Areas</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | <p><b>Out</b></p> | <p><b>Reason (h)</b> This is a policy for which effects on any particular European site cannot be identified because it is too general and it is not known where, when or how the proposal may be implemented or where</p> |

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| <p>The City Council will support the development of a range of small scale commercial services and facilities close to and within existing and proposed housing areas.</p> <p>The development of small scale commercial services and facilities will need to ensure that they do not have a detrimental effect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement, noise or smell.</p>                                                                                                                                                                                                                                                             |  |                   | <p>effects may occur.</p>                                                                                                                                                                                                                     |
| <p><b>Policy 18: Community Facilities</b><br/> Proposals for new community facilities should be in locations convenient to the community they serve and readily accessible, particularly by public transport, pedestrians and cyclists. Joint developments with other agencies providing diverse but integrated community facilities will be encouraged.</p> <p>Where land or buildings formerly in community use become surplus to current or anticipated future requirements, alternative uses or developments which are compatible with adjoining uses and any remaining community uses, will be supported. Large sites or sites in sensitive locations will be subject to a Planning Brief or Masterplan.</p> |  | <p><b>Out</b></p> | <p><b>Reason (h)</b> This is a policy for which effects on any particular European site cannot be identified because it is too general and it is not known where, when or how the proposal may be implemented or where effects may occur.</p> |
| <p><b>Policy 19: Private Day Nurseries</b><br/> Proposals for private day nurseries will be supported where they meet the following criteria:</p> <ol style="list-style-type: none"> <li>1) all private day nurseries have a quality surrounding environment and outdoor play space must be attractive, useable, safe and enjoy a sunny aspect.</li> <li>2) private outdoor play space of 100 square metres for up to 10 children and 5 square metres per additional child will be provided.</li> </ol>                                                                                                                                                                                                           |  | <p><b>Out</b></p> | <p><b>Reason (h)</b> This is a policy for which effects on any particular European site cannot be identified because it is too general and it is not known where, when or how the proposal may be implemented or where effects may occur.</p> |

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| <p>3) all parking spaces will be accommodated within the curtilage of the premises, where a car can enter and leave in a forward gear;</p> <p>4) staff parking of one dedicated space per 3 members of staff will be provided;</p> <p>5) dropping off parking provision should be provided at a level of 3 spaces for up to 25 children and 4 spaces for more than 25 children (up to a maximum of 50). Where on street parking restrictions exist, dropping off provision of 6 spaces for up to 25 children and 8 spaces for more than 25 children (up to a maximum of 50).</p> <p>6) they are situated wholly or predominantly on the ground floor, with direct access to private outdoor play space .</p> <p>Within the City Centre and District Centres the requirements of the criteria may be relaxed subject to suitable alternatives being put in place e.g. proximity to car parks and public transport.</p> <p>Proposals will not be supported where they are:</p> <ul style="list-style-type: none"> <li>1) within tenement buildings/flatted accommodation.</li> <li>2) accessed from a cul-de-sac or residential street of less than 4.8 metres width.</li> <li>3) within a radius of 250 metres from an existing private nursery.</li> </ul> <p>In general proposals that provide for more than 50 full time places (or equivalent) will not be supported.</p> |  |  |  |
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| <p><b>Policy 20: Funding of On and Off Site Infrastructure Provision</b></p> <p>The City Council, where necessary and appropriate, will seek to secure developer contributions towards the cost of infrastructure provision both on and off site.</p> <p>The principles that guide the preparation of the Developer Contributions Supplementary Guidance are:</p> <ol style="list-style-type: none"> <li>1) fair and proportionate developer contributions for all developments on sites allocated in either the Dundee Local Development Plan or in terms of windfall development;</li> <li>2) developer contributions will be sought where a need for new or improved services, facilities or infrastructure has been identified that relates directly to the requirements or impacts of a proposed development;</li> <li>3) flexibility in approach to ensure that development can be brought forward in varied economic circumstances while ensuring that the development has no net detriment; and</li> <li>4) facilitate informed decision making by those involved in the development process, allowing potential financial implications to be factored into development appraisals prior to commercial decisions and actions being undertaken.</li> </ol> |  | <b>Out</b> | <p><b>Reason (e)</b> This is a policy which will not itself lead to development or change as it relates to the funding of on and off site infrastructure through securing developer contributions.</p> |
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Screening of Sites for likely significant effects alone

**Sites proposed to be allocated for housing within the proposed LDP**

**SITE NUMBERING: ALL SITE NUMBERS IN BRACKETS RELATE TO LDP 2014 AND ARE FORMER SITE NUMBERS OR SITES NO LONGER PROPOSED FOR ALLOCATION.**

**ONLY THE PROPOSED ALLOCATED SITES, HIGHLIGHTED IN BOLD TEXT, ARE REFERENCED ON THE HRA MAP.**

**Housing Sites Carried Forward from the Previous 2014 LDP**

**Ward 1: Strathmartine**

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| <b>H09</b> (H31)<br><b>H10</b> (H61)<br><b>H11</b> (H28)<br><b>H12</b> (H67)<br>(Downfield) |  | <b>Out</b> | <b>Reason (f)</b> These proposals make provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>H03</b> (H66)<br><b>H44</b> (H70(2))<br>(Clatto/Baldragon Farm)                          |  | <b>Out</b> | <b>Reason (f)</b> These proposals make provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>H08</b> (H30)<br>(Former Macalpine Primary School)                                       |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with                                                                                                          |

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|                                                                                                          |  |            | the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                              |
| <b>Ward 2: Lochee</b>                                                                                    |  |            |                                                                                                                                                                                                                                                                     |
| <b>H42</b> (H69)<br>(Western Gateway – Liff)                                                             |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.   |
| (H11)                                                                                                    |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.<br><br>Note: Site now fully developed.                                                                                                                  |
| <b>H04</b> (H24)<br><b>H05</b> (H60)<br><b>H07</b> (H12)<br>(H23)<br>(H25)<br>(H26)<br>(H27)<br>(Lochee) |  | <b>Out</b> | <b>Reason (f)</b> These proposals make provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>H01</b> (H65)<br><b>H02</b> (H43)<br>(H44)<br>(Menziesshill)                                          |  | <b>Out</b> | <b>Reason (f)</b> These proposals make provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>H06</b> (H63)<br>(Highgate, Lochee)                                                                   |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.   |
| (H59)                                                                                                    |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.<br><br>Note: Site now partially developed.                                                                                                              |

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| (HP01)<br>(HP02)<br>(Western Gateway)      |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.<br><br>Note: Sites now partially developed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Ward 3: West End</b>                    |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>H14</b> (H02)<br>(Seabraes – Railyards) |  | <b>Out</b> | This site was previously allocated in the Dundee Local Development Plan 2014. It forms part of the Seabraes/District 10 area masterplan which received outline permission in 2004 for a mix of business, commercial, residential and open spaces and is an integral part of the wider Dundee Waterfront project. The proposals offer an opportunity to provide a positive effect through linking of green infrastructure in the regeneration of this area and the wider waterfront project.<br><br>Planning permission (09/00467/FUL) was granted for the importation of material, surcharging site and profiling of site to formation level. These works were carried out in 2014.<br><br><b>Reason (f)</b> This proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| (H06)<br>(Roseangle – Peterson House)      |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| (H07)<br>(H08)                             |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|                                            |  |            | Note: Sites now fully developed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| (H03)<br>(H04)<br>(South Tay Street)       |  | <b>Out</b> | <b>Reason (f)</b> These proposals make provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                         |
| <b>H13</b> (H09)<br>(Queen Victoria Works) |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                           |
| (H64)                                      |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.<br><br>Note: Site now fully developed.                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Ward 4: Coldside</b>                    |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| (H40)<br>(Derby Street)                    |  | <b>Out</b> | This residential site forms part of the Hilltown Physical Regeneration Framework (2008) which focuses on opportunities to improve the physical environment of the area. A Proposal of Application Notice (16/00396/PAN) was submitted in May 2016 for development of the entire site.<br><br><b>Reason (f)</b> This proposal could have no conceivable effect on the European sites because there is no link or pathway with the qualifying interests of the sites and the proposal would not otherwise undermine the conservation objectives of the sites. |
| <b>H16</b> (H39)                           |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.<br><br>Note: Site now partially developed.                                                                                                                                                                                                                                                                                                                                                                                                      |
| (H21)                                      |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|                                                      |  |            | but has already been granted planning permission. Permission granted is Planning Permission in Principle.<br><b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.               |
| <b>H15</b> (H62)<br>(Hilltown)                       |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                            |
| (H14)<br>(Loons Road/Lawsie Road)                    |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                            |
| (H17)<br>(Strathmore Avenue – Fire Station)          |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                            |
| <b>Ward 5: Maryfield</b>                             |  |            |                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>H17</b> (H41)<br>(Central Waterfront Development) |  | <b>Out</b> | The Dundee Waterfront development is classed as a National Development within NPF3 and was subject to HRA against the following European Sites: <ul style="list-style-type: none"> <li>• Firth of Tay and Eden Estuary SAC</li> <li>• Firth of Tay and Eden Estuary SPA</li> <li>• Barry Links SAC</li> <li>• Moray Firth SAC</li> <li>• River Tay SAC</li> <li>• Isle of May SAC</li> </ul> |

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|                                                               |  |            | <p><b>The outcome of the assessment stated that when taking into account the outlined mitigation measures, including project level HRA, it was possible to conclude that the National Development would not result in adverse effects on site integrity.</b> (SNH mitigation advice recommended that a Marine Mammal Protection Plan is drawn up when taking forward development proposals)</p> <p>The Outer Firth of Forth &amp; St Andrews Bay Complex marine draft SPA was not included in the NPF3 HRA, however, given the species and Conservation Objective overlap with the Firth of Tay and Eden Estuary SPA it appears appropriate to conclude that the outcome would have been similar.</p> <p>As a result of the above this site has been screened out under <b>Reason (b)</b> as the Central Waterfront Development is referred to in, but not proposed by, this plan.</p> |
| (H10)<br>(Taybank Works Phase 2)                              |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| (H05)<br>(H38)<br>(City Centre)                               |  | <b>Out</b> | <b>Reason (f)</b> These proposals make provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>H18</b> (H19)<br>(H18)<br>(Princes Street/Victoria Street) |  | <b>Out</b> | <b>Reason (f)</b> These proposals make provision for change but could have no conceivable effect on a European site because there is no link or pathway with                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|                                                                                                                                                                                                     |  |            | the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| (H20)<br>(Maryfield Depot)                                                                                                                                                                          |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                                                                                                    |
| (H48)                                                                                                                                                                                               |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.<br><br>Note: Site now fully developed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| (H57)                                                                                                                                                                                               |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.<br><br>Note: Site now fully developed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Ward 6: North East</b>                                                                                                                                                                           |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>H25</b> (H36)<br><b>H26</b> (H15)<br><b>H27</b> (H35)<br><b>H28</b> (H34)<br><b>H29</b> (H01)<br><b>H30</b> (H33)<br><b>H31</b> (H32)<br><b>H32</b> (H16)<br><b>H33</b> (H22)<br><br>(Whitfield) |  | <b>Out</b> | <b>Reason (f)</b> These proposals make provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and they would not otherwise undermine the conservation objectives of the site.<br><br>The sites are in a regeneration priority area with the Whitfield Planning Framework as updated in 2015. SUDS system in place which flows to Dighty and opportunity to further improve green infrastructure as part of wider regeneration project. SUDS and Green Infrastructure information for Whitfield has been prepared as guidance for developers. |
| (H45)<br>(H46)<br>(H51)<br>(H53)<br>(H54)                                                                                                                                                           |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.<br><br>Note: Sites now partially or fully developed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| (Mill O'Mains – Hebrides Drive)                                                                                                    |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>H19</b> (H55)<br><b>H20</b> (H56)<br><b>H21</b> (H50 & H52)<br><b>H22</b> (H49)<br>(H47)<br><br>(Mill O'Mains – Hebrides Drive) |  | <b>Out</b> | <p><b>Reason (f)</b> The proposals make provision for change but could have no conceivable effect on the European sites because any effect would be a positive effect or would not otherwise undermine the conservation objectives of the sites.</p> <p>A community regeneration masterplan was prepared for Mill O'Mains (May 2009) by Home Scotland in collaboration with the Council and residents. The third phase of the development is currently under construction and a fourth and final phase is expected to commence in the coming years.</p> <p>The Dighty Wildlife Corridor runs along the south and west edges of the estate and the facilities and landscape here are to be improved as part of the wider regeneration of the area. It is considered that there are unlikely to be any significant effects on the Firth of Tay and Eden Estuary sites or the Outer Firth of Forth and St Andrews Bay Complex draft SPA due to the scale and phasing of development.</p> |
| (H68)<br>(Finavon Street)                                                                                                          |  | <b>Out</b> | <p><b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| (H73)<br>(Pitkerro Mill)                                                                                                           |  | <b>Out</b> | <p><b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Ward 7: East End</b>                                                                                                            |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>H23</b> (H42)<br>(Former Mossgiel Primary School Phase 2)                                                                       |  | <b>Out</b> | <p><b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



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|                                                                  |  |            | the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                                                           |
| <b>H24</b> (H29)<br>(Former Mid Craigie Primary School)          |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                |
| <b>Ward 8: The Ferry</b>                                         |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| (H13)<br>(Armitstead House)                                      |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.<br><br>Note: Site now partially developed.                                                                                                                                                                                                                                                                           |
| (H37)                                                            |  | <b>Out</b> | <b>Reason (c)</b> The proposal makes provision for change but has already been granted planning permission.<br><br>Note: Site now fully developed.                                                                                                                                                                                                                                                                               |
| <b>H46</b> (H71(2))<br>(Linlathen)                               |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                |
| <b>H47</b> (H72)<br>(Land to East of Strathyre Avenue)           |  | <b>Out</b> | <b>Reason (f)</b> This site provides a small scale extension to the existing site at Balgillo to the east of the City. The site lies west of a locally designated wildlife corridor along the Dighty Water. This small scale proposal is screened out as it makes provision for change but would have no conceivable effect on a European site because it would not otherwise undermine the conservation objectives of the site. |
| <b>New and Amended Housing Sites from the MIR Call for Sites</b> |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Ward 1: Strathmartine</b>                                     |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| (MIR83)<br>(Land West of Dayton Drive, Camperdown – 250 units requested)                                      |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                          |
| (MIR88)<br>(Pitempton – approximately 6 units with the majority of the site located within Angus Council)     |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.<br><br>Note: Portion of site boundary sits alongside the Dighty Water Wildlife corridor. |
| (MIR89)<br>(South Auchray – 270 units requested, approximately half the site is located within Angus Council) |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                          |
| <b>Ward 2: Lochee</b>                                                                                         |  |            |                                                                                                                                                                                                                                                                                                                                                            |
| (MIR77)<br>(Dykes of Gray North East – Western Gateway)                                                       |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                          |
| <b>H43</b> (MIR75)<br>(Dykes of Gray North West – Western Gateway)                                            |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                          |
| <b>H41</b> (MIR76)<br>(New Mill of Gray – Western Gateway)                                                    |  | <b>In</b>  | This allocation supports the principle of housing development on a site which is situated adjacent to the Firth of Tay. The proximity of Greylag Geese to the                                                                                                                                                                                              |

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|                                                                                                                      |  |                   | <p>site is established through research carried out in the following 2012 document:</p> <p><i>“Mapping the distribution of feeding Pink-footed and Iceland Greylag Geese in Scotland: A report by the Wildfowl &amp; Wetlands Trust, as part of a programme of work jointly funded by WWT and Scottish Natural Heritage”</i></p> <p>Map based evidence records the presence of geese, predominantly to the west, and to the south of the proposed site and it is stated that <i>“Geese roosting on the Firth of Tay typically fed to the north of the site in Southern Angus...P.80</i></p> <p>As a result it is not possible to establish that there is no link or pathway with the qualifying interests of the adjacent SPA. Therefore it is not possible to rule out the risk of likely significant effect at this stage of the HRA on the adjacent European Site:</p> <ul style="list-style-type: none"> <li>• <b>Firth of Tay &amp; Eden Estuary SPA</b> – potential disturbance to qualifying species during construction and operational stages and impacts on food sources and loafing/roosting space through habitat reduction.</li> </ul> |
| <p>(MIR86)<br/>(Balgarthno - 150 to 200 residential units and economic use at north east part of site requested)</p> |  | <p><b>Out</b></p> | <p><b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.</p> <p>Note: Site lies within close proximity to the Western Gateway Development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| <p>(MIR99)<br/>(Star Inn Farm – 600 units requested)</p>    |  | <p><b>In</b></p>  | <p>This allocation supports the principle of housing development on a site which is situated adjacent to the Firth of Tay. The proximity of Greylag Geese to the site is established through research carried out in the following 2012 document:</p> <p><i>“Mapping the distribution of feeding Pink-footed and Iceland Greylag Geese in Scotland: A report by the Wildfowl &amp; Wetlands Trust, as part of a programme of work jointly funded by WWT and Scottish Natural Heritage”</i></p> <p>Map based evidence records the presence of geese, predominantly to the west, and to the south of the proposed site and it is stated that <i>“Geese roosting on the Firth of Tay typically fed to the north of the site in Southern Angus...P.80</i></p> <p>As a result it is not possible to establish that there is no link or pathway with the qualifying interests of the adjacent SPA. Therefore it is not possible to rule out the risk of likely significant effect at this stage of the HRA on the adjacent European Site:</p> <ul style="list-style-type: none"> <li>• <b>Firth of Tay &amp; Eden Estuary SPA</b> – potential disturbance to qualifying species during construction and operational stages and impacts on food sources and loafing/roosting space through habitat reduction.</li> </ul> |
| <p><b>Aydy Dunsinane – 41 units indicative capacity</b></p> |  | <p><b>Out</b></p> | <p><b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>Ward 3: West End</b></p>                              |  |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <b>Ward 4: Colindale</b>                                                                                      |  |            |                                                                                                                                                                                                                                                                   |
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| <b>Ward 5: Maryfield</b>                                                                                      |  |            |                                                                                                                                                                                                                                                                   |
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| <b>Ward 6: North East</b>                                                                                     |  |            |                                                                                                                                                                                                                                                                   |
| H45 (MIR78)<br>(Ballumbie Road – Approximately 50 units)<br>(Ballumbie Road Phase 2 – Approximately 60 units) |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| (MIR84)<br>(Barns of Claverhouse Road – 35 to 40 units requested)                                             |  | <b>Out</b> | <b>Reason (c)</b> This proposal makes provision for change but has already been granted planning permission.                                                                                                                                                      |
| <b>Ward 7: East End</b>                                                                                       |  |            |                                                                                                                                                                                                                                                                   |
| (MIR80)<br>(Mid Craigie Road – 90 units requested)                                                            |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>Ward 8: The Ferry</b>                                                                                      |  |            |                                                                                                                                                                                                                                                                   |
| (MIR74)<br>(Land at North Grange – approximately 75 self-build units)                                         |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |

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|                                                                                                       |  |            | An updated Call for Sites has been submitted which changes focus away from the 275+ units to a lower density housing allocation of around 75 self-build plots with small scale retail and business units.                                                                                                                                                                                                                                                                   |
| (MIR79)<br>(Linlathen Phase 3 – Approximately 950 units based on EMAC’s previous Development Concept) |  | <b>Out</b> | <p><b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.</p> <p>Proposed site is an extension of previously allocated site H71(2), housing allocation 2020 – 2024.</p> <p>Note: Portion of site boundary sits alongside the Dighty Water Wildlife corridor.</p> |
| (MIR81)<br>(Balmossie – 120 units requested)                                                          |  | <b>Out</b> | <p><b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.</p> <p>Note: Portion of site boundary sits alongside the Dighty Water Wildlife corridor.</p>                                                                                                           |
| (MIR82)<br>(Land at Pitkerro House – 190 units requested)                                             |  | <b>Out</b> | <p><b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.</p> <p>Note: Dighty Water Wildlife corridor runs through the site.</p>                                                                                                                                 |
| (MIR85)<br>(Land to East of Strathyre Avenue – 26 units requested)                                    |  | <b>Out</b> | <p><b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with</p>                                                                                                                                                                                                                                                                                                           |

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|                                                                           |  |            | the qualifying interests and it would not otherwise undermine the conservation objectives of the site.<br><br>Note: Portion of site boundary sits alongside the Dighty Water Wildlife corridor.                                                                                                                                                            |
| (MIR87)<br>(Linlathen – 20 units requested)                               |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.<br><br>Note: Portion of site boundary sits alongside the Dighty Water Wildlife corridor. |
| <b>Draft Housing Sites Put Forward by Dundee City Council</b>             |  |            |                                                                                                                                                                                                                                                                                                                                                            |
| <b>Ward 1: Strathmartine</b>                                              |  |            |                                                                                                                                                                                                                                                                                                                                                            |
| <b>Former Kingspark School – 50 units indicative capacity</b>             |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                          |
| <b>H37<br/>Former Baldragon Academy – no indicative capacity provided</b> |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.<br><br>Note: Site located within close proximity to the Dighty Water Wildlife corridor.  |
| <b>Ward 2: Lochee</b>                                                     |  |            |                                                                                                                                                                                                                                                                                                                                                            |
| <b>H35<br/>Hillside Primary School – 40 units indicative capacity</b>     |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for                                                                                                                                                                                                                                                                                                         |

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|                                                                                      |  |            | change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                    |
| <b>H34</b><br><b>Former Gowriehill Primary School – 30 units indicative capacity</b> |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>Menziesshill High School – 100 units indicative capacity</b>                      |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>Ward 3: West End</b>                                                              |  |            |                                                                                                                                                                                                                                                                   |
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| <b>Ward 4: Coldside</b>                                                              |  |            |                                                                                                                                                                                                                                                                   |
| <b>H38</b><br><b>Our Lady's RC Primary School – 50 units indicative capacity</b>     |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>Rosebank Primary School – 30 units indicative capacity</b>                        |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>Ward 5: Maryfield</b>                                                             |  |            |                                                                                                                                                                                                                                                                   |
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| <b>Ward 6: North East</b>                                                            |  |            |                                                                                                                                                                                                                                                                   |



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| <b>H40</b><br>Longhaugh Primary School – 25 units indicative capacity                   |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                              |
| <b>Former St Saviours School – no indicative capacity provided</b>                      |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.<br><br>Note: Portion of site sits within the Dighty Water Wildlife corridor. |
| <b>H39</b><br>St Lukes and St Matthews RC Primary School – 30 units indicative capacity |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                              |
| <b>Ward 7: East End</b>                                                                 |  |            |                                                                                                                                                                                                                                                                                                                                                |
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| <b>Ward 8: The Ferry</b>                                                                |  |            |                                                                                                                                                                                                                                                                                                                                                |
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| <b>Housing Sites Submitted During SHIP</b>                                              |  |            |                                                                                                                                                                                                                                                                                                                                                |
| <b>Ward 1: Strathmartine</b>                                                            |  |            |                                                                                                                                                                                                                                                                                                                                                |
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| <b>Ward 2: Lochee</b>                                                                   |  |            |                                                                                                                                                                                                                                                                                                                                                |
| <b>Rialto Cinema, Grays Lane – 12 units indicative capacity</b>                         |  | <b>Out</b> | <b>Reason (c)</b> This proposal makes provision for change                                                                                                                                                                                                                                                                                     |

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|                                                                                                                                                    |  |            | but has already been granted planning permission.                                                                                                                                                                                                                 |
| <b>H36<br/>Former St Mary's Infant School – 24 units requested</b>                                                                                 |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>Ward 3: West End</b>                                                                                                                            |  |            |                                                                                                                                                                                                                                                                   |
| <b>Benvie Road/Mitchell Street – 12 units indicative capacity</b>                                                                                  |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>Ward 4: Colonside</b>                                                                                                                           |  |            |                                                                                                                                                                                                                                                                   |
| <b>Colonside Road – 30 units requested</b>                                                                                                         |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>Ward 5: Maryfield</b>                                                                                                                           |  |            |                                                                                                                                                                                                                                                                   |
| <b>Eliza Street/Mains Loan – 40 units requested/18 units listed within site planning brief</b><br><br>(Planning Application pending consideration) |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| <b>Ward 6: North East</b>                                                                                                                          |  |            |                                                                                                                                                                                                                                                                   |
| <b>Fintry Nursery, Fintry Road – 32 units requested</b>                                                                                            |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |

| Ward 7: East End                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |     |                                                                                                                                                                                                                                                                               |
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| BOC Ballindean Road – 25 units indicative capacity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  | Out | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.             |
| Ward 8: The Ferry                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |     |                                                                                                                                                                                                                                                                               |
| Brook Street, Broughty Ferry Dundee – 16 units requested                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  | Out | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.             |
| Screening of policies for likely significant effects alone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |     |                                                                                                                                                                                                                                                                               |
| Town Centres and Shopping                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |     |                                                                                                                                                                                                                                                                               |
| <p><b>Policy 21: Town Centre First Principle</b></p> <p>All new or expanded uses that will generate significant footfall should be located in the City Centre or a District Centre. Proposals for such uses in other locations will only be acceptable where it can be established that:</p> <ol style="list-style-type: none"> <li>1) no suitable site is available, in the first instance, within the City Centre or District Centres then, edge of centre and then, Commercial Centres identified in the Local Development Plan, and then out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes;</li> <li>2) individually or cumulatively the proposal would not have a significant adverse effect on the vitality or viability of the City Centre, District Centres or Commercial Centres; and</li> </ol> |  | Out | <b>Reason (h)</b> Policies for which effects on any particular European site cannot be identified because it is too general or vague and it is not known where, when or how the proposal may be implemented or where effects may occur or which sites if any may be affected. |

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| <p>3) the proposal would address a deficiency in provision which cannot be met within or on the edge of these centres.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>Policy 22: City Centre Retail Frontages</b></p> <p><b>a) City Centre Retail Frontage Area</b></p> <p>Within the City Centre Retail Frontage Area (see Appendix 7 City Centre Retail Frontage Area), proposals for Class 1 (Shops) use will be encouraged. Proposals which would result in the loss of ground floor retail uses to uses other than Class 3 (Food and Drink) uses will not be permitted. Conditions will be applied to prevent the permitted change from Class 3 to Class 2.</p> <p><b>b) City Centre Speciality Shopping and Non Frontage Area</b></p> <p>Within the Speciality Shopping and Non Frontage Area uses within Classes 1 (Shops), 2 (Financial, Professional and Other Services) and 3 (Food and Drink) of the Use Classes Order will be supported. Proposals for ground floor premises involving uses falling outwith these Classes will not be permitted.</p> <p><b>c) City Centre Extending and Upgrading Shopping Provision</b></p> <p>The following locations (see Appendix 7 City Centre Extending and Upgrading Shopping Provision) will be supported as capable of accommodating a major element of new or upgraded shopping floorspace in the City Centre:</p> <ul style="list-style-type: none"> <li>• The Overgate Centre (extension)</li> </ul> |  | <p><b>Out</b></p> | <p>Dundee is an important regional shopping destination and it is important to maintain and improve the visitor experience on offer while enhancing Dundee's competitiveness. This policy is intended to achieve the following aims:</p> <ol style="list-style-type: none"> <li>ensure the vitality and visual appeal of the main shopping area within the Retail Frontage Area is maintained;</li> <li>support the role of independent and niche shops and services outwith the Retail Frontage Area;</li> <li>ensure the continued vitality and competitiveness of the region's main shopping destination; and</li> <li>ensure that the existing shopping provision in the City Centre is not undermined and the new shopping provision within the Central Waterfront is complementary in nature.</li> </ol> <p>This policy is screened out for <b>Reason (e)</b> as it will not itself lead to development as it seeks to achieve an appropriate balance of retail choice to provide a diverse and lively City Centre.</p> |

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| <ul style="list-style-type: none"> <li>The Wellgate Centre (extension and internal remodelling)</li> </ul> <p>Within the Central Waterfront development area a limited element of small scale shopping floorspace at ground floor level will be permitted. This should be complementary in nature to the shopping provision in the City Centre.</p> <p>Any other proposals for new shopping floorspace must demonstrate that they will be well located, connected to and will not undermine the existing shopping provision in the City Centre.</p>                                                                                                   |  |                   |                                                                                                                                                                                                                                                                      |
| <p><b>Policy 23: District Centres Retail Frontage</b></p> <p><b>a) District Centres Retail Frontage Area</b></p> <p>Within the areas defined on the Proposals Map and Appendix 7, the City Council will encourage new retail and other uses within Classes 1, 2 and 3 of the Use Classes Order which would contribute to the vitality and viability of the District Centres. Uses outwith these Use Classes will not be supported.</p> <p><b>b) District Centres Outwith Retail Frontage Area</b></p> <p>Outwith the defined retail frontage areas, proposals which help support the role and function of the District Centre will be acceptable.</p> |  | <p><b>Out</b></p> | <p>This policy is screened out for <b>Reason (e)</b> as it will not itself lead to development as it seeks to maintain the health and role of District Centres by encouraging new retail, other uses and less mainstream shops to promote vitality and vibrancy.</p> |
| <p><b>Policy 24: Goods Range and Unit Size Restrictions</b></p> <p><b>Commercial Centres</b></p> <p>The Commercial Centres at Kingsway East Retail Park, Kingsway West Retail Park, Gallagher Retail Park and The</p>                                                                                                                                                                                                                                                                                                                                                                                                                                 |  | <p><b>Out</b></p> | <p><b>Reason (e)</b> This policy will not itself lead to development or change as it relates to restricted goods ranges in commercial centres.</p>                                                                                                                   |

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| <p>Stack shall be subject to the restrictions set out in Appendix 5.</p> <p>New proposals involving the sale of any of the restricted goods ranges at these locations will only be supported where it can be established that:</p> <ol style="list-style-type: none"> <li>1) they will not affect, either on their own or in association with other built or approved developments, the Local Development Plan strategy in support of the City Centre and the District Centres;</li> <li>2) they will be capable of co-existing with the City Centre and the District Centres without individually or cumulatively undermining their vitality and viability; and</li> <li>3) they will tackle deficiencies in qualitative or quantitative terms which cannot be met in or at the edge of the City Centre and the District Centres.</li> </ol> <p><b>Food Stores</b></p> <p>Within new or extended food stores the sale and display of comparison goods shall be limited to no more than 30% of the net sales area of the store, subject to the limitations that no single group of goods (as set out in Appendix 5) shall occupy more than 50% of the sales area devoted to comparison goods.</p> |  |            |                                                                                                                                                                                                                                                                            |
| <p><b>Policy 25: Gallagher Retail Park Extension</b></p> <p>The City Council supports the redevelopment of the Dock Street bus depot site for retail warehousing in bulky household goods. The range of goods to be sold at this location will require to comply with Appendix 5 Goods Range and Unit Size Restrictions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  | <b>Out</b> | <p><b>Reason (f)</b> This proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives for the site.</p> |

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| <p>In addition the City Council will require to be satisfied that suitable arrangements are in place for the relocation of the current bus depot operations to an alternative site within the City prior to the development of the site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |                   |                                                                                                                                                                                                                                                                                      |
| <p><b>Policy 26: Local Shopping Provision</b></p> <p><b>New Local Shops</b></p> <p>In areas where it can be demonstrated that provision is low and subject to satisfactory demonstration of need, the Council will support the provision of a new local shop with maximum gross floorspace of 250 square metres.</p> <p><b>Existing Centres and Parades</b></p> <p>At local shopping centres and parades the City Council will support:</p> <ol style="list-style-type: none"> <li>1) measures for upgrading of existing shopping provision; and</li> <li>2) where appropriate, the provision of additional shopping floorspace up to a maximum of 500 square metres gross.</li> </ol> |  | <p><b>Out</b></p> | <p><b>Reason (h)</b> Policies for which effects on any particular European site cannot be identified because it is too general or vague and it is not known where, when or how the proposal may be implemented or where effects may occur or which sites if any may be affected.</p> |
| <p><b>Policy 27: Public Houses, Restaurants and Hot Food Takeaways</b></p> <p>Outwith the City Centre and District Centres proposals for public houses, restaurants and hot food takeaways, including beer gardens and extensions to existing operations will only be supported where:</p> <ol style="list-style-type: none"> <li>1) the proposal has a gross floor area up to 150 square metres and is more than 30 metres* from existing or proposed housing or;</li> </ol>                                                                                                                                                                                                          |  | <p><b>Out</b></p> | <p><b>Reason (h)</b> Policies for which effects on any particular European site cannot be identified because it is too general or vague and it is not known where, when or how the proposal may be implemented or where effects may occur or which sites if any may be affected.</p> |

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| <p>2) the proposal has a gross floor area in excess of 150 square metres and is more than 45 metres* from existing or proposed housing.</p> <p>Hot food takeaways and sandwich shops/coffee shops/tea rooms which would not meet the above requirements may be permitted subject to:</p> <ol style="list-style-type: none"> <li>1) the hours of operation being limited to between 7.00am and 7.00pm; and</li> <li>2) the hot food only requiring heating by means of a microwave oven or other method which would not cause a nuisance to surrounding residential property by virtue of smell and noise.</li> </ol> <p>*(Distance measured from curtilage of proposal to facade of existing or proposed houses.)</p> |  |                   |                                                                                                                                                                 |
| <h2>Sustainable Natural and Built Environment</h2>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |                   |                                                                                                                                                                 |
| <p><b>Policy 48: Low and Zero Carbon Technology in New Development</b></p> <p>Proposals for all new buildings will be required to demonstrate that at least 15% of the carbon emissions reduction standard set by Scottish Building Standards against the 2007 level will be met through the installation and operation of zero-carbon generating technologies. This percentage will increase to 20% from the beginning of 2020 and will be reviewed in 2024.</p> <p>The requirement applies to all new buildings with the following exceptions:</p> <ol style="list-style-type: none"> <li>1) Alterations and extensions to buildings.</li> <li>2) Change of use or conversion of buildings.</li> </ol>              |  | <p><b>Out</b></p> | <p><b>Reason (e)</b> This policy will not itself lead to development or change as it promotes low and zero carbon generating technology in new development.</p> |



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| <p>3) Ancillary buildings that stand alone and cover an area less than 50 square metres.</p> <p>4) Buildings which will not be heated or cooled, other than by heating provided solely for frost protection.</p> <p>5) Buildings which have an intended life of less than two years.</p> <p>A statement will be required to be submitted with an application for planning permission to demonstrate compliance with this requirement.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                   |                                                                                                                                                                                                                                               |
| <p><b>Policy 46: Delivery of Heat Networks</b></p> <p>Proposals for new development should consider the feasibility to create or link into an existing energy centre and heat network or demonstrate the capability to progress towards this technology in the future.</p> <p>This requirement applies to the following development:</p> <p>a) Proposals that are subject to a major planning application, or would cumulatively exceed the major planning application thresholds;</p> <p>b) New housing or commercial developments that are within the Heat Network Opportunity Cluster areas.</p> <p>Where there is known potential for development to connect to a planned local heat network, areas for pipe runs should be safeguarded to enable future connectivity.</p> <p>A statement will be required to be submitted with an application for planning permission which demonstrates that consideration has been given to the viability of creating or linking to a heat network.</p> |  | <p><b>Out</b></p> | <p><b>Reason (h)</b> This is a policy for which effects on any particular European site cannot be identified because it is too general and it is not known where, when or how the proposal may be implemented or where effects may occur.</p> |
| <p><b>Policy 45: Energy Generating Facilities</b></p> <p>Major energy generating plants, not ancillary to wider development proposals, will be directed to the Principal or</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  | <p><b>In</b></p>  | <p>This policy steers development towards Dundee Port PEDA which is situated adjacent to the Firth of Tay. It is not possible to rule out the risk of likely significant</p>                                                                  |

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| <p>General Economic Development Areas. <b>Any development at the Port of Dundee Principal Economic Development Area should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura Site.</b></p> <p>Proposals for small scale energy generating plants out with Principal or General Economic Development Areas, other than single user or domestic appliances, will only be acceptable where their primary function is the production of heat or combined heat and power for local residential or business consumption.</p> <p>Development may be acceptable where:</p> <ol style="list-style-type: none"> <li>1) the Council is satisfied that there will be no significant negative effects in terms of their scale, design, location, emissions, landscape setting, storage facilities, and cumulative impact, odour, noise and storage requirements; and</li> <li>2) levels of pollutants have been minimised through the use of best available technology, including abatement technology.</li> </ol> |  | <p>effect at this stage of the HRA on the following European sites:</p> <ul style="list-style-type: none"> <li>• <b>Firth of Tay &amp; Eden Estuary SAC</b> – potential impact on qualifying habitats and species during construction and operational stages.</li> <li>• <b>Firth of Tay &amp; Eden Estuary SPA</b> – potential disturbance to qualifying species during construction and operational stages and impacts on food sources and loafing/roosting space through habitat reduction.</li> <li>• <b>Moray Firth SAC</b> – potential impact on the bottlenose dolphins from the Moray Firth population which frequent the Tay estuary.</li> <li>• <b>Barry Links SAC</b> – potential impact on qualifying habitats through increases in atmospheric pollution.</li> <li>• <b>River Tay SAC</b> – potential impact on qualifying species that migrate through the Tay estuary.</li> <li>• <b>Isle of May SAC</b> – potential impact on the grey seals from the Isle of May SAC which use the sandbanks in the Tay estuary.</li> <li>• <b>Outer Firth of Forth &amp; St Andrews Bay Complex marine draft SPA</b> – potential impact on food sources through habitat reduction and disturbance during construction and operational stages.</li> </ul> |
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|                                                                                                                                                                                                                                                                           |  |            | <p>Dundee Port is identified as a Strategic Development Area in TAYplan 2016-2036 and is part of the Low Carbon/Renewables East Enterprise Area and is a key renewables site identified within the National Renewables Infrastructure Plan (N-RIP). The Port of Dundee has permitted development rights which allow development associated with port related activities. Under policy 7: Energy, Waste and Resources TAYplan's HRA mitigation recommendations include:</p> <p><i>“Further HRA/EIA assessment may be required at the planning application stage for any proposals arising from this policy.”</i></p> <p>The Riverside Business Park PEDAs are close to the River Tay however the airport runway acts as a buffer and for this reason the site can be screened out. All other Principal and General Economic Development Areas shown on the proposals map have no link or pathway with the European sites and their qualifying interests and can be screened out.</p> |
| <p><b>Policy 47: Wind Turbines</b></p> <p>Proposals involving the production of energy by wind turbines will be supported subject to the Council being satisfied that there will be no unacceptable negative effects from wind turbines individually or cumulatively.</p> |  | <b>Out</b> | <p><b>Reason (a)</b> This is a general criteria based policy which sets out the Council's aspirations for a certain issue.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>Policy 31: Development within the Open Countryside</b></p> <p>Within the areas designated as Open Countryside on the Proposals Map there will be a presumption against all new development unless:</p>                                                              |  | <b>Out</b> | <p><b>Reason (h)</b> Policies for which effects on any particular European site cannot be identified because it is too general or vague and it is not known where, when or how the proposal may be implemented or where effects may occur or which sites if any may be affected.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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| <ol style="list-style-type: none"> <li>1) the proposed development consists of no more than one additional building in a group of up to seven buildings or by two additional buildings in a larger group; or</li> <li>2) the proposed development involves the restoration of an existing stone building of architectural merit and that has four walls surviving to wall head height; or</li> <li>3) the proposed development is supported by an agricultural justification.</li> <li>4) the proposed development is consistent with a masterplan, strategy or programme approved by the Council</li> </ol>                        |  |            |                                                                               |
| <p><b>Policy 32: National and International Nature Conservation Designations</b></p> <p>Development which is likely to have a significant effect on the qualifying interests of any Natura site will only be permitted where a Habitats Regulations Appraisal has been undertaken and:</p> <ol style="list-style-type: none"> <li>1) an Appropriate Assessment has demonstrated that the proposal will not adversely affect the integrity of the site, or</li> <li>2) there are no alternative solutions and there are imperative reasons of overriding public interest, including those of a social or economic nature.</li> </ol> |  | <b>Out</b> | <b>Reason (d)</b> This policy is intended to protect the natural environment. |
| <p><b>Policy 33: Local Nature Conservation Designations</b></p> <p>Development which could have a significant effect on the conservation interests associated with Local Nature</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  | <b>Out</b> | <b>Reason (d)</b> This policy is intended to protect the natural environment. |

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| <p>Reserves, Locally Important Nature Conservation Sites or Wildlife Corridors will only be permitted where:</p> <ol style="list-style-type: none"> <li>1) an ecological or similar assessment has been carried out which details the likely impacts of the proposal on the conservation interests of the designation; and</li> <li>2) any negative impacts identified are contained within the site and can be mitigated without affecting the integrity of the designated area; and</li> <li>3) it has been demonstrated that there are no other suitable sites that could accommodate the development.</li> </ol>                                                                                                                                                              |  |            |                                                                               |
| <p><b>Policy 34: Protected Species</b><br/> Development proposals which are likely to have a significant effect on a European protected species will not be supported unless:</p> <ol style="list-style-type: none"> <li>1) there is no satisfactory alternative; and</li> <li>2) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature or which have beneficial consequences of primary importance for the environment.</li> </ol> <p>Development proposals which would be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range will not be supported.</p> |  | <b>Out</b> | <b>Reason (d)</b> This policy is intended to protect the natural environment. |

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| <p>Development proposals that would be likely to have an adverse effect on a species protected under the Wildlife and Countryside Act 1981 (as amended) will not be supported unless the development is required for preserving public health or public safety. For development affecting a species of bird protected under the 1981 Act there must also be no other satisfactory solution.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                   |                                                                                      |
| <p><b>Policy 28: Protecting and Enhancing the Dundee Green Network</b></p> <p>Development proposals shall protect and enhance the Dundee Green Network by ensuring that development will not lead to the fragmentation of the existing network of green infrastructure.</p> <p>New development should contribute to the Dundee Green Network where appropriate and as determined by the Council, through the integration of green infrastructure in masterplans or development frameworks and the creation and/or improvement of green infrastructure within development sites or in the local area.</p> <p>Development proposals that would result in a change of the use of outdoor sports facilities or a site identified on the proposals map as green infrastructure, including open space, allotments or Locally Important Nature Conservation Sites <b>**glossary**</b>, to anything other than a green infrastructure use should establish that the site no longer has a potential value as green infrastructure unless the Council are satisfied that:</p> <ol style="list-style-type: none"> <li>1. the proposals are consistent with a masterplan, strategy or programme approved by the Council; or</li> </ol> |  | <p><b>Out</b></p> | <p><b>Reason (d)</b> This policy is intended to protect the natural environment.</p> |

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| <p>2. compensatory green infrastructure of equal benefit and accessibility will be provided in or adjacent to the community most directly affected; or</p> <p>3. proposals affect only a lesser part of the site and are ancillary to it or result in improved recreational or amenity value on the remainder of the site.</p> <p>Proposals affecting outdoor sports facilities are also required to provide compensatory or improved outdoor sports facilities unless the proposals are consistent with the Dundee Physical Activity Strategy.</p>                                                                                                                                                                                                                                                                                                                                                                                                                           |  |            |                                                                                                             |
| <p><b>Policy 29: Outdoor Access and the Dundee Green Network</b></p> <p>The Council will seek to safeguard, improve and extend the network of outdoor access routes, with particular emphasis on the core path network and routes identified in the Dundee Cycling Strategy which support the development of the Dundee Green Network. When considering development proposals, the Council will:</p> <ol style="list-style-type: none"> <li>1) Safeguard the line of any existing or proposed outdoor access route affected by the development, and require its incorporation into the development unless a satisfactory alternative route can be agreed;</li> <li>2) Seek to secure any additional outdoor access opportunities which may be achievable as a result of the development; and</li> <li>3) Where an outdoor access route is to be temporarily disrupted, require the provision of an alternative route for the duration of construction work and the</li> </ol> |  | <b>Out</b> | <p><b>Reason (d)</b> This policy is intended to preserve and enhance access to the natural environment.</p> |

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| satisfactory reinstatement of the route on completion of the development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |            |                                                                               |
| <p><b>Policy 30: Green Infrastructure Maintenance</b></p> <p>The Council will apply planning conditions or Section 75 obligations to planning permissions to make suitable provision for the long-term maintenance of green infrastructure (including open space or landscaping associated with Sustainable Urban Drainage ) in new housing developments, based on the following options:</p> <ol style="list-style-type: none"> <li>1) green infrastructure will be adopted by the Council, subject to appropriate agreements with the developer over the landscaping scheme and annual maintenance, including payment of a commuted sum to cover annual maintenance costs; or</li> <li>2) a developer may lay out the green infrastructure, transfer the land to a suitable third party, and either <ol style="list-style-type: none"> <li>i) pay a commuted sum to cover maintenance costs; or</li> <li>ii) hand over the maintenance costs to residents of the new development.</li> </ol> </li> </ol> <p>This latter option should be clearly set out in the sale agreement so residents agree to effectively share the cost of maintaining green infrastructure on an annual basis.</p> |  | <b>Out</b> | <b>Reason (e)</b> This policy will not lead to development or change.         |
| <p><b>Policy 35: Trees and Urban Woodland</b></p> <p>The Council will support the establishment and enhancement of woodland, tree belts and corridors. New development should contribute to the expansion of tree planting and woodland development where appropriate and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  | <b>Out</b> | <b>Reason (d)</b> This policy is intended to protect the natural environment. |



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| <p>must ensure the survival of existing healthy mature trees through sensitive site layout both during and after construction. Where appropriate, development proposals must be accompanied by a tree planting and landscaping scheme which includes a supporting justification and sufficient map based material to document existing planting within the application site as well as new planting and maintenance arrangements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                   |                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>Policy 43: Waste Management Installations</b></p> <p>Existing waste management installations are safeguarded unless evidence is presented to demonstrate that the facility is no longer required and that the capacity can be met through an alternative facility.</p> <p>New waste management installations should be located in the first instance in General Economic Development Areas identified in the Proposals Map unless the Council is satisfied that proposals are consistent with a strategy or programme approved by the Council or serve a strategic need for the management of waste.</p> <p>Development which meets the above requirement may be permitted provided:</p> <ol style="list-style-type: none"> <li>1) there is no detrimental impact on neighbouring uses or local residential amenity;</li> <li>2) there is no unacceptable traffic impact;</li> <li>3) it does not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site; and</li> <li>4) suitable standards of restoration following decommissioning are proposed and agreed by the Council.</li> </ol> |  | <p><b>Out</b></p> | <p>This policy steers development in the first instance to General Economic Development Areas. This could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. This policy is screened out for <b>Reason (f)</b>.</p> |

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| <p><b>Policy 44: Waste Management Requirements for Development</b></p> <p>Development proposals should demonstrate that they adequately address the Scottish Government's Zero Waste Policy and that sufficient provisions are made to maximise opportunities for waste reduction and waste separation at source and enable the separate collection of recyclables as outlined in the Waste (Scotland) Regulations 2012.</p> <p>Site waste management plans are required for major developments to ensure sufficient control for site waste during construction and operation of new development.</p>                                                                                                                                                                                                                                                                                                                                                                         |  | <p><b>Out</b></p> | <p>This policy is screened out for <b>Reason (e)</b> as it will not itself lead to development or change as it relates to waste management requirements.</p> |
| <p><b>Policy 36: Flood Risk Management</b></p> <p><b>Medium to High Risk Areas</b></p> <p>There is a general presumption against a) development on previously undeveloped land and b) development of essential civil infrastructure, in high risk areas based on a 0.5% or greater annual probability of flooding (equivalent to a 1 in 200 year flood or greater) plus an additional 'freeboard' allowance of 500mm. Other development may be acceptable where:</p> <ol style="list-style-type: none"> <li>1) sufficient flood defences already exist, are under construction or are planned as part of the development strategy; and</li> <li>2) those flood defences will be maintained for the lifetime of the development and will not increase the probability of flooding elsewhere; and</li> <li>3) the extent of development potentially affected by flooding is protected through the use of appropriate water resistant materials and construction; and</li> </ol> |  | <p><b>Out</b></p> | <p><b>Reason (e)</b> This policy will not itself lead to development or change as it relates to flood risk management in at risk areas.</p>                  |

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| <p>4) the finalised scheme does not result in a land use which is more vulnerable to flooding.</p> <p>A flood risk assessment will be required for any development within the medium to high risk category.</p> <p><b>Low to Medium Risk Areas</b></p> <p>Areas with a 1 in 1000 to 1 in 200 year annual probability of flooding will be suitable for most development. A flood risk assessment may be required at the upper end of the probability range or where the nature of the development or local circumstances indicate heightened risk. These areas are generally not suitable for essential civil infrastructure. Where such infrastructure must be located in these areas, it should be capable of remaining operational and accessible during extreme events.</p>                                                                |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>Policy 37: Sustainable Drainage Systems</b></p> <p>Surface water discharging to the water environment from new development must be treated by a Sustainable Drainage System (SuDS) except for single houses or where discharge is to coastal waters. SuDS should be designed so that flooding will not be higher than 500mm below floor level during a 1 in 200 year rainstorm event. This incorporates an allowance for the effect of climate change. In addition, proposals will be encouraged to adopt an ecological approach to surface water management, ensure an appropriate level of treatment and exploit opportunities for habitat creation or enhancement through measures such as the formulation of wetlands or ponds. Proposals should have no detrimental impact on the ecological quality of the water environment.</p> |  | <b>Out</b> | <p><b>Reason (h)</b> Policies for which effects on any particular European site cannot be identified, because it is too general or vague and it is not known where, when or how the proposal may be implemented or where effects may occur, or which sites may be affected.</p> <p>The policy is also screened out under <b>Reason (b)</b> as it requires other plans and strategies to be taken into account, which are referred to in, but not proposed by, this plan.</p> |
| <p><b>Policy 38: Protecting and Improving the Water Environment</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  | <b>Out</b> | <p><b>Reason (d)</b> This policy intends to protect the natural environment.</p>                                                                                                                                                                                                                                                                                                                                                                                             |

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| <p>Proposals for development that compromises the objectives of the Water Framework Directive (2000/60/EC), aimed at the protection and improvement of Scotland's water environment will not be supported. In assessing proposals, the Council will take into account the Scotland River Basin Management Plan 2; associated Area Management Plans; and the Dundee Water Environment and Strategic Flood Risk Assessment 2016 together with and supporting information on opportunities for improvements and constraints.</p>                                                                                                                                                                                                                                         |  |                   |                                                                                                                                                                                                                                                                                 |
| <p><b>Policy 40: Air Quality</b><br/> There is a general presumption against development proposals that could significantly increase air pollution or introduce people into areas of elevated pollution concentrations unless mitigation measures are adopted to reduce the impact to levels acceptable to the Council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                           |  | <p><b>Out</b></p> | <p><b>Reason (e)</b> This policy will not itself lead to development or change as it relates to mitigation measures to meet the requirements for air quality set by the Scottish Government.</p>                                                                                |
| <p><b>Policy 41: Land Contamination</b></p> <p><b>a) Development of potentially contaminated or statutorily identified contaminated land will be considered where:</b></p> <ol style="list-style-type: none"> <li>1) a site investigation is submitted establishing the nature and extent of contamination; and</li> <li>2) the Council is satisfied that remediation measures proposed for the development, adequately address contamination risks to all receptors, such that the land demonstrably does not meet the statutory definition of contaminated land and is suitable for the planned use.</li> </ol> <p><b>b) An alternative use to that identified in the Local Development Plan will be considered where the above criteria are satisfied and:</b></p> |  | <p><b>Out</b></p> | <p><b>Reason (h)</b> the effects of this policy on any particular European site cannot be identified, because it is too general or vague and it is not known where, when or how the proposal may be implemented or where effects may occur, or which sites may be affected.</p> |

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| <p>1) an economic appraisal establishes that the site cannot be economically developed for the allocated use due to the level or type of contamination; and</p> <p>2) the proposed use meets the requirements of other relevant policies of the Local Development Plan.</p>                                                                                                                                                                                                                                                                                                                                                   |  |                   |                                                                                                                                                                                                         |
| <p><b>Policy 42: Development of or next to Major Hazard Sites</b></p> <p>The siting of new or extensions to existing hazard sites or sites which operate under Scottish Environment Protection Agency authorisation will not be permitted in close proximity to residential areas and/or areas of public use or interest, where the risk to people or the environment is likely to be significantly increased.</p>                                                                                                                                                                                                            |  | <p><b>Out</b></p> | <p><b>Reason (a)</b> This is a general policy statement which sets out the Council's aspirations for a certain issue in relation to public safety for development of or next to major hazard sites.</p> |
| <p><b>Policy 39: Environmental Protection</b></p> <p>All new development or an extension to an existing development that would generate noise, vibration, odour or light pollution will be required to demonstrate that it can be accommodated without an unsatisfactory level of disturbance on the surrounding area.</p> <p>New development or an extension to an existing development in close proximity to existing sources of noise, vibration, odour or light pollution will need to demonstrate that it can achieve a satisfactory level of amenity without impacting on viability of existing businesses or uses.</p> |  | <p><b>Out</b></p> | <p><b>Reason (e)</b> This policy itself will not lead to development or change as it offers protection from inappropriate development in residential and business environments.</p>                     |
| <p><b>Policy 49: Listed Buildings</b></p> <p><b>a) Alternative Uses</b></p> <p>Suitable alternative uses will be considered for listed buildings where this is necessary to secure their future. Any adaptation of the fabric must be undertaken carefully and sensitively and have minimum impact on the architectural</p>                                                                                                                                                                                                                                                                                                   |  | <p><b>Out</b></p> | <p><b>Reason (d)</b> This policy is intended to conserve the historic built environment and will not be likely to have a significant effect on a European site.</p>                                     |

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| <p>and historic interest, character and setting of the building. A detailed justification statement shall be required to be submitted to support an application proposing an alternative use.</p> <p><b>b) Alterations to Listed Buildings</b><br/> The alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of the building or its setting or any features of special architectural or historic interest which it possesses. Alterations will not be permitted where the works would diminish the architectural integrity of the building or its historic interest. A detailed justification statement shall be required to accompany an application for alterations to a listed building.</p> |  |                   |                                                                                                                                                                     |
| <p><b>Policy 50: Demolition of Listed Buildings and Buildings in Conservation Areas</b></p> <p>Applications for the demolition of a listed building or an unlisted building that is worthy of retention in a conservation area must be fully supported by reports on the condition and marketing history of the building along with a feasibility study which explores the viability of retaining the building in active use. Applications for demolition shall be required to be in accordance with Historic Environment Scotland's 'Scottish Historic Environment Policy'.</p> <p>Where the demolition of a building is acceptable, applications must be supported by acceptable proposals for the redevelopment or treatment of the cleared site.</p>              |  | <p><b>Out</b></p> | <p><b>Reason (d)</b> This policy is intended to conserve the historic built environment and will not be likely to have a significant effect on a European site.</p> |
| <p><b>Policy 51: Development In Conservation Areas</b></p> <p>Within conservation areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  | <p><b>Out</b></p> | <p><b>Reason (d)</b> This policy is intended to conserve the historic built environment and will not be likely to have a significant effect on a European site.</p> |

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| features that contribute to the character and appearance of the conservation area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |            |                                                                                                                                                                     |
| <p><b>Policy 52: Scheduled Ancient Monuments and Archaeological Sites</b></p> <p><b>a) Scheduled Ancient Monuments</b></p> <p>Developments will not be permitted which would destroy or adversely affect scheduled ancient monuments or their settings.</p> <p><b>b) Archaeological Sites</b></p> <p>Where any proposal could affect a site of known archaeological importance or potential, the applicant will be required to provide an assessment of the archaeological value of the site and the likely impact of the proposal on the archaeological resource. Such an assessment will require a field evaluation to be carried out to the reasonable satisfaction of the Council, to determine:</p> <ol style="list-style-type: none"> <li>1) the character and extent of the archaeological remains; and</li> <li>2) the likely impact of the proposal on the features of archaeological interest; and</li> <li>3) the ways in which the development proposal can be amended or designed in order to mitigate its impact on the archaeological remains.</li> </ol> <p>Where the development is considered to be acceptable and it is not possible to preserve the archaeological resource in situ, the developer will be required to make arrangements for an archaeological investigation. Planning conditions will be used and agreements sought to secure these arrangements.</p> |  | <b>Out</b> | <p><b>Reason (d)</b> This policy is intended to conserve the historic built environment and will not be likely to have a significant effect on a European site.</p> |

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| <p><b>Policy 53: Gardens and Designed Landscapes</b></p> <p>Development affecting gardens and designed landscapes shall protect, preserve and where appropriate, enhance such places and shall not impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  | <p><b>Out</b></p> | <p><b>Reason (d)</b> This policy is intended to conserve existing gardens and designed landscapes and will not be likely to have a significant effect on a European site.</p>                                    |
| <p><b>Policy 58: Digital Connectivity</b></p> <p>Development proposals for digital infrastructure, including communications masts, will only be supported where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>1) the design will not have a significant detrimental visual impact on the surrounding area, with particular care taken to ensure that free standing masts or other digital infrastructure in residential areas, public parks, public open spaces and those affecting conservation areas, listed buildings and scheduled monuments are sensitively designed and sited;</li> <li>2) an operational justification exists for the location proposed including alternative sites that have been considered and rejected;</li> <li>3) if proposing a new free standing mast or other digital infrastructure, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on or within existing buildings, including sharing masts or other structures. Such evidence, including any reasons for rejection, should accompany any application made to the local planning authority; and</li> </ol> |  | <p><b>Out</b></p> | <p><b>Reason (e)</b> This policy will not itself lead to development as it relates to the criteria to be met for digital communications proposals which includes an analysis of the proposals visual impact.</p> |



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| <p>4) an assessment of the cumulative impact of individual proposals where other communications developments are present nearby or are proposed to be located nearby should describe how the cumulative effects were considered and any negative visual impact minimised.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |                   |                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Sustainable and Accessible Transport</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                   |                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Policy 54: Safe and Sustainable Transport</b><br/> All development proposals* that generate travel should be designed to be well served by all modes of transport. In particular the sustainable modes of walking, cycling and public transport should be afforded priority and provide for easy access to local amenities, education facilities and other services.</p> <p>Development proposals will be required to:</p> <ol style="list-style-type: none"> <li>1) Minimise the need to travel by private car;</li> <li>2) Provide facilities on-site (and/or off-site where relevant through developer contributions or by direct delivery) for walking, cycling and public transport networks, including road/ junction improvements and cycle parking. Developments without high quality, safe and convenient links to adjacent walking and cycling networks will not be supported;</li> <li>3) incorporate measures to permit access to public transport networks within a walking distance of no more than 400 metres from all parts of the development;</li> </ol> |  | <p><b>Out</b></p> | <p><b>Reason (e)</b> This is a design related policy which promotes active travel and will not itself lead to development or change.</p> <p><b>Reason (h)</b> This is a policy for which effects on any particular European site cannot be identified because it is too general and it is not known where, when or how the proposal may be implemented or where effects may occur.</p> |

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| <p>4) have no detrimental effect on the capacity or safe functioning of the existing road or rail networks;</p> <p>5) ensure that safe and adequate provision is made for road freight and waste access, loading and unloading; and</p> <p>6) comply with the National Roads Development Guide and any local variations within Dundee City Council's roads design standards.</p> <p>Walking and cycling routes should be fully useable prior to the first occupation of a new development.</p> <p>*This includes the re-use of existing buildings.</p>                                                                                                                                                                              |  |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p><b>Policy 55: Dundee Airport</b><br/> Developments associated with the function of the Airport will be supported where they complement or enhance the existing facilities and /or support the development of new or improved air services.</p> <p>New developments in the vicinity of Dundee Airport will be required to be designed to comply with airport safety requirements. Developments which increase risk to airport safety will not be permitted.</p> <p>Within the runway safety zone identified on the Proposals Map there will be a presumption against development. The presumption against development applies only to that area of the runway safety zone within the Dundee City Council administrative area.</p> |  | <b>In</b> | <p>The first paragraph of this policy supports development within the Dundee Airport boundary, which is situated adjacent to the Firth of Tay. It is not possible to rule out the risk of likely significant effect at this stage of the HRA on the following European sites:</p> <ul style="list-style-type: none"> <li>• <b>Firth of Tay &amp; Eden Estuary SAC</b> – potential impact on qualifying habitats and species during construction and operational stages.</li> <li>• <b>Firth of Tay &amp; Eden Estuary SPA</b> – potential disturbance to qualifying species during construction and operational stages and impacts on food sources and loafing/roosting space through habitat reduction.</li> <li>• <b>Moray Firth SAC</b> – potential impact on the bottlenose dolphins from the Moray Firth population which frequent the Tay estuary.</li> </ul> |

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|  |  | <ul style="list-style-type: none"> <li>• <b>Barry Links SAC</b> – potential impact on qualifying habitats through increases in atmospheric pollution.</li> <li>• <b>River Tay SAC</b> – potential impact on qualifying species that migrate through the Tay estuary.</li> <li>• <b>Isle of May SAC</b> – potential impact on the grey seals from the Isle of May SAC which use the sandbanks in the Tay estuary.</li> <li>• <b>Outer Firth of Forth &amp; St Andrews Bay Complex marine draft SPA</b> – potential impact on food sources through habitat reduction and disturbance during construction and operational stages.</li> </ul> <p>Dundee Airport is identified as a Strategic Development Area in TAYplan 2016-2036. Dundee Airport has permitted development rights which allow development associated with airport related activities.</p> <p>Under Policy 3: A First Choice for Investment, which concerns employment land and Strategic Development Areas, TAYplan’s HRA mitigation recommendations include:</p> <p><i>“Further HRA/EIA assessment may be required at the planning application stage for any proposals arising from this policy.”</i></p> <p>The remaining aspects of the policy have been screened out under <b>Reason (e)</b> as they will not lead to</p> |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |            | development or change as they relate to airport safety requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>Policy 56: Parking</b></p> <p><b>City Centre Developments</b></p> <p><b>Vehicle Parking:</b><br/>Private non-residential car parking will not be permitted within the Dundee City Centre. Parking provision must be limited to that which can be demonstrated as necessary for the servicing/operation of buildings and for customer drop off/pick up arrangements.</p> <p>Residential parking is permissible where this is in compliance with the standards indicated in appendix 4.</p> <p><b>Cycle Parking:</b><br/>All new residential developments should include cycle parking facilities in accordance with Dundee City Council's adopted guidance on roads standards and the Appendix 4 housing standards. Covered secure parking together with appropriate changing areas should be provided for employees and residents. Publicly accessible cycle parking should be provided at new commercial buildings or alternatively may be the subject of developer contributions for the provision of shared facilities in a nearby public location.</p> <p><b>Developments Outwith City Centre</b></p> <p><b>Vehicle Parking:</b><br/>All new developments shall be required to comply with Dundee City Council's adopted guidance on road standards; with the national maximum parking standards and the national minimum disabled parking standards. All parking</p> |  | <b>Out</b> | <p><b>Reason (e)</b> This policy will not itself lead to development or change as it primarily relates to car parking standards in the city and small scale cycle/car parking infrastructure requirements.</p> <p>This policy also steers potential lorry parking facilities towards designated economic development areas adjacent to the A90. This policy is screened out for <b>Reason (f)</b> as it makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.</p> |

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| <p>facilities at commercial developments should include the provision of charging stations for electric vehicles.</p> <p>Residential developments should include infrastructure to provide electric car charging points, either through electrical connections adjacent to private driveways, or through infrastructure for the installation of charging points at communal car parking areas.</p> <p><b>Cycle Parking:</b><br/>All new developments should include cycle parking facilities in accordance with Dundee City Council's adopted guidance on roads standards and the Appendix 4 housing standards. At places of employment covered secure parking with changing facilities should be provided for employees.</p> <p><b>Lorry Parking:</b><br/>New developments should not adversely impact on the operation of existing Lorry Parking facilities. Dundee City Council will support the provision of appropriate facilities adjacent to the A90 within designated economic development areas.</p> |  |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>Policy 57: Transportation Interchanges</b></p> <p><b>Park &amp; Ride:</b><br/>Dundee City Council supports the establishment of Park &amp; Ride facilities to serve the City Centre on land adjacent to the Northern, Western, Eastern and Southern approaches. Park &amp; Ride facilities should include transfer options between private cars, buses, walking and cycling options and be equipped with facilities for the charging of electric vehicles.</p> <p><b>Rail Facilities:</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  | <b>In</b> | <p><b>'Water Transport'</b><br/>This aspect of the policy steers development towards Dundee Port PEDAs which are situated adjacent to the Firth of Tay. It is not possible to rule out the risk of likely significant effect at this stage of the HRA on the following European sites:</p> <ul style="list-style-type: none"> <li>• <b>Firth of Tay &amp; Eden Estuary SAC</b> – potential impact on qualifying habitats and species during construction and operational stages.</li> <li>• <b>Firth of Tay &amp; Eden Estuary SPA</b> – potential</li> </ul> |

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| <p>The Council will support the establishment of further rail facilities within the City in order to provide improved passenger and freight facilities. Such facilities will require to be subject to full site appraisal including the preparation of a business case to justify such interventions</p> <p><b>Road Freight:</b><br/>The Council will support facilities to enable the transshipment transfer of road freight. Such facilities should be located with easy access to the trunk road network and within an area designated for economic development use.</p> <p><b>Water Transport:</b><br/>The development of facilities to enable the intermodal transshipment of goods within the Port of Dundee will be supported.</p> |  | <p>disturbance to qualifying species during construction and operational stages and impacts on food sources and loafing/roosting space through habitat reduction.</p> <ul style="list-style-type: none"> <li>• <b>Moray Firth SAC</b> – potential impact on the bottlenose dolphins from the Moray Firth population which frequent the Tay estuary.</li> <li>• <b>River Tay SAC</b> – potential impact on qualifying species that migrate through the Tay estuary.</li> <li>• <b>Isle of May SAC</b> – potential impact on the grey seals from the Isle of May SAC which use the sandbanks in the Tay estuary.</li> <li>• <b>Outer Firth of Forth &amp; St Andrews Bay Complex marine draft SPA</b> – potential impact on food sources through habitat reduction and disturbance during construction and operational stages.</li> </ul> <p>Under TAYplan 2016-2036, Dundee Port is located within a Strategic Development Area and has permitted development rights which allow development associated with port related activities. Under policy 7: Energy, Waste and Resources and policy10: Connecting People, Places and Markets, TAYplan’s HRA mitigation recommendations include:</p> <p><i>“Further HRA/EIA assessment may also be required at the planning application stage for future proposals. Any planning application/s would also need to consider issues such as: drainage, environmentally</i></p> |
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|                                                        |  |            | <p><i>friendly construction practices, provision of waste disposal facilities, increased recreational use and noise and light pollution. Conditions/agreements may need to be placed as part of any planning permission granted."</i></p> <p>The 'Park &amp; Ride', 'Rail Facilities' and 'Road Freight' aspects of this policy are screened out under <b>Reason (h)</b> as the effects on any particular European site cannot be identified, because it is too general or vague and it is not known where, when or how the proposal may be implemented or where effects may occur, or which sites may be affected.</p> |
| <b>Non-Residential Sites</b>                           |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Ward 1: Strathmartine</b>                           |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <b>Ward 2: Lochee</b>                                  |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| (MIR93/96)<br>(Former NCR Myrekirk – Retail Foodstore) |  | <b>Out</b> | <b>Reason (c)</b> This proposals make provision for change but have already been granted planning permission.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Ward 3: West End</b>                                |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| (MIR92)<br>(Hawkhill – proposed retail use)            |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                                                                                       |
| <b>Ward 4: Coldside</b>                                |  |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| Ward 5: Maryfield                                                                                                                                                                                  |  |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| (MIR94)<br>(Dock Street Gas Holder – proposed for Class 4,5 and 6 use and potential for Retail and other uses)                                                                                     |  | Out | The site is located within the East Dock Street Principal Economic Development Area and is situated 300m from the Tay Estuary and adjacent to the Port of Dundee. The port area acts as a buffer between the Tay Estuary and East Dock Street and is therefore screened out under <b>Reason (f)</b> . The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site. |
| Ward 6: North East                                                                                                                                                                                 |  |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Ward 7: East End                                                                                                                                                                                   |  |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| (MIR97)<br>(Morrisons, Forfar Road – proposed leisure, food/drink use)                                                                                                                             |  | Out | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                     |
| (MIR91)<br>(Kingsway East Former ABB Nitran Factory – mixed use development - retail, commercial or industrial purposes. Planning Application for south west corner of site pending consideration) |  | Out | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                     |
| (MIR95)<br>(Douglasfield Leisure Park – proposed retail use)                                                                                                                                       |  | Out | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.                                                                                                                                                                                                                                                                                     |
| Ward 8: The Ferry                                                                                                                                                                                  |  |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |



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| (MIR98)<br>(Tom Johnston Road – proposed 80 bedroom hotel)                                                                                                                                                                                                        |  | <b>Out</b> | <b>Reason (f)</b> The proposal makes provision for change but could have no conceivable effect on a European site because there is no link or pathway with the qualifying interests and it would not otherwise undermine the conservation objectives of the site.<br><br>Note: Site located within close proximity to the Dighty Water Wildlife corridor. |
| <b>Screening of Supplementary Guidance for likely significant effects alone</b>                                                                                                                                                                                   |  |            |                                                                                                                                                                                                                                                                                                                                                           |
| <b>Air Quality</b> - Supplementary Guidance has been developed for the Local Development Plan giving further guidance on meeting the planning policy requirements.                                                                                                |  | <b>Out</b> | <b>Reason (e)</b> This Supplementary Guidance will not itself lead to development or change as it relates to mitigation measures to meet the requirements for air quality set by the Scottish Government.                                                                                                                                                 |
| <b>Householder Development</b> - Supplementary Guidance has been prepared to provide advice and best practice on the design, scale and location of householder development.                                                                                       |  | <b>Out</b> | <b>Reason (e)</b> This Supplementary Guidance will not itself lead to development or change as it seeks to ensure that new householder development enhances the quality of the built environment and contributes to creating quality places.                                                                                                              |
| <b>Developer Contributions</b> - Supplementary Guidance has been prepared to ensure landowners, developers and the local authority have certainty about the likely level of developer contributions and the nature of the requirements for sites from the outset. |  | <b>Out</b> | <b>Reason (e)</b> This Supplementary Guidance will not itself lead to development or change as it relates to the funding of on and off site infrastructure through securing developer contributions.                                                                                                                                                      |

## Appendix 2 - Appropriate Assessment

| Aspect of the plan likely to have a significant effect       | European site affected including qualifying interests and conservation objectives | Implications for the qualifying interests of the European site in light of its conservation objectives                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Mitigation measures to ensure no adverse effects on the integrity of a European site                                                                                                                                                                                                                                                                                                                                                                           | Can it be ascertained that the aspect of the Plan would not adversely affect the integrity of a European site |
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| <p><b>Policy 3: Principal Economic Development Areas</b></p> |                                                                                   | <p>This policy has been carried forward for appropriate assessment because as part of the screening process it was identified that it steers development towards an area at the Port of Dundee where it is not possible to rule out the risk of likely significant effect on a European Site. The Port of Dundee has permitted development rights which allow development associated with port related activities. The boundary of this principal economic development area is land based only; there is no land reclamation or extension beyond the sea wall. The AA is therefore based on these land based types of development.</p> <p>The specific location, scale and nature of proposed development is unknown. However, development including construction and operational activity under this policy could result in impacts as detailed below.</p> | <p>There is a wide range of possible impacts on several qualifying interests for 4 European Sites. The scale and nature of potential development is unknown.</p> <p>Therefore, given the potential variety of effects it is not considered practicable to specify particular mitigation measures within the policy.</p> <p>Consequently it is recommended that the existing mitigation caveat,</p> <p><b><i>“Any development at the Port of Dundee</i></b></p> | <p><b>Yes</b></p>                                                                                             |

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|  |                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p><b>Principal Economic Development Area should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site”,</b></p> <p>is carried forward to ensure no adverse effects on the integrity of European Sites.</p> <p>An additional safeguard is provided through Policy 32: National and International Nature Conservation Designations.</p> |  |
|  | <p><b>Firth of Tay &amp; Eden Estuary SAC</b><br/> <u>Qualifying Habitats:</u><br/> estuaries, intertidal mudflats and sandflats, subtidal sandbanks</p> <p><u>Qualifying Species:</u><br/> common seal</p> | <p>The policy includes a PEDAs adjacent to the SAC but does not encroach into it. Possible impacts considered for construction and operational stages are damage or loss of habitat, pollution, disturbance due to noise and vibration from piling.</p> <p><b>Estuaries:</b> could be affected by a decrease in water quality in the estuary. During the construction phase this could result from a release of pollutants from a proposal site or an increase in the amount of suspended solids.</p> <p><b>Common seals:</b> complete their lifecycle within the Tay Estuary area. They pup on sandbanks in the Eden Estuary and use the sandbanks outside and within the</p> | <p><b>Estuaries:</b> Given the high volume and flow of the estuary, adverse effects on the estuary feature from pollution can be avoided through the submission and approval of a satisfactory Construction Method Statement.</p> <p><b>Common seals:</b> An adverse effect on integrity can be avoided</p>                                                                                                       |  |

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|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>estuary to haul out and rest. Noise and vibration from piling operations has the potential to impact on the common seal population. This is likely to cause significant disturbance, which would affect the distribution of the seals within the SAC.</p> <p><b><u>Intertidal mudflats and sandflats:</u></b> no likely significant effect.</p> <p><b><u>Subtidal Sandbanks:</u></b> no likely significant effect.</p>                                                                                                                                                                                                                                                                                                   | through the submission and approval of a satisfactory piling strategy.                 |  |
|  | <p><b>Firth of Tay &amp; Eden Estuary SPA</b><br/> <u>Qualifying Species:</u><br/> Bar-tailed godwit, black-tailed godwit*, common scoter*, cormorant*, dunlin*, eider*, goldeneye*, goosander*, grey plover*, greylag goose, little tern, long tailed duck*, marsh harrier, oystercatcher* pink-footed goose, red-breasted merganser*, redshank, sanderling*, shelduck, velvet scoter*<br/> waterfowl assemblage<br/> *indicates assemblage qualifier only</p> | <p>The Dundee docks PEDA is approximately 2km from the SPA. Possible impacts considered include: disturbance during construction and operation, and effects on food sources through habitat reduction. There is no intertidal habitat exposed by the tide in this stretch of coastline as it is an existing dock wall. The area was not included in the designation of the SPA due to low bird numbers.</p> <p>Despite the initial identification of likely significant effects at the screening stage, upon a greater level of appraisal it has been decided that there will be no adverse effect on site integrity. <b>This site does not require to be further considered as part of the appropriate assessment.</b></p> |                                                                                        |  |
|  | <p><b>Moray Firth SAC</b><br/> <u>Qualifying Species:</u><br/> Bottlenose Dolphin</p>                                                                                                                                                                                                                                                                                                                                                                           | <p><b>Bottlenose dolphins</b> which frequent the Tay estuary are part of the Moray Firth SAC population. The potential impacts from this policy relate to any noise and vibration from potential piling operations. Piling is likely to cause</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | An adverse effect on integrity can be avoided through the submission and approval of a |  |

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|  |                                                                                                                                                                                                                                                                    | significant disturbance and as a result potentially change the distribution of the species and their prey within their natural range.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | satisfactory piling strategy.                                                                                                                                                                                                                                                                                                                                                                                                         |  |
|  | <p><b>River Tay SAC</b><br/> <u>Qualifying Habitats:</u><br/> clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels</p> <p><u>Qualifying Species:</u><br/> Atlantic Salmon, Brook Lamprey, Otter, River Lamprey, Sea Lamprey</p> | <p><b>Atlantic salmon, sea and river lamprey</b> migrate through the estuary to the River Tay. Potential impacts include pollution during construction and operation and piling, therefore there is a likely significant effect.</p> <p><b>Pollution:</b> The above three species could be affected by a decrease in water quality in the estuary. During the construction phase this could be as a result of a release of pollutants from a proposal site or an increase in amount of suspended solids</p> <p><b>Piling:</b> The assessment for these qualifying features is the same as that detailed above for common seals.</p> | <p><b>Pollution:</b> An adverse effect on integrity can be avoided through appropriate methods of working, which will usually be defined in the submission and approval of a satisfactory Environmental Management Plan and Construction Method Statement for the control of pollution</p> <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p> |  |
|  | <p><b>Isle of May SAC</b><br/> <u>Qualifying Habitat:</u><br/> Reefs</p> <p><u>Qualifying Species:</u><br/> Grey Seal</p>                                                                                                                                          | <p><b>Grey seals</b> from the Isle of May SAC use the sandbanks in the Tay estuary to haul out outside the breeding period. The potential impacts from this proposal relate to the associated piling operation, which is likely to significantly disturb the seals, and change the distribution within their natural range but outside the SAC.</p>                                                                                                                                                                                                                                                                                 | <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p>                                                                                                                                                                                                                                                                                            |  |

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|                                                          | <p><b>Outer Firth of Forth and St Andrew's Bay Complex marine pSPA</b></p> <p><u>Qualifying Species</u><br/> Red-throated diver,<br/> Slavonian grebe, Little Gull,<br/> Common tern, Arctic tern,<br/> Common eider, Long-tailed duck,<br/> Common Scoter,<br/> Velvet scoter, Goldeneye,<br/> Red-breasted merganser,<br/> Northern gannet, Manx shearwater,<br/> European shag,<br/> Black-legged kittiwake,<br/> Common guillemot,<br/> Razorbill, Atlantic puffin,<br/> Black-headed gull, Common gull and Herring gull.</p> | <p>The east end of the Dundee docks PEDAs, from the Prince Charles Wharf, sits on the boundary of the pSPA.</p> <p>Possible impacts considered include: disturbance during construction and operation, and effects on food sources through habitat reduction. There is no intertidal habitat exposed by the tide in this stretch of coastline as it is an existing dock wall.</p>                                                                                                                                                                       | <p><b>Bird disturbance:</b> An adverse effect on integrity can be avoided at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to the qualifying interests of the Outer Firth of Forth and St Andrew's Bay Complex marine pSPA by construction activities and/or motorised craft as appropriate.</p> |                   |
| <p><b>Policy 7: Tourism and Leisure Developments</b></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>This policy has been carried forward for appropriate assessment because as part of the screening process it was identified that it steers development towards the city centre area identified on the proposals map, which includes the frontage to the Firth of Tay where it is not possible to rule out the risk of likely significant effect to a European Site.</p> <p>The boundaries of the city centre area on the proposals map show a development area which is land based only; there is no land reclamation or extension beyond the sea</p> | <p>There is a wide range of possible impacts on several qualifying interests for 6 European sites. The scale and nature of potential development is unknown.</p> <p>Therefore, given the potential variety of effects it is not</p>                                                                                                                                                         | <p><b>Yes</b></p> |

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|  |                                                                                   | <p>wall. The AA is therefore based on these land based types of development.</p> <ul style="list-style-type: none"> <li>• Tourism and leisure developments could result in increases in recreational motorised craft which would result in disturbance of qualifying species such as seals and cetaceans.</li> <li>• Increase in noise and vibration during construction.</li> </ul> | <p>considered practicable to specify particular mitigation measures within the policy.</p> <p>Consequently it is recommended that the existing mitigation caveat,</p> <p><b><i>“Any development in the City Centre should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site”</i></b>,</p> <p>is carried forward to ensure no adverse effects on the integrity of European Sites.</p> <p>An additional safeguard is provided through Policy 32: National and International Nature Conservation Designations.</p> |  |
|  | <p><b>Firth of Tay &amp; Eden Estuary SAC</b><br/><u>Qualifying Habitats:</u></p> | <p>The policy covers the City Centre area adjacent to the SAC but does not encroach into it. Possible impacts</p>                                                                                                                                                                                                                                                                    | <p><b>Pollution:</b> An adverse effect on integrity can be avoided through appropriate methods of</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |

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|  | <p>estuaries, intertidal mudflats and sandflats, subtidal sandbanks</p> <p><u>Qualifying Species:</u><br/>common seal</p> | <p>considered for construction and operational stages are disturbance due to noise and vibration from piling.</p> <p><b>Estuaries:</b> could be affected by a decrease in water quality in the estuary. During the construction phase this could result from a release of pollutants from the proposal site or an increase in amount of suspended solids.</p> <p><b>Common seals</b> complete their lifecycle within the Tay Estuary area. They pup on sandbanks in the Eden estuary and use the sandbanks outside and within the estuary to haul out and rest. Noise and vibration from piling operations has the potential to impact on common seals of SACs in the proposal area through significant disturbance and affecting their distribution within the SAC. There is also potential for the construction and operation of developments to increase levels of pollutants in the Firth, such as an increase in suspended solids, or a release of pollutants, resulting in a significant effect.</p> <p>Tourism and leisure developments could result in increases in recreational motorised craft which would result in disturbance of seals.</p> <p><b>Intertidal mudflats and sandflats:</b> no likely significant effect.</p> <p><b>Subtidal Sandbanks:</b> no likely significant effect.</p> | <p>working which should be defined in the submission and approval of a satisfactory Environmental Management Plan and the requirement for a Construction Method Statement for the control of pollution.</p> <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p> <p><b>Seal disturbance:</b> An adverse effect on integrity can be avoided at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to common seals by construction activities and/or motorised craft as appropriate.</p> |  |
|  | <p><b>Firth of Tay &amp; Eden Estuary SPA</b></p> <p><u>Qualifying Species:</u></p>                                       | <p>The city centre area is approximately 1 km from the SPA. Possible impacts considered include significant</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>Bird disturbance:</b> An adverse effect on integrity can be avoided</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |



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|  | <p>Bar-tailed godwit, black-tailed godwit*, common scoter*, cormorant*, dunlin*, eider*, goldeneye*, goosander*, grey plover*, greylag goose, little tern, long tailed duck, marsh harrier, oystercatcher* pink-footed goose, red-breasted merganser*, redshank, sanderling*, shelduck*, velvet scoter*<br/>waterfowl assemblage<br/><i>*indicates assemblage qualifier only</i></p> | <p>disturbance during construction and operation and effects on food sources through habitat reduction.</p> <p>There is no intertidal habitat exposed by the tide in this stretch of coastline as it is an existing dock wall. The area was not included in the designation of the SPA due to low bird numbers.</p> <p>However, tourism and leisure developments could result in increases in recreational motorised craft which could result in significant disturbance of birds.</p>                                                   | <p>at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to the qualifying interests of the Firth of Tay and Eden Estuary SPA by construction activities and/or motorised craft as appropriate.</p>                                                                                                                                            |  |
|  | <p><b>Moray Firth SAC</b><br/><u>Qualifying Species:</u><br/>Bottlenose Dolphin</p>                                                                                                                                                                                                                                                                                                  | <p><b>Bottlenose dolphins</b> which frequent the Tay estuary are part of the Moray Firth SAC population. The potential impacts from this policy relate to any potential piling operations. Piling is likely to cause significant disturbance, and as a result change the distribution of the species within their natural range outside the designated area.</p> <p>Tourism and leisure developments could result in increases in recreational motorised craft which could result in significant disturbance of Bottlenose dolphins.</p> | <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p> <p><b>Dolphin disturbance:</b><br/>An adverse effect on integrity can be avoided at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to bottlenose dolphins by construction activities and/or</p> |  |

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|  |                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | motorised craft as appropriate.                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
|  | <p><b>River Tay SAC</b><br/> <u>Qualifying Habitats:</u><br/> clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels</p> <p><u>Qualifying Species:</u><br/> Atlantic Salmon, Brook Lamprey, Otter, River Lamprey, Sea Lamprey</p> | <p><b>Atlantic salmon, sea and river lamprey</b> migrate through the estuary to the River Tay. Potential impacts include pollution during construction and operation and significant disturbance from the noise and vibration of piling, therefore there is a likely significant effect.</p> <p><b>Pollution:</b> The three features could be affected by a decrease in water quality in the estuary. During the construction phase this could result from a release of pollutants from the proposal site or an increase in amount of suspended solids</p> <p><b>Piling:</b> The assessment for these qualifying features is the same as that detailed above for common seals.</p> | <p><b>Pollution:</b> An adverse effect on integrity can be avoided through appropriate methods of working which should be defined in the submission and approval of a satisfactory Environmental Management Plan and the requirement for a Construction Method Statement for the control of pollution.</p> <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p> |  |
|  | <p><b>Isle of May SAC</b><br/> <u>Qualifying Habitat:</u><br/> Reefs</p> <p><u>Qualifying Species:</u><br/> Grey Seal</p>                                                                                                                                          | <p><b>Grey seals</b> from the Isle of May SAC use the sandbanks in the Tay Estuary to haul out outside the breeding period. The potential impacts from this proposal relate the associated piling operation, which is likely to significantly disturb the seals and change the distribution within their natural range but outside the SAC.</p>                                                                                                                                                                                                                                                                                                                                    | <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p>                                                                                                                                                                                                                                                                                                            |  |

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|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Tourism and leisure developments could result in increases in recreational motorised craft which could result in significant disturbance of seals.                                                                                                                                                                                                                                                                                                                                                             | <b>Seal disturbance:</b> An adverse effect on integrity can be avoided at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to grey seals by construction activities and/or motorised craft as appropriate.                                                                                   |            |
|                                        | <b>Outer Firth of Forth and St Andrew's Bay Complex marine pSPA</b><br><u>Qualifying Species</u><br>Red-throated diver, Slavonian grebe, Little Gull, Common tern, Arctic tern, Common eider, Long-tailed duck, Common Scoter, Velvet scoter, Goldeneye, Red-breasted merganser, Northern gannet, Manx shearwater, European shag, Black-legged kittiwake, Common guillemot, Razorbill, Atlantic puffin, Black-headed gull, Common gull and Herring gull. | <p>The city centre area is approximately 2 km from the SPA. Possible impacts considered include significant disturbance during construction and operation and effects on food sources through habitat reduction.</p> <p>There is no intertidal habitat exposed by the tide in this stretch of coastline as it is an existing dock wall.</p> <p>However, tourism and leisure developments could result in increases in recreational motorised craft which could result in significant disturbance of birds.</p> | <b>Bird disturbance:</b> An adverse effect on integrity can be avoided at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to the qualifying interests of the Outer Firth of Forth and St Andrew's Bay Complex marine pSPA by construction activities and/or motorised craft as appropriate. |            |
| <b>Policy 8: Visitor Accommodation</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                          | This policy has been carried forward for appropriate assessment because as part of the screening process it was identified that it steers development towards an area                                                                                                                                                                                                                                                                                                                                          | There is a wide range of possible impacts on several qualifying                                                                                                                                                                                                                                                                                                                      | <b>Yes</b> |

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|  |  | <p>identified on the proposals map along the waterfront where it is not possible to rule out the risk of likely significant effect to a European site.</p> <p>The proposals map shows a development area which is land based only; there is no land reclamation or extension beyond the sea wall. The AA is therefore based on these land based types of development.</p> <p>Development could include the construction of hotels and apartments. Impacts could include</p> <ul style="list-style-type: none"> <li>Increases in noise and vibration during construction</li> </ul> | <p>interests for 4 European sites. The scale and nature of potential development is unknown.</p> <p>Therefore, given the potential variety of effects it is not considered practicable to specify particular mitigation measures within the policy.</p> <p>Consequently it is recommended that the existing mitigation caveat,</p> <p><b><i>“Any development in the City Centre should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site”</i></b></p> <p>is carried forward to ensure no adverse effects on the integrity of European Sites.</p> <p>An additional safeguard is provided through</p> |  |
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|  |                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Policy 32: National and International Nature Conservation Designations                                                                                                                                                                                                                                                                                                                                                                                |  |
|  | <p><b>Firth of Tay &amp; Eden Estuary SAC</b><br/> <u>Qualifying Habitats:</u><br/> estuaries, intertidal mudflats and sandflats, subtidal sandbanks</p> <p><u>Qualifying Species:</u><br/> common seal</p> | <p>The policy covers the City Centre area adjacent to the SAC but does not encroach onto it. Possible impacts considered for construction and operational stages are disturbance due to noise and vibration from piling.</p> <p><b>Estuaries:</b> could be affected by a decrease in water quality in the estuary. During the construction phase this could result from a release of pollutants from the proposal site or an increase in amount of suspended solids.</p> <p><b>Common seals:</b> complete their lifecycle within the Tay Estuary area. They pup on sandbanks in the Eden estuary and use the sandbanks outside and within the estuary to haul out and rest. Noise and vibration from piling operations has the potential to impact on common seals of SACs in the proposal area. There is also potential for the construction and operation of developments to increase levels of pollutants in the Firth such as an increase in suspended solids, or a release of pollutants.</p> <p><b>Intertidal mudflats and sandflats:</b> no likely significant effect.</p> <p><b>Subtidal Sandbanks:</b> no likely significant effect.</p> | <p><b>Pollution:</b> An adverse effect on integrity can be avoided through appropriate methods of working which should be defined in the submission and approval of a satisfactory Environmental Management Plan and the requirement for a Construction Method Statement for the control of pollution.</p> <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p> |  |
|  | <p><b>Firth of Tay &amp; Eden Estuary SPA</b><br/> <u>Qualifying Species:</u></p>                                                                                                                           | <p>The city centre area is approximately 1 km from the SPA. Possible impacts considered include disturbance during</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |

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|  | <p>Bar-tailed godwit, black-tailed godwit*, common scoter*, cormorant*, dunlin*, eider*, goldeneye*, goosander*, grey plover*, greylag goose, little tern, long tailed duck, marsh harrier, oystercatcher* pink-footed goose, red-breasted merganser*, redshank, sanderling*, shelduck*, velvet scoter*<br/>waterfowl assemblage<br/><i>*indicates assemblage qualifier only</i></p> | <p>construction and operation and effects on food sources through habitat reduction.</p> <p>There is no intertidal habitat exposed by the tide in this stretch of coastline as it is an existing dock wall. The area was not included in the designation of the SPA due to low bird numbers.</p> <p>Despite the initial identification of likely significant effects at the screening stage, upon a greater level of appraisal it has been decided that there will be no adverse effect on site integrity. <b>This site does not require to be further considered as part of the appropriate assessment.</b></p> |                                                                                                                                                                                                                                                  |  |
|  | <p><b>Moray Firth SAC</b><br/><u>Qualifying Species:</u><br/>Bottlenose Dolphin</p>                                                                                                                                                                                                                                                                                                  | <p><b>Bottlenose dolphins:</b> which frequent the Tay estuary are part of the Moray Firth SAC population. The potential impacts from this policy relate to any potential piling operations. The assessment for this qualifying feature in the context of the potential effects of this policy is the same as that detailed for common seals.</p>                                                                                                                                                                                                                                                                 | <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p>                                                                                                       |  |
|  | <p><b>River Tay SAC</b><br/><u>Qualifying Habitats:</u><br/>clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels</p> <p><u>Qualifying Species:</u><br/>Atlantic Salmon, Brook Lamprey, Otter, River Lamprey, Sea Lamprey</p>                                                                                                                      | <p><b>Atlantic salmon, sea and river lamprey:</b> migrate through the estuary to the River Tay. Potential impacts include pollution during construction and operation and piling, therefore there is a likely significant effect.</p> <p><b>Pollution:</b> The three features could be affected by a decrease in water quality in the estuary. During the construction phase this could result from a release of pollutants from the proposal site or an increase in amount of suspended solids</p>                                                                                                              | <p><b>Pollution:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory Environmental Management Plan and the requirement for a Construction Method Statement for the control of pollution.</p> |  |

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|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Piling:</b> The assessment for these qualifying features is the same as that detailed above for common seals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy. |  |
|  | <p><b>Isle of May SAC</b><br/> <u>Qualifying Habitat:</u><br/> Reefs</p> <p><u>Qualifying Species:</u><br/> Grey Seal</p>                                                                                                                                                                                                                                                                                                                                           | <b>Grey seals:</b> from the Isle of May SAC use the sandbanks in the Tay Estuary to haul out outside the breeding period. The potential impacts from this proposal relate the associated piling operations. Our assessment for this qualifying feature is the same as that detailed above for common seals, and that there is a likely significant effect on this feature.                                                                                                                                                                                                                                                                      | <b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy. |  |
|  | <p><b>Outer Firth of Forth and St Andrew's Bay Complex marine pSPA</b><br/> <u>Qualifying Species</u><br/> Red-throated diver, Slavonian grebe, Little Gull, Common tern, Arctic tern, Common eider, Long-tailed duck, Common Scoter, Velvet scoter, Goldeneye, Red-breasted merganser, Northern gannet, Manx shearwater, European shag, Black-legged kittiwake, Common guillemot, Razorbill, Atlantic puffin, Black-headed gull, Common gull and Herring gull.</p> | <p>The city centre area is approximately 2 km from the SPA. Possible impacts considered include disturbance during construction and operation and effects on food sources through habitat reduction.</p> <p>There is no intertidal habitat exposed by the tide in this stretch of coastline as it is an existing dock wall.</p> <p>Despite the initial identification of likely significant effects at the screening stage, upon a greater level of appraisal it has been decided that there will be no adverse effect on site integrity. <b>This site does not require to be further considered as part of the appropriate assessment.</b></p> |                                                                                                                                     |  |

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| <p><b>Policy 45:<br/>Energy<br/>Generating<br/>Facilities</b></p> |  | <p>This policy has been carried forward for appropriate assessment because as part of the screening process it was identified that it steers development towards an area at the Port of Dundee where it is not possible to rule out the risk of likely significant effect to a European site. The Port of Dundee has permitted development rights which allow development associated with port related activities.</p> <p>The boundary of this Principal Economic Development Area (PEDA) is land based only; there is no land reclamation or extension beyond the sea wall although the boundary is adjacent to the Firth of Tay and Eden Estuary SAC. The AA is therefore based on these land based types of development.</p> <p>The AA is also informed by the appraisal of a recent application within the Dundee Port area for a Renewable Energy Plant fuelled by biomass. Although the nature of the impacts depends on the location, scale and type of energy generating plant, impacts could include:</p> <ul style="list-style-type: none"> <li>• disturbance of qualifying species during construction and operation</li> <li>• habitat change/loss</li> <li>• air quality and atmospheric emissions</li> <li>• abstraction and discharge of cooling water</li> <li>• impacts of pollution on water quality during construction and operation on food sources used by bird, seal, and cetacean qualifying interests</li> <li>• Thermal plume</li> <li>• Increases in noise and vibration during construction e.g. piling</li> </ul> | <p>There is a wide range of possible impacts on several qualifying interests for 4 Natura sites. The scale and nature of potential development is unknown.</p> <p>Therefore, given the potential variety of effects it is not considered practicable to specify particular mitigation measures within the policy.</p> <p>Consequently it is recommended that the existing mitigation caveat,</p> <p><b><i>“Any development at the Port of Dundee Principle Economic Development Area should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site”</i></b>,</p> <p>is carried forward to ensure no adverse</p> | <p><b>Yes</b></p> |
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|  |                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>effects on the integrity of European Sites.</p> <p>An additional safeguard is provided through Policy 32: National and International Nature Conservation Designations</p>                                                                                                                                                                                                                                                                                                                                                                                               |  |
|  | <p><b>Firth of Tay &amp; Eden Estuary SAC</b><br/> <u>Qualifying Habitats:</u><br/> estuaries, intertidal mudflats and sandflats, subtidal sandbanks</p> <p><u>Qualifying Species:</u><br/> common seal</p> | <p>The policy directs energy generating plants to PEDAs including Dundee docks, adjacent to the SAC. Energy generating plants may include abstraction and discharge of cooling water to and from the estuary. The possible impacts considered for the construction and operational stages are damage or loss of habitat, pollution, effects from the thermal plume, entrainment of aquatic species on the cooling water intake, and significant disturbance due to noise and vibration from piling.</p> <p><b>Intertidal mudflats and sandflats:</b> there may be a variety of impacts on these two qualifying habitats from discharge pipes such as changes to water quality or release of pollutants or sediments.</p> <p><b>Subtidal Sandbanks:</b> no likely significant effect on this qualifying feature.</p> <p><b>Estuaries:</b> Potential impacts could include pollution during construction and operation leading to a decrease in water quality, or an increase in amount of suspended solids. Effects from the thermal plume, entrainment or impingement.</p> | <p>The abstraction and discharges, measures to eliminate the risk of uncontrolled release of chemicals, suspended solids and biocide residues will all be controlled by SEPA under a CAR licence. Given the volume and flow of the estuary and the process of controls by SEPA there should be no adverse effect on the estuary, or intertidal mudflats, or sandflats qualifying features from pollution or other potential effects of this policy.</p> <p><b>Common seals:</b> An adverse effect on integrity can be avoided through the submission and approval of a</p> |  |

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|  |                                                                                                                                                                                                                                                                                                                                                                                             | <p><b>Thermal plume:</b> Thermal effects can have adverse effects on fish and other aquatic species through direct impacts, and through changes in distribution. Overall, any impacts of the thermal discharge are likely to be localised - large temperature uplifts are present elsewhere in Scotland and no significant mortalities of fish have been observed. There should therefore be no adverse effect on the integrity of the Firth of Tay and Eden Estuary SAC.</p> <p><b>Common seals:</b> Noise and vibration from piling operations has the potential to impact on common seals of SACs in the proposal area, as they complete their lifecycle within the Tay Estuary area, by significantly disturbing them and possibly their prey species, in the areas close to the piling. They also pup on sandbanks in the Eden estuary and use the sandbanks outside and within the estuary to haul out and rest. The number of common seals in the estuary has been declining in recent years.</p> | satisfactory piling strategy. |  |
|  | <p><b>Firth of Tay &amp; Eden Estuary SPA</b><br/> <u>Qualifying Species:</u><br/> Bar-tailed godwit, black-tailed godwit*, common scoter*, cormorant*, dunlin*, eider*, goldeneye*, goosander*, grey plover*, greylag goose, little tern, long tailed duck, marsh harrier, oystercatcher* pink-footed goose, red-breasted merganser*, redshank, sanderling*, shelduck*, velvet scoter*</p> | <p>The Dundee docks PEDAs are approximately 2km from the SPA. Possible impacts considered include disturbance during construction and operation and effects on food sources through habitat reduction. There is no intertidal habitat exposed by the tide in this stretch of coastline as it is an existing dock wall. The area was not included in the designation of the SPA due to low bird numbers.</p> <p>Despite the initial identification of likely significant effects at the screening stage, upon a greater level of appraisal it has been decided that there will be no adverse effect on site integrity. <b>This site does not require to be further considered as part of the appropriate assessment.</b></p>                                                                                                                                                                                                                                                                              |                               |  |

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|  | waterfowl assemblage<br><i>*indicates assemblage<br/>qualifier only</i>                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                      |  |
|  | <b>Moray Firth SAC</b><br><u>Qualifying Species:</u><br>Bottlenose Dolphin                                                                                                                                                                            | <b>Bottlenose dolphins</b> which frequent the Tay estuary are part of the Moray Firth SAC population. The potential impacts from this policy relate to any potential piling operations. Piling is likely to cause significant disturbance, and as a result may change the distribution of the species within their natural range outside the designated area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy                                                                                                                                                                                                                                  |  |
|  | <b>River Tay SAC</b><br><u>Qualifying Habitats:</u><br>clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels<br><br><u>Qualifying Species:</u><br>Atlantic Salmon, Brook Lamprey, Otter, River Lamprey, Sea Lamprey | <b>Atlantic salmon, sea and river lamprey</b> migrate through the estuary to the River Tay. The potential impacts for these species include pollution during construction and operation and piling; effects from the thermal plume; entrainment or impingement. There is therefore a likely significant effect.<br><br><b>Pollution:</b> The three features could be affected by a decrease in water quality in the estuary. During the construction phase this could result from a release of pollutants from the proposal site or an increase in amount of suspended solids.<br><br><b>Thermal plume:</b> Thermal effects can have adverse effects on fish and other aquatic species through direct impacts and through changes in distribution. Overall, any impacts of the thermal discharge are likely to be localised - large temperature uplifts are present elsewhere in Scotland and no significant mortalities of fish have been observed. There should therefore be no adverse effect on the integrity of the River Tay SAC. | The abstraction and discharges, measures to eliminate the risk of uncontrolled release of chemicals, suspended solids and biocide residues will all be controlled by SEPA under a CAR licence. Given the volume and flow of the estuary and the process of controls by SEPA there should be no adverse effect on the estuary feature from pollution. |  |

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|  |                                                                                                                                                                                                                                                                                                                   | <b>Piling:</b> The assessment for these qualifying features is the same as that detailed above for common seals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                       |  |
|  | <p><b>Isle of May SAC</b><br/> <u>Qualifying Habitat:</u><br/> Reefs</p> <p><u>Qualifying Species:</u><br/> Grey Seal</p>                                                                                                                                                                                         | <p><b>Grey seals</b> from the Isle of May SAC use the sandbanks in the Tay estuary to haul out outside the breeding period. The potential impacts from this proposal relate the associated piling operation. Our assessment for this qualifying feature is the same as that detailed above for common seals and that there is a likely significant effect on this feature.</p>                                                                                                                                                                                                                        | <p>An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p>                                                                                                                                                           |  |
|  | <p><b>Barry Links SAC</b><br/> <u>Qualifying Habitats:</u><br/> Coastal dune heathland, shifting dunes, dune grassland, humid dune slacks, shifting dunes with marram.</p>                                                                                                                                        | <p>Energy generating plant at this location has the potential to increase levels of atmospheric acid and nitrogen deposition on Barry Links SAC. However atmospheric acid and nitrogen deposition will be below the critical threshold for the qualifying habitats for this site.</p> <p>Despite the initial identification of likely significant effects at the screening stage, upon a greater level of appraisal it has been decided that there will be no adverse effect on site integrity. <b>This site does not require to be further considered as part of the appropriate assessment.</b></p> |                                                                                                                                                                                                                                                                                       |  |
|  | <p><b>Outer Firth of Forth and St Andrew's Bay Complex marine pSPA</b><br/> <u>Qualifying Species</u><br/> Red-throated diver, Slavonian grebe, Little Gull, Common tern, Arctic tern, Common eider, Long-tailed duck, Common Scoter, Velvet scoter, Goldeneye, Red-breasted merganser, Northern gannet, Manx</p> | <p>The east end of the Dundee docks PEDAs, from the Prince Charles Wharf, sits on the boundary of the pSPA.</p> <p>Possible impacts considered include disturbance during construction and operation, and effects on food sources through habitat reduction. There is no intertidal habitat exposed by the tide in this stretch of coastline as it is an existing dock wall.</p>                                                                                                                                                                                                                      | <p><b>Bird disturbance:</b> An adverse effect on integrity can be avoided at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to the qualifying interests of the Outer Firth of Forth and</p> |  |

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|                                      | shearwater, European shag, Black-legged kittiwake, Common guillemot, Razorbill, Atlantic puffin, Black-headed gull, Common gull and Herring gull. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | St Andrew's Bay Complex marine pSPA by construction activities and/or motorised craft as appropriate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |            |
| <b>Policy 55:<br/>Dundee Airport</b> |                                                                                                                                                   | <p>This policy has been carried forward for appropriate assessment because as part of the screening process it was identified that it supports development associated with Dundee Airport, which is situated adjacent to the Firth of Tay, where it is not possible to rule out the risk of likely significant effect to a European site.</p> <p>Dundee Airport has permitted development rights which allow development associated with airport related activities.</p> <p>The Airport is land based only and its south boundary is adjacent to the Firth of Tay and Eden Estuary SAC. The nature of potential impacts will depend on the location, scale and type of development and could include:</p> <ul style="list-style-type: none"> <li>• disturbance of qualifying species during construction and operation</li> <li>• habitat change/loss</li> <li>• impacts of pollution on water quality during construction and operation on food sources used by bird, seal, and cetacean qualifying interests</li> </ul> <p>In addition, operational impacts may increase around the Airport, through an increase the number, size and frequency of flights to and from the airport. The potential impacts may include increased noise and atmospheric emissions.</p> | <p>There is a wide range of possible impacts on several qualifying interests for six Natura sites. The scale and nature of any development is also not yet known.</p> <p>Given the potential variety of effects it is not considered practicable to therefore specify particular mitigation measures within the policy.</p> <p>It is recommended that the following policy caveat be added to the wording of Policy 55:</p> <p><b><i>“Any development within or in the vicinity of Dundee Airport should not have an adverse effect, either alone or in combination with other proposals or projects,</i></b></p> | <b>Yes</b> |

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|  | <p><b>Firth of Tay &amp; Eden Estuary SAC</b><br/> <u>Qualifying Habitats:</u><br/> estuaries, intertidal mudflats and sandflats, subtidal sandbanks</p> <p><u>Qualifying Species:</u><br/> common seal</p> | <p>The policy covers the City Airport area adjacent to the SAC but does not encroach onto it. Possible impacts considered for construction and operational stages are disturbance due to noise and vibration from piling.</p> <p><b>Air Traffic Activity:</b> Possible impacts considered for increased air traffic are increased noise and atmospheric pollution. Despite the initial identification of likely significant effects at the screening stage, upon a greater level of appraisal it has been determined that the LDP level of assessment is inappropriate to determine the likelihood of significant effect. The potential impacts will be wholly dependent upon the nature of the work involved, which may or may not cause an increase in air traffic, and the extents of any impact are uncertain.</p> <p><b>Therefore this aspect does not require to be further considered as part of the appropriate assessment.</b></p> <p><b>Estuaries:</b> could be affected by a decrease in water quality in the estuary. During the construction phase this could result from a release of pollutants from the proposal site or an increase in amount of suspended solids.</p> <p><b>Common seals:</b> complete their lifecycle within the Tay Estuary area. They pup on sandbanks in the Eden estuary and use the sandbanks outside and within the</p> | <p><b>Pollution:</b> An adverse effect on integrity can be avoided through appropriate methods of working which should be defined in the submission and approval of a satisfactory Environmental Management Plan and the requirement for a Construction Method Statement for the control of pollution.</p> <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p> <p><b>Seal disturbance:</b> An adverse effect on integrity can be avoided at the project stage by submitting satisfactory</p> |  |

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|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>estuary to haul out and rest. Noise and vibration from piling operations has the potential to impact on common seals of SACs in the proposal area. There is also potential for the construction and operation of developments to increase levels of pollutants in the Firth such as an increase in suspended solids, or a release of pollutants.</p> <p><b>Intertidal mudflats and sandflats:</b> no likely significant effect on this qualifying feature.</p> <p><b>Subtidal Sandbanks:</b> no likely significant effect on this qualifying feature.</p>                                                                                                                                                                                                                                                                                                                                                                                         | <p>management plans which should include measures for the avoidance of significant disturbance to common seals by construction activities and/or motorised craft as appropriate.</p>                                                                                                                                                      |  |
|  | <p><b>Firth of Tay &amp; Eden Estuary SPA</b><br/> <u>Qualifying Species:</u><br/> Bar-tailed godwit, black-tailed godwit*, common scoter*, cormorant*, dunlin*, eider*, goldeneye*, goosander*, grey plover*, greylag goose, little tern, long tailed duck, marsh harrier, oystercatcher* pink-footed goose, red-breasted merganser*, redshank, sanderling*, shelduck*, velvet scoter*<br/> waterfowl assemblage<br/> *indicates assemblage qualifier only</p> | <p>Dundee Airport is located on the north boundary of the SPA but does not project into it. Possible impacts considered include disturbance during construction and operation and effects on food sources through habitat reduction.</p> <p><b>Air Traffic Activity:</b> Possible impacts considered for increased air traffic are increased noise and atmospheric pollution. Despite the initial identification of likely significant effects at the screening stage, upon a greater level of appraisal it has been determined that the LDP level of assessment is inappropriate to determine the likelihood of significant effect. The potential impacts will be wholly dependent upon the nature of the work involved, which may or may not cause an increase in air traffic, and the extents of any impact are uncertain.<br/> <b>Therefore this aspect does not require to be further considered as part of the appropriate assessment.</b></p> | <p><b>Bird disturbance:</b> An adverse effect on integrity can be avoided at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to the qualifying interests of the Firth of Tay and Eden Estuary SPA by construction activities as appropriate.</p> |  |
|  | <p><b>Moray Firth SAC</b><br/> <u>Qualifying Species:</u></p>                                                                                                                                                                                                                                                                                                                                                                                                   | <p><b>Bottlenose dolphins</b> which frequent the Tay estuary are part of the Moray Firth SAC population. The potential</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>An adverse effect on integrity can be avoided</p>                                                                                                                                                                                                                                                                                      |  |

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|  | Bottlenose Dolphin                                                                                                                                                                                                                                                 | impacts from this policy relate to any potential piling operations. Piling is likely to cause significant disturbance, and as a result may change the distribution of the species within their natural range outside the designated area.                                                                                                                                                                                                                                                                                                                                                                                   | through the submission and approval of a satisfactory piling strategy                                                                                                                                                                                                                                                                                                                                                                                 |  |
|  | <p><b>River Tay SAC</b><br/> <u>Qualifying Habitats:</u><br/> clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels</p> <p><u>Qualifying Species:</u><br/> Atlantic Salmon, Brook Lamprey, Otter, River Lamprey, Sea Lamprey</p> | <p><b>Atlantic salmon, sea and river lamprey:</b> migrate through the estuary to the River Tay. Potential impacts include pollution during construction and operation and piling, therefore there is a likely significant effect.</p> <p><b>Pollution:</b> The three features could be affected by a decrease in water quality in the estuary. During the construction phase this could result from a release of pollutants from the proposal site or an increase in amount of suspended solids</p> <p><b>Piling:</b> The assessment for these qualifying features is the same as that detailed above for common seals.</p> | <p><b>Pollution:</b> An adverse effect on integrity can be avoided through appropriate methods of working which should be defined in the submission and approval of a satisfactory Environmental Management Plan and the requirement for a Construction Method Statement for the control of pollution.</p> <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p> |  |
|  | <p><b>Isle of May SAC</b><br/> <u>Qualifying Habitat:</u><br/> Reefs</p> <p><u>Qualifying Species:</u><br/> Grey Seal</p>                                                                                                                                          | <p><b>Grey seals</b> from the Isle of May SAC use the sandbanks in the Tay estuary to haul out outside the breeding period. The potential impacts from this proposal relate the associated piling operation. Our assessment for this qualifying feature is the same as that detailed above for common seals and that there is a likely significant effect on this feature.</p>                                                                                                                                                                                                                                              | <p>An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p>                                                                                                                                                                                                                                                                                                                           |  |



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|  | <p><b>Barry Links SAC</b><br/> <u>Qualifying Habitats:</u><br/> Coastal dune heathland, shifting dunes, dune grassland, humid dune slacks, shifting dunes with marram.</p>                                                                                                                                                                                                                                                                                          | <p><b>Air Traffic Activity:</b> Increased air traffic within the vicinity has the potential to increase levels of atmospheric pollution and nitrogen deposition on Barry Links SAC. Despite the initial identification of likely significant effects at the screening stage, upon a greater level of appraisal it has been determined that the LDP level of assessment is inappropriate to determine the likelihood of significant effect. The potential impacts will be wholly dependent upon the nature of the work involved, which may or may not cause an increase in air traffic, and the extents of any impact are uncertain. <b>Therefore this aspect does not require to be further considered as part of the appropriate assessment.</b></p> |  |  |
|  | <p><b>Outer Firth of Forth and St Andrew's Bay Complex marine pSPA</b><br/> <u>Qualifying Species</u><br/> Red-throated diver, Slavonian grebe, Little Gull, Common tern, Arctic tern, Common eider, Long-tailed duck, Common Scoter, Velvet scoter, Goldeneye, Red-breasted merganser, Northern gannet, Manx shearwater, European shag, Black-legged kittiwake, Common guillemot, Razorbill, Atlantic puffin, Black-headed gull, Common gull and Herring gull.</p> | <p>Dundee Airport area is approximately 6 km from the SPA. Possible impacts considered include disturbance during construction and operation and effects on food sources through habitat reduction.</p> <p>Despite the initial identification of likely significant effects at the screening stage, upon a greater level of appraisal it has been decided that due to the 6km distance between the air port and the SPA there will be no adverse effect on site integrity. <b>This site does not require to be further considered as part of the appropriate assessment.</b></p>                                                                                                                                                                      |  |  |

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| <p><b>Policy 57:<br/>Transportation<br/>Interchanges</b></p> |  | <p>This policy has been carried forward for appropriate assessment because as part of the screening process it was identified that it steers development towards an area at the Port of Dundee where it is not possible to rule out the risk of likely significant effect on a European Site.</p> <p>The Port of Dundee has permitted development rights which allow development associated with port related activities.</p> <p>The boundary of this principal economic development area is land based only; there is no land reclamation or extension beyond the sea wall. The AA is therefore based on these land based types of development.</p> <p>The specific location, scale and nature of proposed development is unknown. However, development including construction and operational activity under this policy could result in impacts as detailed below.</p> <p>In addition to the potential effects of physical development at the Port of Dundee, enhanced facilities may also increase the number, size and frequency of ships going to and from the port.</p> | <p>There is a wide range of possible impacts on several qualifying interests for six Natura sites. The scale and nature of any development is also not yet known.</p> <p>Given the potential variety of effects it is not considered practicable to therefore specify particular mitigation measures within the policy.</p> <p>Development under this policy will also be covered by Policy 3 Principal Economic Development Areas. Given that Policy 3 includes a proposed mitigation caveat it is projected that this will also cover Policy 57 to ensure no adverse effects on the integrity of European Sites.</p> <p>An additional safeguard is provided through Policy 32: National and International Nature</p> | <p><b>Yes</b></p> |
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|  | <p><b>Firth of Tay &amp; Eden Estuary SAC</b><br/> <u>Qualifying Habitats:</u> estuaries, intertidal mudflats and sandflats, subtidal sandbanks</p> <p><u>Qualifying Species:</u> common seal</p> | <p>The policy includes a PEDAs adjacent to the SAC but does not encroach into it. Possible impacts considered for construction and operational stages are damage or loss of habitat, pollution, disturbance due to noise and vibration from piling.</p> <p><b>Shipping Activity:</b> Possible impacts from increased shipping considered for increased noise and visual disturbance from people, machinery, lighting (on and off shore) and shipping activity.</p> <p><b>Estuaries:</b> could be affected by a decrease in water quality in the estuary. During the construction phase this could result from a release of pollutants from a proposal site or an increase in the amount of suspended solids.</p> <p><b>Common seals:</b> complete their lifecycle within the Tay Estuary area. They pup on sandbanks in the Eden Estuary and use the sandbanks outside and within the estuary to haul out and rest. Noise and vibration from piling operations has the potential to impact on the common seal population. This is likely to cause significant disturbance, which would affect the distribution of the seals within the SAC.</p> <p><b>Intertidal mudflats and sandflats:</b> no likely significant effect.</p> <p><b>Subtidal Sandbanks:</b> no likely significant effect.</p> | <p><b>Shipping Activity Impacts:</b> The potential impacts will be wholly dependent upon the nature of the work involved, which may or may not cause an increase in shipping, and the extents of any impact are uncertain. Therefore any potential adverse effect on integrity can be avoided at the project stage by carrying out assessments to determine impacts and appropriate mitigation.</p> <p><b>Estuaries:</b> Given the high volume and flow of the estuary, adverse effects on the estuary feature from pollution can be avoided through the submission and approval of a satisfactory Construction Method Statement.</p> <p><b>Common seals:</b> An adverse effect on integrity can be avoided through the submission and approval of a</p> |  |

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|  | <p><b>Firth of Tay &amp; Eden Estuary SPA</b><br/> <u>Qualifying Species:</u><br/> Bar-tailed godwit, black-tailed godwit*, common scoter*, cormorant*, dunlin*, eider*, goldeneye*, goosander*, grey plover*, greylag goose, little tern, long tailed duck, marsh harrier, oystercatcher* pink-footed goose, red-breasted merganser*, redshank, sanderling*, shelduck*, velvet scoter*<br/> waterfowl assemblage<br/> *indicates assemblage qualifier only</p> | <p>The Dundee docks PEDAs is approximately 2km from the SPA. Possible impacts considered include: disturbance during construction and operation, and effects on food sources through habitat reduction. There is no intertidal habitat exposed by the tide in this stretch of coastline as it is an existing dock wall. The area was not included in the designation of the SPA due to low bird numbers. Despite the initial identification of likely significant effects at the screening stage, upon a greater level of appraisal it has been decided that, due to the 2km distance between the Port of Dundee and the SPA, construction and operation works within the PEDAs will have no adverse effect on site integrity. <b>This aspect of site does not require to be further considered as part of the appropriate assessment.</b></p> <p><b>Shipping Activity:</b> Possible impacts from increased shipping considered for increased noise and visual disturbance from people, machinery, lighting (on and off shore) and shipping activity.</p> | <p><b>Shipping Activity Impacts:</b> The potential impacts will be wholly dependent upon the nature of the work involved, which may or may not cause an increase in shipping, and the extents of any impact are uncertain. Therefore any potential adverse effect on integrity can be avoided at the project stage by carrying out assessments to determine impacts and appropriate mitigation.</p> |  |
|  | <p><b>Moray Firth SAC</b><br/> <u>Qualifying Species:</u><br/> Bottlenose Dolphin</p>                                                                                                                                                                                                                                                                                                                                                                           | <p><b>Bottlenose dolphins</b> which frequent the Tay estuary are part of the Moray Firth SAC population. The potential impacts from this policy relate to any noise and vibration from potential piling operations. Piling is likely to cause significant disturbance and as a result potentially change the distribution of the species and their prey within their natural range.</p> <p><b>Shipping Activity:</b> Possible impacts from increased shipping considered for increased noise and visual disturbance from people, machinery, lighting (on and off shore) and shipping activity.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>Bottlenose dolphins:</b><br/> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p> <p><b>Shipping Activity Impacts:</b> The potential impacts will be wholly dependent upon the</p>                                                                                                                                       |  |

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|  |                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>nature of the work involved, which may or may not cause an increase in shipping, and the extents of any impact are uncertain. Therefore any potential adverse effect on integrity can be avoided at the project stage by carrying out assessments to determine impacts and appropriate mitigation.</p>                                                                                                                             |  |
|  | <p><b>River Tay SAC</b><br/> <u>Qualifying Habitats:</u><br/> clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels</p> <p><u>Qualifying Species:</u><br/> Atlantic Salmon, Brook Lamprey, Otter, River Lamprey, Sea Lamprey</p> | <p><b>Atlantic salmon, sea and river lamprey</b> migrate through the estuary to the River Tay. Potential impacts include pollution during construction and operation and piling, therefore there is a likely significant effect.</p> <p><b>Pollution:</b> The above three species could be affected by a decrease in water quality in the estuary. During the construction phase this could be as a result of a release of pollutants from a proposal site or an increase in amount of suspended solids</p> <p><b>Piling:</b> The assessment for these qualifying features is the same as that detailed above for common seals.</p> <p><b>Shipping Activity:</b> Possible impacts from increased shipping considered for increased noise and visual disturbance from people, machinery, lighting (on and off shore) and shipping activity.</p> | <p><b>Pollution:</b> An adverse effect on integrity can be avoided through appropriate methods of working, which will usually be defined in the submission and approval of a satisfactory Environmental Management Plan and Construction Method Statement for the control of pollution</p> <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p> |  |

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|  |                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p><b>Shipping Activity Impacts:</b> The potential impacts will be wholly dependent upon the nature of the work involved, which may or may not cause an increase in shipping, and the extents of any impact are uncertain. Therefore any potential adverse effect on integrity can be avoided at the project stage by carrying out assessments to determine impacts and appropriate mitigation.</p>       |  |
|  | <p><b>Isle of May SAC</b><br/> <u>Qualifying Habitat:</u><br/> Reefs</p> <p><u>Qualifying Species:</u><br/> Grey Seal</p> | <p><b>Grey seals</b> from the Isle of May SAC use the sandbanks in the Tay estuary to haul out outside the breeding period. The potential impacts from this proposal relate to the associated piling operation, which is likely to significantly disturb the seals, and change the distribution within their natural range but outside the SAC.</p> <p><b>Shipping Activity:</b><br/> Possible impacts from increased shipping considered for increased noise and visual disturbance from people, machinery, lighting (on and off shore) and shipping activity.</p> | <p><b>Piling:</b> An adverse effect on integrity can be avoided through the submission and approval of a satisfactory piling strategy.</p> <p><b>Shipping Activity Impacts:</b> The potential impacts will be wholly dependent upon the nature of the work involved, which may or may not cause an increase in shipping, and the extents of any impact are uncertain. Therefore any potential adverse</p> |  |

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|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | effect on integrity can be avoided at the project stage by carrying out assessments to determine impacts and appropriate mitigation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
|  | <p><b>Outer Firth of Forth and St Andrew's Bay Complex marine pSPA</b></p> <p><u>Qualifying Species</u><br/> Red-throated diver, Slavonian grebe, Little Gull, Common tern, Arctic tern, Common eider, Long-tailed duck, Common Scoter, Velvet scoter, Goldeneye, Red-breasted merganser, Northern gannet, Manx shearwater, European shag, Black-legged kittiwake, Common guillemot, Razorbill, Atlantic puffin, Black-headed gull, Common gull and Herring gull.</p> | <p>The east end of the Dundee docks PEDAs, from the Prince Charles Wharf, sits on the boundary of the pSPA.</p> <p>Possible impacts considered include: disturbance during construction and operation, and effects on food sources through habitat reduction. There is no intertidal habitat exposed by the tide in this stretch of coastline as it is an existing dock wall.</p> <p><b>Shipping Activity:</b><br/> Possible impacts from increased shipping considered for increased noise and visual disturbance from people, machinery, lighting (on and off shore) and shipping activity.</p> | <p><b>Bird disturbance:</b> An adverse effect on integrity can be avoided at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to the qualifying interests of the Outer Firth of Forth and St Andrew's Bay Complex marine pSPA by construction activities and/or motorised craft as appropriate.</p> <p><b>Shipping Activity Impacts:</b> The potential impacts will be wholly dependent upon the nature of the work involved, which may or may not cause an increase in shipping, and the extents of any impact are uncertain. Therefore any potential adverse</p> |  |

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|                                                                  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | effect on integrity can be avoided at the project stage by carrying out assessments to determine impacts and appropriate mitigation.                                                                                                                                                                                                                                                                                                                                                                                               |            |
| <b>New and Amended Housing Sites from the MIR Call for Sites</b> |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |            |
| H41 (MIR76)                                                      |  | <p>The proposed housing site has been carried forward for appropriate assessment because as part of the screening process, research evidence established that Greylag Geese were identified in proximity to the site. As a result it is not possible to establish that there is no link or pathway with the qualifying interests of the adjacent SPA. Therefore, without further appropriate survey work, it is not possible to rule out the risk of likely significant effect on the adjacent European Site.</p> <p>The proximity of Greylag Geese to the site is established through research documented in the following 2012 document:</p> <p><i>“Mapping the distribution of feeding Pink-footed and Iceland Greylag Geese in Scotland: A report by the Wildfowl &amp; Wetlands Trust, as part of a programme of work jointly funded by WWT and Scottish Natural Heritage”</i></p> <p>Map based evidence records the presence of geese, predominantly to the west, and to the south of the proposed site and it is stated that <i>“Geese roosting on the Firth of Tay typically fed to the north of the site in Southern Angus...P.80</i></p> | <p>Sufficient detail on the scale, nature and precise location of development within the site boundary is not yet known. Thus it is not considered practicable to specify particular mitigation measures within the policy.</p> <p>Avoidance of significant disturbance to the qualifying interests of the SPA can be controlled at the project stage through demonstration that the development would not adversely affect greylag geese of the Firth of Tay SPA either alone or in combination with other plans or projects.</p> | <b>Yes</b> |



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|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | There is potential disturbance to the qualifying species during construction and operational stages and impacts on food sources and loafing/roosting space through habitat reduction.                                                                                                                                                                                                                        | A statement for this assessment requirement will be included within the Proposed Plan's <b>Appendix 3: Housing Sites</b> and the supporting information within the Development Site Assessment document.                                                                                                                           |            |
|               | <p><b>Firth of Tay &amp; Eden Estuary SPA</b><br/> <u>Qualifying Species:</u><br/> Bar-tailed godwit, black-tailed godwit*, common scoter*, cormorant*, dunlin*, eider*, goldeneye*, goosander*, grey plover*, greylag goose, little tern, long tailed duck, marsh harrier, oystercatcher* pink-footed goose, red-breasted merganser*, redshank, sanderling*, shelduck*, velvet scoter*<br/> waterfowl assemblage<br/> *indicates assemblage qualifier only</p> | With reference to the above research document, the proposed housing site is approx. 1km from the nearest sighting location of the geese and 2km from the SPA. Possible impacts considered include disturbance during construction and operation, and impacts on food sources and loafing/roosting space through habitat reduction.                                                                           | <b>Bird disturbance:</b> An adverse effect on integrity can be avoided at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to the qualifying interests of the Firth of Tay and Eden Estuary SPA by construction activities as appropriate. |            |
| <b>MIR 99</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | The proposed housing site has been carried forward for appropriate assessment because as part of the screening process, research evidence established that Greylag Geese were identified in proximity to the site. As a result it is not possible to establish that there is no link or pathway with the qualifying interests of the adjacent SPA. Therefore, without further appropriate survey work, it is | Sufficient detail on the scale, nature and precise location of development within the site boundary is not yet known. Thus it is not considered practicable to specify                                                                                                                                                             | <b>Yes</b> |

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|  |                                                                                                                                                                                                                                                                        | <p>not possible to rule out the risk of likely significant effect on the adjacent European Site.</p> <p>The proximity of Greylag Geese to the site is established through research documented in the following 2012 document:</p> <p><i>“Mapping the distribution of feeding Pink-footed and Iceland Greylag Geese in Scotland: A report by the Wildfowl &amp; Wetlands Trust, as part of a programme of work jointly funded by WWT and Scottish Natural Heritage”</i></p> <p>Map based evidence records the presence of geese, predominantly to the west, and to the south of the proposed site and it is stated that <i>“Geese roosting on the Firth of Tay typically fed to the north of the site in Southern Angus...P.80</i></p> <p>There is potential disturbance to the qualifying species during construction and operational stages and impacts on food sources and loafing/roosting space through habitat reduction.</p> | <p>particular mitigation measures within the policy.</p> <p>Avoidance of significant disturbance to the qualifying interests of the SPA can be controlled at the project stage through demonstration that the development would not adversely affect greylag geese of the Firth of Tay SPA either alone or in combination with other plans or projects.</p> <p>A statement for this assessment requirement will be included within the Proposed Plan’s <b>Appendix 3:</b> Housing Sites and the supporting information within the Development Site Assessment document.</p> |  |
|  | <p><b>Firth of Tay &amp; Eden Estuary SPA</b><br/> <u>Qualifying Species:</u><br/> Bar-tailed godwit, black-tailed godwit*, common scoter*, cormorant*, dunlin*, eider*, goldeneye*, goosander*, grey plover*, greylag goose, little tern, long tailed duck, marsh</p> | <p>With reference to the above research document, the proposed housing site is approx. 0.5km from the nearest sighting location of the geese and 1.2km from the SPA. Possible impacts considered include: disturbance during construction and operation, and impacts on food sources and loafing/roosting space through habitat reduction.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p><b>Bird disturbance:</b> An adverse effect on integrity can be avoided at the project stage by submitting satisfactory management plans which should include measures for the avoidance of significant disturbance to the</p>                                                                                                                                                                                                                                                                                                                                            |  |

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|  | <p>harrier, oystercatcher* pink-footed goose, red-breasted merganser*, redshank, sanderling*, shelduck*, velvet scoter*<br/> waterfowl assemblage<br/> <i>*indicates assemblage qualifier only</i></p> |  | <p>qualifying interests of the Firth of Tay and Eden Estuary SPA by construction activities as appropriate.</p> |  |
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### Contact Details

Dundee City Council Planning Division  
For general advice and information, telephone 01382 433105 or  
email [development.management@dundeecity.gov.uk](mailto:development.management@dundeecity.gov.uk)

Website: <http://www.dundeecity.gov.uk/citydevelopment/planningdivision/>

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| <b>This information is made available in large print or in an alternative format that meets your needs.</b> |                                                                              |
| <b>Chinese</b>                                                                                              | 欲知詳情，請致電：01382 435825                                                        |
| <b>Russian</b>                                                                                              | Более подробную информацию можно получить позвонив по телефону: 01382 435825 |
| <b>Urdu</b>                                                                                                 | مزید معلومات کے لئے برائے مہربانی 01382 435825 پروفون کریں۔                  |
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