



Planning Advice Number 3/2015

# **Development Affecting Natura Sites**

(SPA's and SAC's)



Special Areas of Conservation (SAC) and Special Protection Areas (SPA) form part of a network of internationally important sites for nature conservation, known as Natura 2000 sites. There are many of these sites in Aberdeenshire, which have been designated for a range of conservation interests. This leaflet provides guidance on how developments that may affect such sites will be assessed.



Under UK legislation the Planning Authority has a duty to assess the impact of development within and/or affecting, Natura sites. If there is likely to be a significant effect a Habitats Regulations Assessment (HRA) will be required. The HRA considers the impact of a proposal on the natural interests for which a Natura site is designated and informs the planning decision that is made.

The Planning Authority has to consider whether a proposal is likely to have a significant effect on the Natura site either individually, or in combination with other plans and projects. Not only does this apply to works requiring planning permission, it also applies to works which could otherwise be carried out as permitted development in terms of the General Permitted Development Order and which will now require a prior notification application.

### **In order to assess the likely impact of a proposal, the following information will be required:**

- Reasons for the work, and whether specifically connected to the conservation management of the Natura site.
- A detailed method statement that sets out the works proposed and how they are to be carried out. In particular, details of the timing of works, any machinery to be used, and measures to minimise disturbance.
- Details of any known proposed, approved, or ongoing works in the immediate vicinity, which may lead to a cumulative impact.

**On receipt of an application or prior notification that may impact on a Natura site the Planning Authority will consult with Scottish Natural Heritage (SNH) who may seek further information, including:**

- Detailed survey work relating to the designated interests, and
- Any measures proposed to avoid impacts on the Natura site.

The above information will allow the Planning Authority to deal with the application as timeously as possible and to carry out a Habitats Regulations Assessment of the proposal, if required.

In the case of a planning application the HRA will be a material consideration in the determination of the application. Where the proposal has the potential to impact on a Natura site, modification of the proposal or mitigation measures may be required. If a proposal cannot be modified or mitigated and will result in an unacceptable negative impact on the Natura site the Planning Authority may refuse the application. SNH will object to such an application, therefore, approval of a proposal considered to have a significant impact on a Natura site will be notified to the Scottish Government.

For a prior notification, if it is considered that the proposal will have an adverse impact on the conservation interests of the site, the works cannot be carried out as permitted development and a full planning application will be required.



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## **For further information**

**Email: [planning@aberdeenshire.gov.uk](mailto:planning@aberdeenshire.gov.uk)**

**[www.aberdeenshire.gov.uk/planning](http://www.aberdeenshire.gov.uk/planning)**

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## **Other useful contact**

**Scottish Natural Heritage**

**Tel: 01224 266500**

**[www.snh.gov.uk](http://www.snh.gov.uk)**

