Natura Appraisal Form

Casework Recording Ref	

1a. Name of the Natura Site affected & current status

Trossachs Woods SAC (Current)

1b. Name of component SSSI if revelant

Ben A'an and Brenacoile Woods SSSI

1c. European qualifying interest(s) & whether priority/non-priority:

Trossachs Woods SAC

Western acidic oak woodland

1d. Conservation objectives for qualifying interests:

Trossachs Woods SAC
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

Western acidic oak woodland

2a. Proposal Title

Rhoderick Dhu Path and Watchtower at Trossachs Woods SAC

2b. Date consultation sent	12-NOV-2020
2c. Date consultation received	12-NOV-2020
2d. Name of consultee	Vivien Emery
2e. Name of competent authority	Loch Lomond and Trossachs National Park
2f. Type of case	Planning application

2g. Details of proposed operation

Installing a path to a viewpoint and a watchtower at the viewpoint near Trossachs Pier.

APPRAISAL IN RELATION TO REGULATION 48

3a. Is the operation directly connected with or necessary to conservation management of the site? YES/NO If YES give details:

No.

If yes and it can be demonstrated that the elements in 3b have been applied to all the interest features in a fully assessed and agreed management plan then consent can be issued but rationale must be provided, including reference to management objectives. If no, or if site has several European qualifying interests and operation is not directly connected with or necessary to the management of all of these then proceed to 3b.

3b. Is the operation likely to have significant effect on the qualifying interest? Consider each qualifying interest in relation to the conservation objectives.

i) indicate which feature of interest could be affected by the proposed operation and briefly in what way; if none provide a brief justification and then proceed to v), otherwise continue:
ii) refer to other plans/projects with similar effects/other relevant evidence;
iii) consider scale, longevity, and reversibility of effects;
iv) consider whether proposal contributes to cumulative or incremental impacts with other projects competed, underway or proposed;
v) give Yes/No conclusion for each interest.

Yes. The proposal is in Trossachs Woods SAC and will destroy qualifying habitat.

If yes, or in cases of doubt, proceed to 3c. If potential significant effects can easily be avoided, go straight to 4 and record modifications required. If no for all features, a consent or non-objection response can be given and recorded under 6 (although if there are other features of national interest only, the effect on these should be considered separately).

Mitigation or modifications required to avoid a likely significant effect & reasons for these:

3c. Appraisal of the implications for the site in view of the site¿s conservation objectives.

i) Describe for each European qualifying interest the potential impacts of the proposed operation detailing which aspects of the proposal could impact upon them and their conservation objectives
ii) Evaluate the significance of the potential impacts, e.g. whether short/long term, reversible or irreversible, and in relation to the proportion/importance of the interest affected, and the overall effect on the site¿s conservation objectives. Record if any information or specialist advice has been obtained.
iii) In the light of the appraisal, ascertain whether the proposal will not adversely affect the integrity of the site for the qualifying interests. If SAC and/or SPA and/or Ramsar site give separate conclusions. If conditions or modifications are required, proceed to 4.

Ensuring 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

Extent of the habitat on site

- The extent of ground flora of the qualifying habitat will be permanently reduced by the footprint of path and watchtower.

- Extent of existing canopy cover will be retained, but trees may be lost as a result of root damage and accidental damage by visitors.

Watchtower footprint

The tower has been designed to minimise impacts on the protected site, with much of the platform and walkway area being suspended above the ground. However, the lower level viewing platform appears to sit on the ground and the visualisations also show a broad gravel area at the entrance and exit from the building, which would lead to additional loss of habitat, not fully included in the calculations below.

Path footprint

0.016%*of the qualifying habitat will be destroyed by the footprint of the main path line (1.5m wide path) and watchtower; however, taking into account plans for side ditches, stone revetments, slope stabilisation, passing places and the watchtower entry area, the final loss of qualifying habitat is likely to be considerably greater than that.

- On popular, established routes the installation of a path/path repairs can reduce impacts by reducing path braiding and erosion. This justification cannot be used here, as the path is infrequently used, narrow and barely visible in some parts.
- This loss should be considered as part of a cumulative total, in addition to other recent local developments (see below).

*Calculation: 282m2 under main path line and 85m2 under watchtower footprint (NP calculations from plans) or 0.0367ha/232.5ha qualifying habitat on the SAC **= 0.016%**

Distribution of the habitat within the site

- In addition to the direct loss under the path, the ground flora around the path and watchtower entry area is likely to suffer damage to its structure, species composition and

vegetation cover from human trampling and dog urine/faeces. There may also be an increase in weedy species encouraged by disturbance and brought in by visitors.

Structure and function of the habitat

- The habitat is already unfavourable declining, due to high herbivore impacts (main negative pressure) and rhododendron. In particular, the site requires the restoration of the shrub layer and age structure of the woodland, through reduction in herbivore impacts and increased regeneration of woody species.

- The increased disturbance may reduce the number of browsing deer in the area and the proposal contains plans to remove nearby rhododendron; however, these potential positive impacts cannot be used to cancel out negative impacts in a Natura appraisal.

- Overall, the proposals will result in further decline in site condition in this area. Path maintenance and trampling around the path will also prevent natural succession and tree regeneration in the immediate area.

Processes supporting the habitat.

- As well as impacts on tree regeneration (discussed above) there may be localised impacts on the hydrology of the site, due to the interruption/re-direction of water flows by the path, watchtower foundations and associated structures. This is likely to affect the ground flora, groundwater dependant habitats and surrounding trees. A section broad walk is proposed over a flush, which would minimise impacts in that area.

Distribution of typical species and viability of typical species as components of the habitat

- The distribution of typical birds and mammals in the area are likely to be locally affected by the presence of many more people and dogs in the area of the proposal. The pier car park and campsite are very busy with day trippers and tourists through spring, summer and autumn. An increase in parking spaces is planned. As it would be one of the main attractions on site, the path and watchtower are likely to be heavily used and for long hours in the summer, as people can stay overnight on the site. This could deter woodland mammals and birds from breeding and foraging in the area around the proposal, reducing their numbers. The disturbance effects could extend for a few hundred metres around the area of the proposal, depending on the sensitivity of the receptor species (also see section on significant disturbance below).

- The line of the path and location of the watchtower could represent a barrier to species that are sensitive to human disturbance, reducing their use of the area between the path and the pier. This could lead to localised changes to the distribution of typical species on site, effectively causing partial fragmentation of the site.

- All existing, healthy native trees will be retained, although the tree survey recommends that one Scots pine is pruned and 4 diseased or dead trees are removed.

- The categorisation of trees used in the assessment gives trees that have low life expectancy, or that are older, defective, damaged or diseased a lower overall value. It is important to note that these trees often can have high biodiversity value, and that just because they are not of high timber or amenity value that they are therefore less valuable. This logic is flawed in terms of conservation assessment, and assumptions based on this logic in the report are also therefore flawed.

- Standing dead wood is also of value; the report identifies some dead trees that it recommends are felled and stacked.

- The proposed route of the path and the foundations of the watchtower would cut through the RPAs (Root Protection Areas) of a large number of the trees. Therefore we can expect that there may be longer term impacts on tree health and stability as a result of the path construction work. It is NatureScot's view that the construction of the path will likely result in indirect loss of existing trees.

No significant disturbance of typical species of the habitat

- A significant, permanent increase in disturbance, in what is currently a relatively undisturbed area, is expected to result from this development. The path from the car park to the watchtower area is infrequently used, narrow and informal at present. The topography means that most of the proposed path and watchtower area are buffered from activity at the pier at present.

- The hours of use for this area are likely to be long in the summer, as people stay on site in mobile homes or on the campsite.

- The watchtower is designed to discourage people from dispersing into the wider area, but walkers are frequently accompanied by off-lead dogs, which will disturb wildlife over a much larger area.

- The disturbance effects could extend for a few hundred metres around the area of the proposal, depending on the sensitivity of the receptor species.

Cumulative impacts

A nearby camping development by the same applicants, has resulted in a 0.12% loss of qualifying habitat on the same protected site. AESI was ruled out for that development, on the grounds that it was a degraded, disturbed area with low restoration potential on the edge of the SAC. 0.05ha of the site has also been lost at the edge of the car park, due to works by a third party and a further car park extension of 0.04ha is proposed. The potential loss of qualifying habitat from the path and watchtower proposal should be considered as part of a cumulative total loss since designation.

Conclusion

In the context of wider natura case law, it has not been possible to rule out adverse effect on site integrity for proposals with similar levels of cumulative permanent loss of qualifying habitat, significant additional impacts and an increase in disturbance.

On the basis of current information, and for the reasons given above, it is unlikely that Loch Lomond and Trossachs National Park Authority will be able to conclude that there will be no adverse effect on the integrity of the site.

4. Conditions or modifications required.

Indicate conditions/modifications required to ensure adverse effects are avoided, & reasons for these.

N/A

5. Advice sought.

Include here details of or clear reference to, advice sought from AS, colleagues etc. If no advice sought give brief reasons/justification

Advice sought from Kate Holl, woodland advisor and Lauren Lawson regarding natura sites. Also referred to natura case law and similar cases on other woodland SACs

6. RESPONSE

a) Natura comments (for additional guidance see Development Management and Natural Heritage, section 8, or the Natura Model Responses (in the Natura Casework Guidance) for all other Natura casework)

On the basis of current information, and for the reasons given above, it is unlikely that Loch Lomond and Trossachs National Park Authority will be able to conclude that there will be no adverse effect on the integrity of the site."

b) SNH Comments (for additional guidance see Development Management and Natural Heritage, section 8)

For SNH advice to other authorities:

Outright objection 7b.
Likely significant effect and probable adverse effect on integrity and we have carried out a scientific appraisal to enable us to respond to the consultation

For SNH response to request for opinion on effects of permitted development:

For SNH response to application for consent/licence:

Appraised by	**Estelle Gill**
Date	**15-FEB-2020**
Checked by	Paul Roberts
Date	16 FEB 2021