



Glasgow City Council
City Development Plan 2

Background Report

Habitats Regulations Appraisal

February 2025



1. Introduction

- 1.1 The requirement to carry out a Habitats Regulations Appraisal (HRA) is set out in the Habitats Directive (European Union Council Directive 92/43/EEC) and the Conservation (Natural Habitats, &c.) Regulations 1994 - this piece of legislation is usually known as the Habitats Regulations. The Habitats Regulations have been amended in Scotland, most recently in 2019 as a result of the UK leaving the EU. These amendments mean that Scotland must continue to apply the requirements of the Habitats and Birds Directives to how European sites are designated and protected.
- 1.2 European sites refer to what were previously known as 'Natura' sites and are Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). These protect species and habitats and were originally designated under European legislation, subsequently transposed into Scottish legislation.
- 1.3 Under the [Habitats Regulations](#), the Council must consider whether any plan, such as the City Development Plan, could affect a European site before that plan can be authorised or carried out. This includes considering whether it will have a 'likely significant effect' on a European site and, if so, an 'appropriate assessment' (AA) must be carried out. This process is known as Habitats Regulations Appraisal (HRA).

2. Background

- 2.1 NatureScot provides Guidance on [Habitats Regulations Appraisal](#). This Guidance states that, in order to carry out an HRA the competent authority must have *sufficient details about all aspects* of the proposal and how this will be carried out. Information should also be gathered about the European site(s) that could potentially be impacted, including their qualifying interests and conservation objectives.
- 2.2 Glasgow City Council is at an early stage of the process for producing Glasgow City Development Plan 2 which will, when adopted, replace the current City Development Plan as part of the wider development plan for the City. The current of the plan process (Evidence Report) is intended to bring together the base-line data and other information that will form a sound basis for the preparation of the CDP2 Proposed Plan.
- 2.3 The Evidence Report being an early, evidence-gathering stage of the plan process, it is not possible at this stage to have "sufficient details about all aspects" of CDP2. Specifically, policies and site proposals won't be available until the Proposed Plan stage. However, it is possible at this stage to set out a basic understanding of what will require to be taken into account.

- 2.5 NatureScot's Guidance sets out 9 stages of HRA, with Stage 1 being to establish what the plan is and Stage 2 being to determine whether it is directly connected with or necessary to site management for nature conservation. The Proposed CDP2 will not be directly connected with site management of a European Site and so the Proposed Plan will need to be considered under Stage 3.
- 2.6 Stage 3 is intended to establish whether the plan (either alone or in combination with other plans or projects) is likely to have a significant effect on a European site. This is essentially a screening stage to determine whether or not an Appropriate Assessment is required and requires consideration of whether there is any potential connectivity between a proposal and the European Sites potentially affected by it i.e. are there processes or pathways by which the proposal may influence the site's interests directly or indirectly? If there is no connection, or it is obvious that the proposal will not undermine the conservation objectives despite a connection, it can be concluded that the plan would not be likely to have a significant effect on European Sites and that an Appropriate Assessment can be screened out.
- 2.7 The Council has had an initial meeting with NatureScot on 16th October 2024 where it was agreed that insufficient progress has been made on producing CDP2 (i.e. the Proposed Plan was not yet being produced) to undertake screening and determine whether an Appropriate Assessment would be required.

3. Conclusion

- 3.1 There are no European Sites in Glasgow, however, there are European Sites in surrounding authorities and it is possible that the policies and/or proposals of CDP2 could have a significant effect on one or more of them. It has been agreed with NatureScot that the Plan is not yet at a stage where it could be screened for likely significant effects on European sites and that this won't be possible until work on the Proposed Plan is well underway. At that stage, it will be possible to determine whether an Appropriate Assessment of CDP2 will be required.