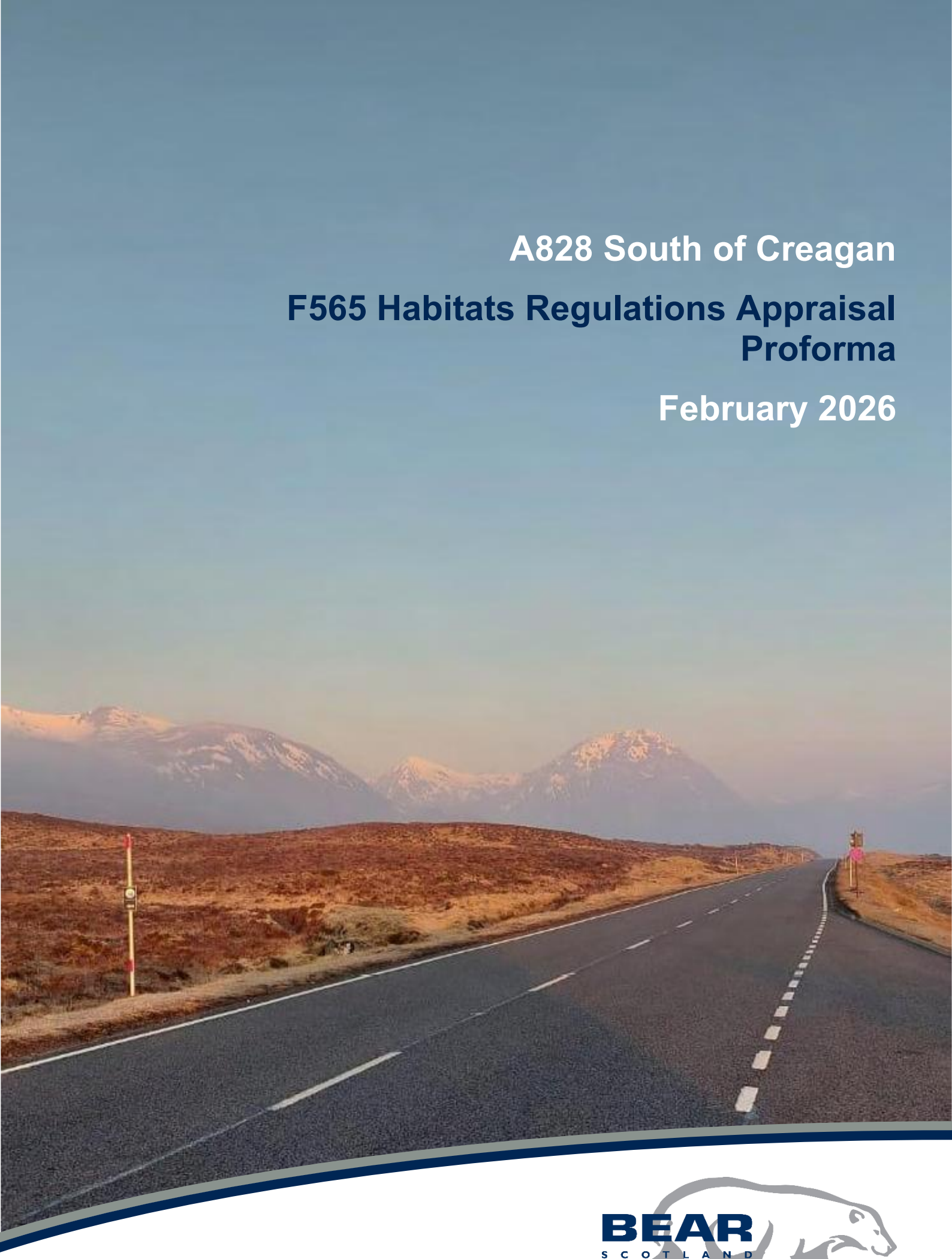
A828 South of Creagan

F565 Habitats Regulations Appraisal Proforma

February 2026



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Document Control Sheet

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Document Approvals

	Name	Organisation	Signature	Date
Prepared By	Shanan Davies	BEAR Scotland	**SD**	30/01/2026
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1.0	27/02/2026	First Issue	Carolyn Gillen

Document Distribution

Reference	Name of Holder
1	John Morris - BEAR Scotland
2	Marine Directorate
3	Transport Scotland

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Appraisal in relation to regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (Habitats Regulations Appraisal

(Or, where relevant, under regulation 61 of The Conservation of Habitats and Species Regulations 2010 as amended, or regulation 25 of The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 as amended)

European Site Details

Name of European Site(s) Potentially Affected

1. Loch Creran Special Area of Conservation (SAC) (Site code: 8294)
2. Loch Creran Marine Protected Area for Nature Conservation (MPA NC) (Site code: 10415)
3. Glen Creran Woods SAC (Site code: 8265)

Name of Component SSSI, if Relevant

Glen Creran Site of Special Scientific Interest (SSSI) (Site code: 8619) which is designated for the following features:

- Bryophyte assemblage
- Chequered skipper butterfly (*Carterocephalus palaemon*)
- Lichen assemblage
- Pearl-bordered fritillary butterfly (*Boloria euphrosyne*)
- Upland oak woodland

European Site(s) Qualifying Interest(s) and Whether Priority or Non-Priority

1. **Loch Creran SAC** is designated for:
   - Reefs*
     - Condition: Unfavourable declining (October 2021)
     - Negative pressures:
       - Game fisheries/management
       - Recreation/disturbance
       - Water management

2. Loch Creran MPA NC is designated for:

- Flame shell beds (*Limaria hians*)*
  - Inshore sublittoral sediment (Marine)
- Quaternary of Scotland
  - Quaternary geology and geomorphology

Glen Creran Woods SAC is designated for the following features:

- Mixed woodland on base-rich soils associated with rocky slopes
  - Condition: Favourable maintained (March 2005)
  - Negative pressures:
    - Invasive species
    - Over grazing
- Otter (*Lutra lutra*)
  - Condition: Favourable maintained (September 2015)
  - Negative pressures:
    - Forestry operations
- Western acidic oak woodland
  - Condition: Favourable declining (June 2011)
  - Negaitve pressures:
    - Under grazing

Condition assessment for all features was accessed via SiteLink on 30/01/2026.

*Indicates Priority Marine Feature (PMF)

Conservation Objectives for Qualifying Species

The following conservation objectives are taken from supporting documents (i.e. 'Conservation Objectives' and/or 'Conservation Advice Package') for the below European sites, accessed via SiteLink 30/01/2026.

1. Loch Creran SAC:

Conservation objectives for qualifying habitat '*Reefs*':

1. To ensure that the qualifying features of Loch Creran SAC are in favourable condition and make an appropriate contribution to achieving Favourable Conservation Status.
2. To ensure that the integrity of Loch Creran SAC is maintained in the context of environmental changes by meeting objectives 2a, 2b and 2c:

   2a. Extent and distribution of reefs within the site.
   2b. Structure and function of reefs and the supporting environment on which it relies.
   2c. Distribution and viability of typical species of reefs.

NatureScot (2025).

2. Loch Creran MPA NC:

Conservation objectives for qualifying habitat '*Flame shell beds*'

1. Conserve the current extent and distribution of the flame shell beds within the site so that they are stable or increasing.
2. Conserve the current bed thickness, density of individuals, and associated sediments so that they are stable or increasing
3. Conserve the functions provided by flame shell beds and the environmental conditions that support them.
4. Conserve the diversity, abundance and distribution of characteristic biological communities associated with the habitat (including *Limaria hians* and *Modiolus modiolus*).

Conservation objectives for geomorphological feature '*Quaternary of Scotland*'

1. Conserve the feature extent, component elements and integrity of the Quaternary of Scotland geomorphological feature (glaciated channels /troughs and moraines).
2. Conserve the structure and functioning of the Quaternary of Scotland feature (glaciated channels /troughs and moraines) so that it is unimpaired.
3. Conserve the surface of the Quaternary of Scotland feature (glaciated channels /troughs and moraines) so that it remains sufficiently unobscured for the purposes of determining whether the criteria in conservation objectives (a) and (b) are satisfied.

NatureScot (2025).

3. Glen Creran Wood SAC:

Conservation objectives for qualifying all habitat features '*Mixed woodland on base-rich soils with rocky slopes*' and '*Western acidic oak woodland*':

1. To ensure that the qualifying features of Glen Creran Woods SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.

2. To ensure that the integrity of Glen Creran Woods SAC is maintained by meeting objectives 2a, 2b and 2c for each qualifying feature.

   2a. Maintain the extent and distribution of the habitat within the site.
   2b. Maintain the structure, function and supporting processes of the habitat.
   2c. Maintain the distribution and viability of typical species of the habitat.

Conservation objectives for '*Otter*':

1. To ensure that the qualifying features of Glen Creran Woods SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.
2. To ensure that the integrity of Glen Creran Woods SAC is maintained by meeting objectives 2a, 2b and 2c for the qualifying feature.

   2a. Maintain the population of the species as a viable component of the site.
   2b. Maintain the distribution of the species throughout the site.
   2c. Maintain the habitats supporting the species within the site and availability of food.

NatureScot (2020a).

Stage 1: What is the Plan or Project?

Proposal Title

A828 South of Creagan

Name of Competent Authority

Transport Scotland, Marine Directorate

Name of Consultee

Marine Directorate will be issued a copy of this assessment as part of an application for a marine licence. NatureScot will be provided a copy of the application information by Marine Directorate as part of the statutory consultation process.

Details of Proposal

The scheme extends along a section of the A828 for approximately 610m which includes the A828 Creagan Bridge and is situated approximately 500m south of the town of Creagan. The scheme lies within the administrative boundary of Argyll and Bute Council between the followinig National Grid References (NGRs): **Start:** NM 97713 44056; **End:** NM 97771 44621 (Figure 1).

Figure 1: Scheme Location and Extent

The scheme is scheduled to commence within the new financial year 2026-2027 (May 2026 to March 2027). The duration and working hours are yet to be confirmed.

The proposed works will consist of resurfacing of the A828 trunk road surface with a mixed depth inlay. The works are required to replace the worn road surface, address defects, and ensure general maintenance of the trunk road.

A site compound is not required for the proposed works and traffic management (TM) will consist of a full overnight road closure between the hours of 19:00 – 07:00 with hourly amnesties.

Materials used will consist of:

- Stone Mastic Asphalt (TS2010)
- Milled in road studs
- Thermoplastic road marking paint
- Bituminous emulsion bond coat

BEAR Scotland follow good practice guidance produced by the Scottish Environment Protection Agency (SEPA) as standard for works in or near water to reduce the risk of water pollution as much as possible. These measures will ensure that any potential pollutants, including fine sediments and materials required for the works in or near water, will not enter the water environment and travel downstream during the works. In addition, good practice measures to reduce noise will be in place to comply with Section 72 of the Control of Pollution Act 1974 and BS5228-1:2009-A1:2014 Code of Practice for Noise and Vibration Control on Construction and Open Sites. These measures and working practices would be in place regardless of the presence of nearby designated sites and therefore are not considered to be mitigation.

Stage 2: Is the Plan or Project Directly Connected with or Necessary to Site Management for Nature Conservation?

Connection to Site Management

This test is to identify and remove from further assessment those proposals which are clearly necessary to, or of value to, or inevitable as part of, management of the site for its qualifying interests. For the majority of proposals competent authorities deal with the answer to Stage 2 will be 'no'. However, where it is thought this could be applicable the following points should be considered:

I. Has the effect on all qualifying interests been considered?
II. Is the proposal part of a fully assessed and agreed management plan? If not, then further consideration or supporting information will be required.
III. Is there a clear rationale to justify the connection with the conservation objectives?
IV. If there is a clear connection with the conservation objectives will any benefits arising from the proposal outweigh any negative effects?
V. Have any alternative methods of implementing the proposal been explored, including building in any relevant mitigation, to demonstrate that this is the least damaging option?
VI. Give a Yes / No conclusion in terms of whether the plan or project is considered directly connected with or necessary to site management for nature conservation.

If Yes for all elements of a plan or project, for all the European site qualifying interests (preferably as part of a fully assessed and agreed management plan), then consent can be issued. The rationale should be detailed below, and no further appraisal is required (no need to proceed to Stage 3 or 4).

If No for one or more European site qualifying interests then proceed to Stage 3.

If a plan has multiple elements (e.g., a range of policies or management objectives), elements of the plan considered directly connected with or necessary to site management for nature conservation should be discussed below and a rationale given for this conclusion. No further appraisal is then required for those elements. All other elements of the plan must proceed to Stage 3.

This project is not connected with or necessary to the management of the qualifying interests of the sites, therefore further assessment is required.

Stage 3: Is the Plan or Project (Either Alone or in Combination with Other Plans or Projects) Likely to Have a Significant Effect on the Site?

Assessment for LSE

The test of Likely Significant Effect (LSE) is a simple screening stage to determine whether or not an appropriate assessment is required. Each qualifying interest must be considered in relation to their conservation objectives. The following points should be considered:

I. Briefly indicate which qualifying interest could be affected by the proposal and how; if none, provide a brief justification for this decision, and then proceed to v), otherwise continue:
II. consider whether there is connectivity between the proposal and each of the qualifying interests i.e. are there processes or pathways by which the proposal may influence the site's interests? Conclude no LSE only if there is no connection, or it is obvious that the proposal will not undermine the conservation objectives despite a connection. The potential for negative effects on the qualifying interests may be immediately obvious, in which case conclude likely significant effect and move straight to the next step.
III. consider the nature, scale, location, longevity, and reversibility of effects.
IV. consider whether the proposal contributes to cumulative or incremental impacts in combination with other plans or projects completed, underway or proposed.
V. Where the impacts of a proposal are the same for different qualifying interests these can be considered together however a clear conclusion should be given for each interest.
VI. give Yes / No conclusion for each interest.

If Yes, or in cases of doubt, continue to Stage 4.

If No for all features, a consent can be given and recorded below. There is no need to then proceed to Stage 4.

Remember if mitigation is required to prevent there being an effect on qualifying interests, then LSE must be concluded, and an appropriate assessment (Stage 4) must be conducted. Further guidance on the handling of mitigation can be found as part of the European site Casework Guidance.

Below is an assessment to identify Likely Significant Effects (LSE) of the proposed works on the following qualifying features of the following designated sites:

1. **Loch Creran SAC**
2. **Loch Creran MPA NC**
3. **Glen Creran Woods SAC *and component Glen Creran Woods SSSI***

Although the SSSIs are not subject to HRA, an assessment of LSE on the component SSSI within the assessment of the relevant European sites is included below for completeness.

Assessment of LSE of the proposed works has been carried out below. Qualifying features for each site have been grouped where possible for brevity.

1. Loch Creran SAC and 2. Loch Creran MPA NC

Site description:
The Loch Creran SAC is a marine and coastal protected area covering about 1,226 ha on the west coast of Scotland at the northern end of the Firth of Lorn, centred around the fjordic sea loch of Loch Creran. It includes deep tidal basins separated by rocky sills and small areas of tidal rivers, estuarine mud flats and sand flats within the loch margins, reflecting its predominantly marine character (JNCC, 2015). The SAC has been designated for the protection of Annex I reefs within Loch Creran and contains three distinct sub-types of reefs: serpulid reefs (constructed by the worm *Serpula vermicularis*), horse mussel beds (constructed by the bivalve *Modiolus modiolus*) and rocky reefs (composed of bedrock and stones/boulders).

In addition to the SAC designation, Loch Creran was also designated as a Nature Conservation Marine Protected Area (NC MPA) in 2014 under the Marine (Scotland) Act 2010, with largely overlapping boundaries, to protect additional Priority Marine Features and geodiversity attributes of the loch. These include flame shell beds, which form biogenic reef-like structures that support diverse benthic communities, as well as important Quaternary geological features reflecting the loch's glacial origins and seabed landforms. Together, the SAC and NC MPA designations contribute to the protection of Loch Creran's internationally important reef habitats and wider marine biodiversity. (NatureScot 2020b).

The A828 Creagan Bridge spans Loch Creran SAC. The SAC overlaps with the Loch Creran NC MPA, which extends beyond the SAC boundary to encompass additional subtidal habitats within the sea loch. The assessment for these two sites has been combined due to the similarity of the designated marine features.

Assessment against the conservation objectives for '*Reefs' and 'Flame shell beds'*:
Including Quaternary of Scotland as designated under the Loch Creran MPA.

As noted, the scheme will take place on the A828 Cregan Bridge, which spans the SAC and MPA NC. According the Marine Scotland - National Marine Plan Interactive map, reefs (including areas of flame shell beds and horse mussel beds) are present in proximity to the bridge (Figure 2).

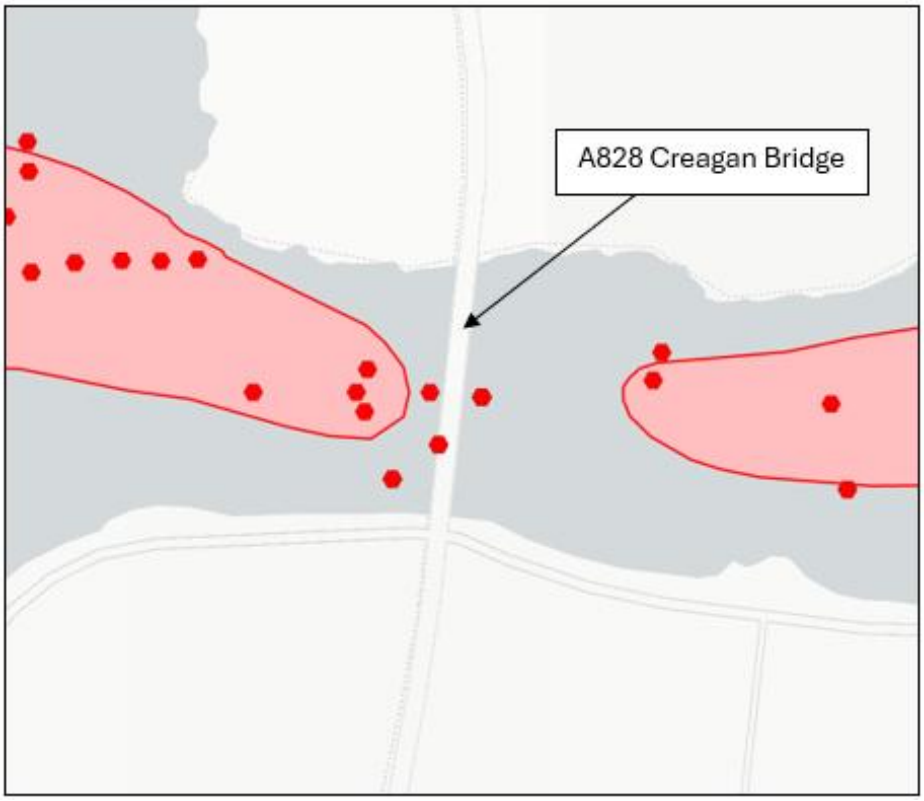

Figure 2. Locations of reefs (including flame shell beds and horse mussel beds) within Loch Creran SAC and MPA NC. Source: Marine Scotland - National Marine Plan Interactive

All works are restricted to the elevated bridge deck and no in-water works are required. All material and machinery will be stored within the A828 carriageway boundary and will not enter the Loch Creran shoreline or any other waterbodies. Therefore, works will not result in physical damage to reefs or flame shell beds due to construction. Likewise, works will not result in the alteration or removal of habitat within the SAC or MPA NC, and no direct effects on the qualifying features have been identified. As no in-water works are required, no impacts on the Quaternary of Scotland geological feature of the MPA NC have been identified as a result of works.

As there are reefs (including flame shell beds and horse mussel beds) located closed to the proposed works, there is potential for indirect effects on these features via pollution due to the operation of plant and equipment above the

marine habitat of the SAC and MPA NC. Pollution or loss of containment during construction could reduce water quality within Loch Creran and reduce oxygen flow and/or feeding capabilities of the qualifying invertebrates. However, the standard working practices noted in Stage 1 include robust containment measures to prevent pollution events during construction, including relevant General Binding Rules (GBRs) from SEPA. Gullies and drainage points will be bunded prior to works and visual checks will be carried out regularly to ensure that containment measures are functioning properly. The works do not involve activities that would result in changes to the water levels, tides, or other hydrological processes in the Loch Creran waterbody. Therefore, the risk of indirect effects on reefs, horse mussel beds, flame shell beds, and their associated species as a result of pollution is considered to be low.

Cumulative and in-combination effects:

The proposed works will be highly localised to the A828 South of Creagan scheme extent. A search has been undertaken for other plans and projects that could have cumulative or in-combination effects in the vicinity of the proposed works.

A search of the Argyll & Bute Council Planning Portal revealed that a planning application for tree felling has been approved within the last 6 months, which affects the trees adjacent to the scheme on both the east and west side on the south side of the bridge, the proposed works are also adjacent to Loch Creran, lying 5m south of the water at the nearest point. The start date and duration of these works have not been disclosed within the public documents. However, they are unlikely to be carried out concurrently with the proposed resurfacing scheme due to road access restrictions. In addition, significant effects on Loch Creran SAC or MPA NC are unlikely due to the nature of the works and the distance between these works and the designated sites. With the implementation of standard good practice measures to prevent pollution during the resurfacing works, significant cumulative effects are not anticipated as a result of these proposed schemes.

No other works that could have cumulative or in-combination effects in the vicinity of the works were identified. In addition, considering the nature and scale of the works, there is likely to be limited potential for significant cumulative and in-combination effects in the event of additional plans or projects undertaken.

BEAR Scotland programme all proposed works in line with appropriate guidance and contractual requirements to take into account existing and future planned works on the trunk roads, with a view of limiting any cumulative effects relating to traffic management impacts. As a result of this approach, disturbance in localised areas due to construction noise and activities is also limited. Therefore, **no cumulative or in-combination effects of the proposed works are expected on the qualifying features of Loch Creran SAC.**

Conclusion:

Considering the lack of in-water works and standard containment measures to prevent pollution that will be in place during construction, **no LSE have been identified on the qualifying features of the SAC or MPA NC as a result of works and all conservation objectives will be met**. Therefore, Appropriate Assessment is not required.

3. Glen Creran Woods SAC

Includes assessment of features of Glen Creran Woods SSSI for completeness

Site Description

The Glen Creran Woods SAC encompasses approximately 706 hectares of woodland dominated by broad-leaved species, with smaller areas of coniferous woodland, bogs, marshes, and grassland. The SAC is designated under the EU Habitats Directive for its rare and high-quality woodland habitat (NatureScot, 2015).

The Glen Creran Woods SSSI overlaps much of the SAC and is designated for its rich assemblages of woodland bryophytes and lichens, outstanding upland oak woodland, and notable invertebrate communities. This SSSI supports exceptionally diverse lichen and moss flora, with around 300 species of lichens and more than 200 bryophyte species, including numerous nationally rare and scarce taxa of international importance (NatureScot, 2010).

Glen Creran Woods SAC and SSSI boundaries overlap and both lie approximately 70m south of the proposed works.

Assessment against the conservation objectives for SAC qualifying woodland habitats

Includes assessment upland oak woodland, non-vascular plants and invertebrates as designated under the associated Glen Creran SSSI for completeness

No works will take place within the SAC/SSSI boundaries and no in-water works are required. Works will be restricted to the A828 trunk road boundary and therefore will not result in the direct alteration or removal of qualifying habitat features or associated species. Therefore, no direct effects (e.g., habitat loss) have been identified as a result of the works.

The SAC/SSSI is located 70m south of the scheme extents at a slightly higher elevation than the bridge. Consequently, it lies upstream of the scheme extent and there is no hydrological connectivity form the working area to the SAC/SSSI. In addition, the good working practices noted in Stage 1 include robust containment measures to prevent pollution from entering the surrounding environment and no significant dust, particulate matter, and exhaust emissions sources will be introduced by the works. Therefore, the risk of indirect effects on the habitat features and associated species of the SAC/SSSI as a result of the works is very low.

Considering the nature of the works and distance to the SAC/SSSI, alongside standard containment measures to prevent pollution, **no LSE has been identified on the qualifying habitat features as a result of the works and all conservation objectives for these features will be met.** These features are not considered further in this assessment.

Similarly, no significant negative impacts have been identified on the non-vascular plants and invertebrates of Glen Creran Woods SSSI as a result of the works.

Assessment against the conservation objectives for otter

No works will take place within the boundary of the SAC, which is located 70m south of the proposed works at the nearest point, and no-in water works are required. However, otter is known to be present within the area. As works will be undertaken on the A828 Creagan Bridge, which spans marine habitat likely used by otter, it is possible for otter to use areas in close proximity to the works. Consequently, there is potential for the works to affect otter both directly (e.g., mortality due to construction vehicles) and indirectly (e.g., disturbance due to construction noise). As such, the proposed works could affect the conservation objectives for otter within the SAC, and LSE on otter as a result of the works cannot be ruled out at this stage. **This feature is considered further in Stage 4.** An assessment of cumulative and in-combination effects on otter is also included in Stage 4.

Cumulative and in-combination effects – qualifying habitat features

The proposed works will be highly localised to the A828 South of Creagan scheme extent. A search has been undertaken for other plans and projects that could have cumulative or in-combination effects in the vicinity of the proposed works.

A search of the Argyll & Bute Council Planning Portal revealed that a planning application for tree felling has been approved within the last 6 months, which affects the trees adjacent to the scheme on both the east and west side on the south side of the bridge, the proposed works are also adjacent to Loch Creran, lying 5m south of the water at the nearest point. The start date and duration of these works have not been disclosed within the public documents. However, due to a number of factors, such as the nature of the works and the distance between these works and the Loch Creran SAC (approximately 30m) and the mitigation committed for the proposed scheme (SEMP) – the assessment has concluded that significant cumulative effects are not anticipated during the construction phase.

No other works that could have cumulative or in-combination effects in the vicinity of the works were identified. In addition, considering the nature and scale of the works, and the distance to the SAC/SSSI, there is likely to be limited potential for significant cumulative and in-combination effects in the event of additional plans or projects undertaken.

BEAR Scotland programme all proposed works in line with appropriate guidance and contractual requirements to take into account existing and future planned works on the trunk roads, with a view of limiting any cumulative effects relating to traffic management impacts. As a result of this approach, disturbance in localised areas due to construction

noise and activities is also limited. Therefore, **no cumulative or in-combination effects of the proposed works are expected on the qualifying features of Glen Creran Woods SAC/SSSI.**

Conclusion:

Taking the above into account, **no LSE, either alone or in-combination with other projects, are expected on the qualifying habitat features of Glen Creran SAC as a result of the proposed works**, and all conservation objectives for these features will be met. As a result, these features are not considered further within this assessment.

Similarly, no significant negative impacts have been identified on the qualifying features of Glen Creran SSSI.

However, as LSE with regards to otter could not be ruled out at this stage, further assessment is required. An assessment of potential cumulative in-combination effects for this feature is also included in Stage 4.

Stage 4: Undertake an Appropriate Assessment of the Implications for the Site in View of its Conservation Objectives

Appropriate Assessment

It is the responsibility of the competent authority to carry out the appropriate assessment. The competent authority must consult SNH (NatureScot) on the appropriate assessment. NatureScot can provide advice on what issues should be considered in the appropriate assessment, what information is required to carry out the assessment, in some circumstances carry out an appraisal to inform an appropriate assessment and/or provide comments on an assessment carried out.

An 'appropriate assessment' consists of two parts: a scientific, reasoned appraisal (Stage 4) and a conclusion (Stage 5). Consider the proposed plan/project, its impact on the qualifying interests assessed against their conservation objectives and take account of any possible in combination effects with other plans or projects.

The following points should be considered:

I. Describe for each qualifying interest the potential impacts of the proposal detailing which aspects or effects of the proposal could impact upon them and their conservation objectives.
II. Evaluate 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. This should be in sufficient detail to ensure all impacts have been considered and sufficiently appraised. Record if additional survey information or specialist advice has been obtained.
III. Each conservation objective should be considered, and a decision reached as to whether the proposal will affect achievement of this objective i.e., whether the conservation objective will be undermined if the proposal is consented to. Restore objectives may have been set where qualifying features of a site are in an unfavourable condition. In such cases the appropriate assessment should consider whether the plan or project would prevent the qualifying feature from being able to be restored.

The assessment in Stage 3 did not identify LSE as a result of the works on the following qualifying features:

- Loch Creran SAC:
  - Reefs
- Loch Creran MPA NC:
  - Flame shell beds
  - Quaternary of Scotland
- Glen Creran Woods SAC:
  - Mixed woodland on base-rich soils associated with rocky slopes
  - Western acidic oak woodland

Similarly, no significant effects have been identified on the qualifying features of Glen Creran Woods SSSI as a result of the works.

However, the assessment in Stage 3 could not rule out LSE for the following qualifying feature, which is considered below:

- Glen Creran Woods SAC
  - Otter

Glen Creran Woods SAC – otter

Otters are a European Protected Species (EPS) which are known to be present in the areas covered by the Glen Creran Woods SAC. Works will not take place within the SAC boundary, with all works restricted to the trunk road boundary, and no direct impacts on the supporting habitats of otters within the SAC have been identified as a result of works. However, otters associated with the SAC may be active within or near the scheme extent. Consequently, there is potential for works to impact otters associated with the SAC. The main risks to otter as a result of the works have been identified as the following:

- Mortality/injury of otters or loss of resting places during construction
- Disturbance of otters (e.g., while foraging) or otter resting places in the vicinity of the works
- Pollution of foraging habitat or food resources

BEAR Scotland carried out an otter survey on 11/09/2025 following NatureScot guidance (NatureScot, 2023) to inform the assessment of potential impacts on otter within the SAC as a result of the proposed works. Results of the survey are provided within the assessment below.

Risk of mortality/injury of otter or loss of resting places during construction

The scheme is located approximately 70m north of the Glen Creran Woods SAC and otter are known to be present in the wider area, including Loch Creran. The otter survey carried out in September 2025 identified multiple field signs (spraint, paths, slides, feeding remains) on the north bank of Loch Creran and spraint beneath the first pier of Creagan Bridge. No evidence of otter presence was identified on the south bank of Loch Creran within 200m of the works and no otter resting places were identified within the survey area.

No in-water works are required and all works will be restricted to the A828 carriageway boundary, which does not offer suitable habitat for otter resting places. Therefore, the works are not expected to result in destruction of any otter resting places. However, a pre-construction otter survey will be carried out to identify any newly active resting places that may be impacted by works and if required, additional mitigation measures and/or a derogation licence will be sought from NatureScot.

As otters are known to be present in the wider area, there is a risk of otters crossing the road and/or entering working areas within the scheme while commuting or foraging. The programme and working hours are yet to be confirmed; however, the scheme is likely to take place overnight due to the requirement for a full road closure. As otters are generally more active at night (NatureScot, 2024), there may be an increased risk of encountering otters during construction. However, the following measures will be in place to reduce the risk of injury or death to otter as a result of construction vehicles during works:

- A pre-construction otter survey will be carried out within 2-4 weeks prior to works commencing to identify any newly active otter resting places that may be affected by works. If required, additional mitigation measures and/or a derogation licence will be sought from NatureScot, and no works will commence until the licence is in place.
- The 'Working with Otters' Toolbox Talks will be included in the SEMP and provided to all site staff prior to works commencing.
- The working area and any machinery stored on site will be checked at the start of each shift for the presence of resting otters. A soft start will be implemented to ensure a gradual increase in noise and activity.
- Any excavations, entrances to pipes/drains, or areas where an animal could be trapped (e.g., storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works to avoid otters becoming trapped.
- If fencing is used at any point during works, a gap of 200mm from ground level will be provided, allowing free passage for otters and preventing entrapment.
- Passage for otter under bridges and along watercourses must be maintained for the duration of works where possible.
- If otters are observed in the area of works prior to works starting, no works will commence until the otters have moved at least 50m away.
- If otters are observed during works, all works will cease until the otters have moved at least 50m away.
- If artificial lighting is required, it will be used for as short a duration as possible and must be directed on the immediate area of works and away from watercourses and suitable bankside habitat as far as is safe and reasonably practicable.

With these measures in place, the risk of direct effects (e.g., mortality due to construction vehicles, loss of resting places) on otters as a result of the works is low.

Disturbance to otter or otter resting places

Otters are known to use Loch Creran and therefore may utilise resting places (e.g., couches, holts) within proximity of the scheme extents. As noted above, the survey carried out in September 2025 identified multiple field signs (spraint, paths, slides, feeding remains) on the north bank of Loch Creran and spraint beneath the first pier of Creagan Bridge. No resting places were identified. The southern shore of Loch Creran is more modified than the north shore and lacks suitable structure for otter resting places. The north shore has better potential to support otter resting

places; therefore, a pre-construction survey will be carried out to identify any newly active resting places that could be affected by works. If required, all conditions of BEAR Scotland's Organisational Otter licence (299060) will be adhered to on site. The licence permits disturbance to non-breeding otter resting places only. In addition, otters located within proximity of the works are likely to be habituated to existing noise levels from road traffic and the bridge is elevated from the shore, offering further screening from the proposed works. Furthermore, otters are mobile in nature and there is ample alternative foraging and commuting habitat in the wider area outside of disturbance distance of the works. The works will be of short duration and will move progressively along the full scheme extent. Finally, the following mitigation measures will also be in place to reduce the risk of disturbance to otter during construction:

- A pre-construction otter survey will be carried out within 2-4 weeks prior to works commencing to identify any newly active resting places that may be impacted by works. If required, all conditions of BEAR Scotland's Organisational Otter Licence (299060) will be adhered to on site.
- If artificial lighting is required, it should be used for as short a duration as possible and directed on the immediate area of works. Artificial lighting should avoid being directed onto nearby watercourses or habitats as far as is safe and reasonably practicable.
- Plant, machinery and equipment fitted with effective silencers where available will be utilised for the works. Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms should be utilised during construction.
- Where possible, inherently quiet plant should be selected for construction works. Where appropriate, pumps and generators will be sound-reduced models with fitted, lined, and sealed acoustic covers.
- All plant will be operated in such a way that minimises noise emissions and be switched off when not in use.
- All ancillary plant such as generators will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

Considering the above and the good practice measures that will be in place to reduce noise during construction, the risk of disturbance to otters within the SAC is considered to be low.

Pollution of foraging habitat and food sources

There is potential for indirect effects on otters, their supporting habitats, and prey species as a result of pollution from construction activities. However, the standard working practices (noted in Stage 1) that will be in place on site include robust containment measures to prevent pollution events as a result of construction activities. In addition, otters are highly mobile and have ample alternative habitat available within the Glen Creran Woods SAC, Loch Creran, and the surrounding area in which to forage. Works will be highly localised to the A828 trunk road, temporary, and of short duration. In addition, measures to reduce noise and lighting from construction activities will be in place, as listed above. Therefore, the risk of indirect effects on otters and their supporting habitats and prey species as a result of pollution or displacement from foraging areas is limited and the conservation objectives to maintain otter population, distribution, supporting habitats, and food availability within the site will be met.

Cumulative and in-combination effects – otter

A search of the Argyll & Bute Council Planning Portal revealed that a planning application for tree felling has been approved within the last 6 months, which affects the trees adjacent to the scheme on both the east and west side on the south side of the bridge, the proposed works are also adjacent to Loch Creran, lying 5m south of the water at the nearest point. The start date and duration of these works have not been disclosed within the public documents. However, they are unlikely to be carried out concurrently with the proposed resurfacing scheme due to road access restrictions. As noted above, the southern shore of Loch Creran was found to be less suitable for otter resting places than the north shore, and fewer field signs were found on the southern shore during the survey. There is suitable habitat for foraging and commuting otters on this shore; however, as noted above there is ample alternative foraging and commuting habitat within the wider area. With the implementation of the mitigation measures described above alongside standard good practice measures to prevent pollution during the resurfacing works, significant cumulative effects are not anticipated as a result of these proposed schemes.

No other works that could have cumulative or in-combination effects in the vicinity of the works were identified. In addition, considering the nature and scale of the works, and the distance to the SAC, there is likely to be limited potential for significant cumulative and in-combination effects in the event of additional plans or projects undertaken.

BEAR Scotland programme all proposed works in line with appropriate guidance and contractual requirements to take into account existing and future planned works on the trunk roads, with a view of limiting any cumulative effects relating to traffic management impacts. As a result of this approach, disturbance in localised areas due to construction noise and activities is also limited. Therefore, **no cumulative or in-combination effects of the proposed works are expected on otter within Glen Creran Woods SAC.**

Conclusion

LSE on otter within Glen Creran Woods SAC could not be ruled out in Stage 3. However, considering the results of the otter survey, and with the mitigation measures detailed above in place during construction, it has been concluded that the proposed works will not result in Adverse Effects on Site Integrity (AESI) for otter within Glen Creran Woods SAC, and all conservation objectives for this species will be met.

Stage 5: Can it be Ascertained that the Proposal Will Not Adversely Affect the Integrity of the Site?

Assessment for AESI
In the light of the appraisal, ascertain whether the proposal will not adversely affect the integrity of the site. Conclusions should be reached beyond reasonable scientific doubt. If more than one SAC and/or SPA is involved, give separate conclusions. If mitigation or modifications are required, detail these below.

LSE could not be ruled out for otter within Glen Creran Woods SAC. However, with the measures outlined in Stage 4 in place, alongside the proper application of standard working practices and measures described in Stage 1. It is concluded that the works will not result in AESI for the qualifying feature of this SAC, either alone or in combination with other plans and projects.

Similarly, with proper application of standard working practices and measures described in Stage 1, it is concluded that the works would not result in LSE and therefore would also not result in AESI on the qualifying features of the following sites:

Loch Creran SAC:
- Reefs

Loch Creran MPA NC:
- Flame shell beds
- Quaternary of Scotland

Glen Creran Woods SAC:
- Mixed woodland on base-rich soils associated with rocky slopes
- Western acidic oak woodland

Similarly, no significant effects have been identified on the qualifying features of Glen Creran Woods SSSI as a result of the works.

Modifications Required to Ensure Adverse Effects are Avoided and Reasons for These

Required Modifications
Only list those modifications (i.e., further mitigation) that have been identified as being required to prevent there being an adverse effect on site integrity. Do not include mitigation that has already been planned in the plan/project or best practice that is already being followed unless you believe these should be added as conditions to the permission given.

Following detailed review, the below measures to reduce the effects of noise, artificial lighting, and pollution from works are considered suitable to ensure that the works do not result in otter mortality/injury, significant disturbance, or loss of foraging habitat/food resources and ensure pollution risk is minimised, and therefore do not result in AESI on otters within the Glen Creran Woods SAC:

- A pre-construction otter survey will be carried out within 2-4 weeks prior to works commencing to identify any newly active otter resting places that may be affected by works.
- If required, all conditions of BEAR Scotland's Organisational Otter Licence (299060) and/or a derogation licence from NatureScot will be adhered to on site.
- The 'Working with Otters' Toolbox Talks will be included in the SEMP and provided to all site staff prior to works commencing.
- The working area and any machinery stored on site will be checked at the start of each shift for the presence of resting otters. A soft start will be implemented to ensure a gradual increase in noise and activity.
- Any excavations, entrances to pipes/drains, or areas where an animal could be trapped (e.g., storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works to avoid otters becoming trapped.
- If excavations (e.g., trenches) cannot be covered, escape ramps must be installed to allow trapped otters to escape.
- If fencing is used at any point during works, a gap of 200mm from ground level will be provided, allowing free passage for otters and preventing entrapment.
- Passage for otter under bridges and along watercourses must be maintained for the duration of works where possible.
- If otters are observed in the area of works prior to works starting, no works will commence until the otters have moved at least 50m away.
- If otters are observed during works, all works will cease until the otters have moved at least 50m away.
- Where artificial lighting is required, it will be used for as short a duration as possible and must be directed on the immediate area of works and away from watercourses and suitable bankside habitat as far as is safe and reasonably practicable.
- Plant, machinery and equipment fitted with effective silencers where available will be utilised for the works. Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms should be utilised during construction.
- Where possible, inherently quiet plant should be selected for construction works. Where appropriate, pumps and generators will be sound-reduced models with fitted, lined, and sealed acoustic covers.
- All plant will be operated in such a way that minimises noise emissions and be switched off when not in use.
- All ancillary plant such as generators will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

Advice Sought

Consultation
Include here details of, or clear reference to, any advice sought. If an appropriate assessment has been carried out NatureScot must be consulted.

NatureScot, Transport Scotland and the Marine Directorate will be issued a copy of this assessment for comment. No further advice has been sought for this assessment.

Conclusion in Relation to Plan or Project

Conclusion
In view of the appraisal above select the appropriate response position and whether the plan or project can be consented/approved/undertaken. Note: this conclusion is just in relation to effects on a European site. There may be impacts to other natural heritage interests that also need to be considered.

This HRA has been undertaken to assess the potential effects of the proposed resurfacing works on the A828 trunk road (described in Stage 1) on the qualifying features of the Loch Creran SAC, Loch Creran MPA NC, and Glen Creran Woods SAC and the associated SSSI.

The assessment has concluded in Stage 3 that the **works would not result in LSE on the qualifying features of Loch Creran SAC, Loch Creran MPA NC, or the qualifying habitat features of Glen Creran Woods SAC and associated SSSI.**

LSE on otter within the Glen Creran Woods SAC could not be ruled out in Stage 3; however, with the above mitigation in place, the assessment concluded that the works will not result in AESI on this site.

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