

A85 Connel
F565 Habitats Regulations Appraisal
Proforma
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Document Control Sheet

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	Name	Organisation	Signature	Date
Prepared By	Ieva Karklina	BEAR Scotland	IK	08/04/2026
Checked/Authorised By	Samantha Watkins	BEAR Scotland	SW	09/04/2026

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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

Loch Etive Woods Special Area of Conservation (SAC) [NatureScot Site Code: 8295](#). Loch Etive Woods SAC lies 1.6km southeast of the scheme measured in a direct line. In addition, the SAC has hydrological connectivity via Lusragan Burn/Black Lochs which is spanned by the A85 within the scheme extents and Loch Etive which lies directly north of the scheme.

Name of Component SSSI, if Relevant

Kennacraig and Esragan Burn SSSI ([NatureScot Site Code: 834](#)) is a component SSSI of Loch Etive Woods SAC with connectivity to the scheme. The Qualifying Interests for the Kennacraig and Esragan Burn SSSI are provided in the table below.

Table 1. Kennacraig and Esragan Burn SSSI Qualifying Interests.

Qualifying Feature	Latest Assessed Condition	Negative pressures	Priority
Upland oak woodland	Unfavourable recovering due to management, Unfavourable, no change* (March 2005)	Over grazing (deer, sheep)	Non-priority

* Management measures are in place that should, in time, improve the feature to Favourable condition (Unfavourable Recovering Due to Management)

Airds Park and Coille Nathais SSSI ([NatureScot Site Code: 1672](#)) is a component SSSI of Loch Etive Woods SAC with connectivity to the scheme. The Qualifying Interests for the Airds Park and Coille Nathais SSSI are provided in the table below.

Table 2. Airds Park and Coille Nathais SSSI Qualifying Interests.

Qualifying Feature	Latest Assessed Condition	Negative pressures	Priority
Marsh fritillary butterfly (<i>Euphydryas aurinia</i>)	Unfavourable declining (November 2014)	- Forestry operations - Invasive species - Under grazing	Non-priority
Upland oak woodland	Unfavourable recovering (March 2019)	Over grazing	Non-priority

Note: Condition assessment for all features was accessed via [SiteLink](#) on 08/04/2026.

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

Loch Etive Woods SAC

Qualifying Interests for the Loch Etive Woods SAC are provided in the table below.

Table 3. Loch Etive Woods SAC Qualifying Interests

Qualifying Feature	Latest Assessed Condition	Negative pressures	Priority
Alder woodland on floodplains	Unfavourable recovering (March 2005)	Over grazing	Priority

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Mixed woodland on base-rich soils associated with rocky slopes	Favourable declining (March 2020)	- Invasive species (Rhododendron, Sitka Spruce) - Over grazing (by deer)	Priority
Otter (<i>Lutra lutra</i>)	Favourable maintained (August 2016)	Forestry operations	Non-priority
Western acidic oak woodland	Unfavourable recovering (March 2005)	Over grazing	Non-priority

Note: Condition assessment for all features was accessed via [SiteLink](#) on 08/04/2026.

Conservation Objectives for Qualifying Species

Overarching Conservation Objectives for all Loch Etive Woods SAC habitat features (alder woodland on floodplains, mixed woodland on base-rich soils associated with rocky slopes and western acidic oak woodland):

- To ensure that the qualifying features of Loch Etive Woods SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.
- To ensure that the integrity of Loch Etive Woods SAC is restored 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 otters

- To ensure that the qualifying features of Loch Etive Woods SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status
- To ensure that the integrity of Loch Etive Woods SAC is restored 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, 2020)

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Stage 1: What is the Plan or Project?

Proposal Title

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Name of Competent Authority

Transport Scotland

Name of Consultee

No consultation has been undertaken as part of this assessment.

Details of Proposal

The scheme involves resurfacing of a 785m long section of the A85 trunk road surface and renewal of road markings. The scheme extent is located on the A85 in the village of Connel in the Argyll and Bute Council administrative area (Figure 1). The scheme has the following National Grid References: NM 92025 34189 - NM 91289 34346.



Figure 1. Scheme location.

Works are currently scheduled to take place in Financial Year 2026-27 with no confirmed start date at this point. The works are programmed to be undertaken over 5 nights by utilising a nighttime working pattern (19:00 – 07:00). Resurfacing of the A85 carriageway will be undertaken under full road closure with regular amnesties at 20:00, 21:00, 22:00, 23:00, 00:00, 02:00, 04:00 and 06:00. Road markings will be undertaken under lane closures with two-way temporary traffic lights.

The works will require the following plant/equipment:

- Paver
- Planer
- 3CX JCB
- 2x Roller
- Bowser

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- Road sweeper
- Emulsion sprayer
- Welfare unit with generator
- Welfare van
- Pickup
- Small van
- Lorries

The works will require the following materials:

- Asphaltic material
- Bituminous emulsion bond coat
- Milled in road studs
- Thermoplastic road marking paint

For both schemes, 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 not considered to be mitigation. All relevant pollution controls and other good practice measures will be detailed in the Site Environmental Management Plan (SEMP) for each scheme and adhered to on site.

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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.

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

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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.

Loch Etive Woods SAC

Loch Etive Woods SAC comprises multiple areas along the shores of Loch Awe / River Awe and Loch Etive. Kennacraig and Esragan Burn SSSI and Airds Park and Coille Nathais SSSI encompass areas along the shore of Loch Etive that are also covered by the SAC designation. At its nearest point to the scheme, the SAC is located in upland areas and has hydrological connectivity via Lusragan Burn and the Black Lochs, which is spanned by the A85 within the scheme extents. In addition, parts of the SAC are situated approximately 3.5km and 4km east of the scheme along the shore of Loch Etive and may have potential connectivity via the loch itself. Both Kennacraig and Esragan Burn SSSI and Airds Park and Coille Nathais SSSI overlap with these coastal sections of the SAC and are designated for woodland habitats. As such, the habitat features of the SSSIs and SAC are considered together within the assessment for completeness.

Assessment against the conservation objectives for qualifying habitat features:

Includes assessment of western acidic oak woodland, mixed woodland on base-rich soils associated with rocky slopes, alder woodland on floodplains, and upland oak woodland. Includes upland oak woodland associated with Kennacraig and Esragan Burn SSSI and Airds Park and Coille Nathais SSSI.

No works will take place within the boundary of the SAC or its underpinning SSSIs. As such, there will be no direct loss, fragmentation, alteration, or removal of the qualifying woodland habitats. There will also be no land take, vegetation clearance, or changes to site management within the designated sites.

The qualifying habitat is immobile and located at a considerable distance from the scheme. There is no direct habitat connectivity between the scheme footprint and the SAC woodland. Hydrological connectivity is limited due to the lack of in-water works, intervening freshwater environment and associated dilution effects. The proposed works do not

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involve discharges, abstraction, or alterations to watercourses that would modify the hydrological regime supporting the woodland habitats.

Potential indirect impact pathways have also been considered. The works are of short duration and limited spatial extent. Standard good practice measures for working in or near water will be implemented, including pollution prevention controls in accordance with current guidance. These measures will minimise the risk of accidental release of pollutants. Furthermore, the works will not introduce any significant or sustained sources of dust, particulate matter, or exhaust emissions that could affect vegetation health within the designated sites. Any emissions generated will be temporary, localised, and negligible at the distance of the SAC. Additionally, the standard working practices noted in Stage 1 include robust containment measures to prevent pollution events from construction works.

There is no anticipated pathway for disturbance to supporting ecological processes (e.g. regeneration dynamics, soil structure, or nutrient cycling) within the woodland habitats. The works will not affect grazing regimes, invasive species management, or other management activities associated with achieving favourable condition status.

On this basis, it is concluded that the proposed works **will not result in Likely Significant Effects (LSE) on the qualifying alder woodland on floodplains, mixed woodland on base-rich soils associated with rocky slopes or western acidic oak woodland**. Similarly, no significant negative effects will result on SSSIs habitat features associated with the SAC.

Assessment against the conservation objectives for otter

No works within the boundary of the SAC are required and no in-water works are required. The proposed works are restricted to the scheme extents depicted in the area in Figure 1, and are located 1.6km northwest of the SAC at its nearest point. Therefore, there will be no alteration or removal of otter habitat within the SAC. A set of ecological constraints surveys (ECS) carried out by the BEAR Scotland Environment Team and ecological sub-contractors during the past 24 months noted that the Loch Etive shoreline including the banks of Lusragan Burn/Black Lochs are unsuitable for permanent resting places of otter. Therefore, the works are not expected to result in destruction of otter resting places. The scheme is generally separated from the lakeshore by residential gardens, shrub belts and sections of dry-stone walls, which likely reduce connectivity between Loch Etive and the area of works. The A85 bridge which spans Lusragan Burn/Black Lochs has 1m high masonry parapets preventing otter accessing the A85 and reducing the risk of disturbance and pollution from the A85 into water environment. In addition, the scheme is located within a built-up area associated with the village of Connel with street lighting either side of the road. It is expected that otter will have habituated to the urbanised nature of the scheme extents and / or likely to present along the north banks of Loch Etive further from the scheme extents.

Although the works will be undertaken at night when otters are usually more active, the A85 within the scheme extents is located within the village of Connel with permanent street lighting either side of the carriageway. Furthermore, the scheme extent is generally screened from Loch Etive by residential gardens, shrub belts and sections of dry-stone walls and with the standard mitigation measures in place, disturbance (e.g. light spill and noise) to suitable otter habitat is not anticipated. Otters in the area are also likely to be habituated to existing baseline noise and activity levels associated with the A85 and urban activities associated with Connel. The proposed works are not expected to generate noise levels significantly above this baseline. Furthermore, the works are undertaken over 5 nights and will move progressively along a 785m long section of the carriageway. Given the availability of extensive alternative habitat around Loch Etive, suitable habitat will remain available beyond the zone of disturbance. Any potential disturbance to otters during construction is therefore expected to be temporary, highly localised, and unlikely to result in significant effects on the local otter population.

There is potential for indirect effects on otters, their supporting habitats, and prey species as a result of pollution from construction activities. However, no in-stream works are required and the standard working practices, as noted in Stage 1, will be in place on site include robust containment measures to prevent pollution and sedimentation events as a result of construction activities.

Considering the above, including the absence of otter permanent resting places within the survey area, the barriers between the scheme and the SAC, the restricted working hours, existing screening, limited hydrological connectivity to the SAC, urbanised area of the scheme extents and the implementation of good practice measures to minimise construction noise, the risk of disturbance to otters within the SAC is assessed as negligible. Therefore, no **LSE on**

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otters associated with the SAC have been identified as a result of proposed works, and all conservation objectives for this feature will be met.

Cumulative and in-combination effects for western acidic oak woodland, mixed woodland on base-rich soils associated with rocky slopes, alder woodland on floodplains, upland oak woodland and otter

The proposed works will take place entirely within the area noted in the Figure 1. A search of the [Argyll and Bute Planning Portal](#) was undertaken to identify any recent or proposed developments within the vicinity of the scheme that could result in cumulative environmental effects. No planning applications have been granted permission within 300m of the scheme extents within the last 6 months. In addition, considering the temporary and scale of the works, there is likely to be limited potential for significant cumulative or in-combination effects in the event of additional plans or projects being undertaken nearby.

There is currently no start date for the construction works, however 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 to 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 this project are expected on the western acidic oak woodland, mixed woodland on base-rich soils associated with rocky slopes, alder woodland on floodplains, upland oak woodland and otter and associated SSSIs.**

Conclusion

No LSE of the proposed works have been identified on western acidic oak woodland, mixed woodland on base-rich soils associated with rocky slopes, alder woodland on floodplains, upland oak woodland and otter, and no further assessment is required for these qualifying features. Similarly, no significant negative impacts have been identified as a result of works on the associated SSSIs.

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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.

No LSE have been identified on the qualifying features of the **noted European Site** as a result of the proposed works and no further assessment is required. No significant negative impacts have been identified on the associated SSSIs.

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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.

As no LSE have been identified, the proposed works will not result in any adverse effects on site integrity for the **noted European site**. No further assessment is required.

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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.

N/A

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.

No consultation has been sought as part of 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 assessment with regards to the proposed resurfacing works along the A85, has concluded that the proposed works will not result in LSE on the qualifying features of **the noted European site**. No significant negative impacts have been identified on the associated SSSIs.

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References

NatureScot (2020) *Conservation Advice Package for Loch Etive Woods Special Area of Conservation (SAC)* [online]. Available from <https://www.nature.scot/sites/default/files/special-area-conservation/8295/conservation-advice-package.pdf> (Accessed 08/04/2026).

NatureScot (n.d.) *Conservation Objectives for Airds Park and Coille Nathais Site of Special Scientific Interest (SSSI)* [online]. Available from <https://sitelink.nature.scot/site/1672> (Accessed 08/04/2026).

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