

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE: 5 JUNE 2001

AIRDS MOSS POTENTIAL SPECIAL AREA OF CONSERVATION (SAC)

Report by Director of Development Services

1. PURPOSE OF REPORT

1.1 To seek the Committee's views on a proposed revision to the boundaries of the possible Special Area of Conservation (SAC) proposed by Scottish Natural Heritage for Airds Moss.

2. BACKGROUND

2.1 The Development Services Committee, at its meeting on 5 June 2000 considered a report on the Airds Moss Potential Special Area for Conservation (pSAC), and agreed to support, in principle, the proposed designation of the Areas as a Special Area of Conservation but to ask Scottish Natural Heritage not to proceed towards this designation until conclusions have been reached following current further research on the proposed Special Protection Area (SPA) for the adjacent Muirkirk/North Lowther Uplands Area. (For the information of the Committee, the designation procedures for the SPA have been suspended pending further consultations and re-notification).

2.2 As a result of comments received on the original consultation for the SAC in 2000, a number of amendments have been made to the proposed boundary of the SAC and, consequently Scottish Natural Heritage are re-consulting on the amended site on behalf of the Scottish Executive.

3. THE CURRENT STATUS OF AIRDS MOSS

3.1 The revised area of Airds Moss as defined by Scottish Natural Heritage as a Special Area of Conservation comprises 1361 hectares of land to the north of the A70 route between Muirkirk and Sorn, a reduction of 156 hectares from the 1517 hectares previously identified. The revised boundary excludes land from the banks of the River Ayr, and other small areas, concentrating the SAC solely on prime areas of blanket bog in the area. A plan showing the amended SAC boundaries is attached as Appendix 1 to this report.

3.2 The area of land identified as the potential SAC at Airds Moss, comprises part of a larger area of land which SNH propose to designate as a Site of Special Scientific Interest covering the Muirkirk Uplands. A report on this proposal appears elsewhere on this agenda.

4. POLICY IMPLICATIONS

4.1 The proposed revision to the boundaries of the possible Special Area of Conservation (SAC) is consistent with Council policy as identified in the East Ayrshire Local Plan and the draft Ayrshire Local Biodiversity Action Plan.

5. LEGAL IMPLICATIONS

5.1 Public authorities are obliged, under the Habitat Regulations, not to permit developments or operations damaging to an interest to be protected by the SAC designation, unless there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social or economic nature. Provision already exists under the Town and Country Planning (Scotland) Act 1997 (Part IV) for developers to be compensated when an extant planning permission is modified or revoked. Such compensation could apply in respect of developments which might adversely affect the proposed Airds Moss SAC.

6. FINANCIAL IMPLICATIONS

6.1 None.

7. CONCLUSIONS

7.1 SNH have submitted a comprehensive scientific analysis for the proposed amended boundary of the Airds Moss SAC, as detailed in Section 3 above. There is no objection to the revised boundaries as proposed by SNH.

8. RECOMMENDATIONS

8.1 It is recommended that the Committee agree to support, in principle, the proposed designation of Airds Moss as a Special Area of Conservation (SAC) to the extent of the boundaries as revised.

Stephen Chorley
Director of Development Services

28 May 2001 (JT/SA)
(FV/AN)

LIST OF BACKGROUND PAPERS

1. Letter from Scottish Executive to Director of Development Services dated 19 June 2000.
2. Letter and enclosures from Scottish Natural Heritage regarding Airds Moss Possible Special Area of Conservation (pSAC) dated 8 May 2001.
3. Habitats and Birds Directives – Scottish Executive, June 2000.
4. Report to 05 September 2000 Development Services Committee, Airds Moss Potential Special Area of Conservation.

Anyone wishing to inspect the above papers please contact Julian Thorp on (01563) 576789.

Implementation Officer: Alan Neish

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THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**

AGENDA

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