**Priority Marine Features (PMF) Guidance – Supporting Information**

***Any advice provided to other NatureScot staff must be clear, simple to use, and proportionate.***

*Advice regarding impacts upon Priority Marine Features (PMFs) from a single development may require input from several specialist advisors, thus potentially requiring more than one completed checklist. PMF advice may be categorised according to the taxonomic grouping of PMFs and their corresponding adviser. Please indicate the taxonomic grouping addressed.*

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| **Benthic habitats and low-**  **mobility species** | ☐ |
| **Cetaceans, seals, otters and**  **basking sharks** | ☐ |
| **Fish (& crustaceans)** | ☐ |

# PROPOSAL DETAILS

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| --- | --- | --- |
| **Casework Management System**  **Ref.** |  | **File Ref.** |

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| --- | --- |
| **1a. Proposal title:** |  |
| **1b. Details of proposed operation (inc. location, timing, methods):** |  |

1. **ASSESSMENT**

*See* ***section 6.1*** *of the guidance for further information on completing these steps. Also use Information Sources* (section 4 of guidance)*, as well as the Environmental Statement and expert knowledge.*

The following has been extracted and modified from the [**National Interest Guidance (NIG)**](https://www.nature.scot/doc/identifying-natural-heritage-issues-national-interest-development-proposals) **Checklist.** Questions 2a-2d relate closely to the NIG checklist; when required, answers can therefore be copied to a completed checklist for provision to the NatureScot National Interest Panel. A ‘significant impact on the national status’ of a PMF (as per National Marine Plan Policy GEN 9) is equivalent to an ‘issue of national interest’ (as per the NIG), and hence could trigger an objection.

If insufficient information is available to answer the questions below, either with regard to the proposal details or the PMF(s), consider next steps further at section 3.

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| **2a. *Which PMFs may be impacted? Also note available information about the PMF(s) at the location of the proposal.*** |
| *This section should name the PMFs which will be assessed further.*  *Record any information about the PMF at the location being considered. This may include:*   * *Condition / quality, i.e. patchiness; structural complexity of habitats; species richness/diversity within habitats.* * *Abundance of species aggregation / extent of habitat.* * *Specific biotopes present for habitat features.* * *Particular life stages for mobile species.* |

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| **2b. *How is/are the PMF(s) potentially impacted?*** |
| *Consider the sensitivity of features, combining (a) the resistance to (tolerance of) a pressure and (b) the resilience (recovery) from a pressure.*  *The FeAST online sensitivity tool is* [*available via the NatureScott website*](https://www.nature.scot/professional-advice/protected-areas-and-species/priority-marine-features-scotlands-seas/feature-activity-sensitivity-tool-feast) *.* |
| **2c. *What’s the magnitude of change to the PMF(s)?*** |
| *Combines the feature information (2a) and feature sensitivity (2b) with an understanding of the magnitude of pressures associated with the proposed activity. You should consider the intensity, spatial extent, patchiness, duration and frequency of relevant pressures and note if the applicant has provided sufficient information to understand these.* ***This part of the appraisal should allow you to identify, quantitatively where possible, the magnitude of change to the PMF(s).***  *Consider if there are likely to be any cumulative impacts when this proposal is considered in combination with other proposals and/or existing developments/activities.* |
| **2d. *What is the significance of the impacts?*** |
| *Determine the significance of impacts, considering the above assessment of magnitude of change (2c) against aspects of policy, spatial context and other factors that influence how we regard the relative conservation importance of different features.*  *Considerations include (See Section 6.1.4 of the guidance for further information):*   * *Policies, objectives and/or targets relevant to the PMF* * *Factors influencing relative conservation importance, generally and specifically within the area in which it may be impacted, such functional role of a species or habitat, proportional importance in the UK/wider context or the distribution and status of the feature.* * *Relevant spatial scales for framing the assessment of the significance of any impacts, including recognition that the interpretation of ‘national’ or ‘regional’ scale may differ between PMFs.*   ***Assess any impacts with respect to the relevant national and/or regional scale and any relevant policies etc.:***  *This should include consideration of any key points of relevance to national status noted in 2b and 2c, for example:*   * *The PMF may generally be considered to be threatened and/or declining but the proposal will impact a good quality example.* * *The PMF (or component) may be restricted in distribution and any impacts would therefore be more significant than for a more widely distributed PMF.* * *Achievement of a relevant policy would be compromised as a result of impacts associated with the proposal (e.g. impacts on a PMF that would be contrary to a Regional Marine Plan Policy).* |

***Record one of the following:***

1. ***There is a significant impact on the national status of a PMF/PMFs.***

*[This could include significant impacts at a national scale and/or regional scale (see further detail on scales in section 6.1.4 of guidance). Note that localised impacts may still raise issues at national and/or regional scales (i.e. an impact does not necessarily need to be widespread to impact national status).]*

1. ***There is an impact on PMF(s) but without significant impact on national status.***
2. ***There are no impacts or insignificant impacts only.***

***Also record confidence in judgement reached e.g. direct/indirect evidence, use of expert judgement.***

If there is insufficient information to complete the assessment, proceed to **section 3**. If conditions or modifications are required or recommended, proceed to **section 4**.

Otherwise, proceed to **section 5**.

## INSUFFICIENT INFORMATION: Consider justification for any request for additional information or data.

* 1. If PMF data or proposal details are insufficient to complete the assessment, detail the requirements here and justify based on an evaluation of risk.
  2. Include consideration of any advice given pre-application.
  3. Additional data or information requests should only be made for proposals that may have a significant impact on the national status of a PMF (see [NatureScot Development Management Guidance](https://www.nature.scot/doc/guidance-development-management-and-natural-heritage) for exceptional circumstances).

If further information or survey is required and justified, proceed to **section 5** and submit a

## holding objection.

If conditions or modifications are required or recommended, proceed to **section 4**. If the proposal may have significant impact on national status but uncertainties cannot be resolved by additional survey or information, consider an adaptive management approach with phased development and/or monitoring, allowing impacts to be assessed to inform further mitigation or consenting decisions.

If conditions or modifications are not necessary or feasible, proceed to **section 5**.

# CONDITIONS AND RECOMMENDATIONS

Provide text below that can be readily transferred to a response letter.

* 1. Detail conditions required to ensure that the proposal would not have significant impact on the national status of any PMFs.
  2. Detail mitigation or modifications recommended to ensure any impacts associated with the proposal would be minimised (i.e. for an ‘advice only’ position where impacts have been determined not to have significant impact on the national status of any PMFs).

# RESPONSE

## 5a. Record the conclusion of the impact assessment in line with the possible conclusions shown in Annex 2 of the PMF guidance. Therefore, one of the eight options (the text in the pink boxes) should be recorded here.

NB:

* 1. Objections1 can only be used where there is potential for proposals to have significant impact on the national status of PMFs. All other outcomes should be ‘advice only’.
  2. A holding objection may be used where further information is required to support an assessment, particularly where a risk-based evaluation suggests the potential for significant impacts in line with i. above.
  3. A conditioned objection may be used where modifications, mitigation or an adaptive management approach would ensure impacts are reduced to an acceptable level.
  4. ‘Advice only’ positions may make recommendations to minimise impacts to PMFs (i.e. where it has been determined that the proposal will not have significant impact on the national status of any PMFs).

## 5b. NatureScot Position summary (as entered in NatureScot Casework Management System)

***Note that an outright objection may need to be supplemented with a complete Balancing Duties proforma. Record the NatureScot position* (the text in the blue boxes in Annex 2) associated with the conclusion reached (e.g. advice only, conditioned objection).** [Suggested wording for use in response letters is available on the NatureScot intranet]

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| --- | --- |
| **Appraised by** |  |
| **Date** |  |
| **Checked by** |  |
| **Date** |  |

1 With some regulators we may establish an agreed alternative to using an ‘objection’.