



Agenda item 7

Appendix 2

2023/0145/DET

Habitats regulations appraisal

HABITATS REGULATIONS APPRAISAL

Planning reference and proposal information	2023/0145/DET
Appraised by	Karen Aldridge, Planning Ecological Advice Officer
Date	17 May 2023
Checked by	Stephanie Wade, Planning Officer (DM)
Date	25/05/2023

INFORMATION

European site details

Name of European site(s) potentially affected

1) River Tay SAC

Qualifying interest(s)

1) River Tay SAC

Atlantic salmon

Brook lamprey

Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels

Otter

River lamprey

Sea lamprey

Conservation objectives for qualifying interests

1) River Tay SAC

Conservation Objective 2. To ensure that the integrity of the River Tay SAC is maintained by meeting objectives 2a, 2b and 2c for the qualifying feature

Conservation objectives for clear water lakes or lochs:

2b. Maintain the structure, function and supporting processes of clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels

2c. Maintain the distribution and viability of typical species of clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels

2a. Maintain the extent and distribution of clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels within the site

Conservation Objectives: sea lamprey, brook lamprey & river lamprey

2b. Maintain the distribution of the lamprey species' throughout the site

2c. Maintain the habitats supporting the lamprey species' within the site, and availability of food

2a. Maintain the population of the lamprey species' as viable components of the site

Conservation objectives: Atlantic salmon

2b. Maintain the distribution of Atlantic salmon throughout the site

2c. Maintain the habitats supporting Atlantic salmon within the site and availability of

food

2a. Maintain the population of Atlantic salmon, including range of genetic types, as a viable component of the site

Conservation Objectives: Otter

2b. Maintain the distribution of otter throughout the site.

2c. Maintain the habitats supporting otter within the site and availability of food

2a. Maintain the population of otter as a viable component of the site

Conservation Objective I. To ensure that the qualifying features of River Tay SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.

APPRAISAL

STAGE 1:

What is the plan or project?

Relevant summary details of proposal (including location, timing, methods, etc)

The application proposal is for the construction of an art gallery building to be constructed within the landscaped car parking area of House of Bruar. The River Tay SAC is approximately 100m east at its nearest point (Bruar Water).

STAGE 2:

Is the plan or project directly connected with or necessary for the management of the European site for nature conservation?

No

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(s)?

I) River Tay SAC

Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels: NO LSE - the nearest loch is approximately 8km downstream. There are no obvious pathways or channels from the proposed construction site to the Bruar Water and the River Garry is separated from the site by the B847 and A9.

Lamprey species: NO LSE. There are no obvious pathways or channels from the proposed construction site to the Bruar Water and the River Garry is separated from the site by the B847 and A9.

Atlantic salmon: NO LSE. There are no obvious pathways or channels from the proposed construction site to the Bruar Water and the River Garry is separated from the site by the B847 and A9.

Otter: NO LSE - No disturbance or loss of suitable habitats for otter is considered likely due to construction within the busy footprint of House of Bruar and the cover between the development and any suitable resting habitats.

Given the lack of obvious connectivity between the proposed development and the River Tay SAC , all conservation measures are considered to be met and no adverse impact on any of the designated feature is anticipated. However a pollution prevention plan for the construction is recommended as good practice to ensure the contractors are aware of their responsibilities given the proximity to the River Tay SAC.

STAGE 4:

Undertake an Appropriate Assessment of the implications for the site(s) in view of the(ir) conservation objectives

N/A

STAGE 5:

Can it be ascertained that there will not be an adverse effect on site integrity?

N/A