

# **AGENDA ITEM 5**

## **APPENDIX 2**

**2022/0167/DET**

**HRA**

## HABITATS REGULATIONS APPRAISAL

<b>Planning reference and proposal information</b>	2022/0167/DET  Re-location of sewer pumping station, land north west of Dalfaber Farm, Dalfaber Drive, Aviemore (previous location approved as part of larger housing development 2021/0307/DET)
<b>Appraised by</b>	Nina Caudrey – Planning Officer (Development Planning and Environmental Advice)
<b>Date</b>	18 May 2022
<b>Checked by</b>	
<b>Date</b>	

## INFORMATION

### European site details

#### Name of European site(s) potentially affected

River Spey SAC

#### Qualifying interest(s)

Atlantic salmon, fresh water pearl mussel, sea lamprey and otter

#### Conservation objectives for qualifying interests

##### River Spey SAC:

Conservation Objective 2. To ensure that the integrity of the River Spey SAC is restored by meeting objectives 2a, 2b, 2c for each qualifying feature (and 2d for freshwater pearl mussel):

2b. Restore the distribution of **freshwater pearl mussel** throughout the site

2c. Restore the habitats supporting freshwater pearl mussel within the site and availability of food

2d. Restore the distribution and viability of freshwater pearl mussel host species and their supporting habitats

2a. Restore the population of freshwater pearl mussel as a viable component of the site

2b. Maintain the distribution of **sea lamprey** throughout the site

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

2a. Maintain the population of sea lamprey as a viable component of the site

2b. Restore the distribution of **Atlantic salmon** throughout the site

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

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

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 1. To ensure that the qualifying features of the River Spey 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 is for a revised location of the waste water pumping station that was consented as part of 2021/0307/DET (which was also for housing). In October 2021 Scottish Water confirmed for 2021/0307/DET that there is capacity for mains waste water connection. No change to the pumping station capacity is proposed and no private treatment works are proposed. The revised location is approximately 15m to the north of the consented location.

River Spey SAC is approximately 125 m to the east of the proposed development. The SAC is across the well used Spey Valley golf course, with no direct watercourse connectivity. The edge of the SAC has vegetation and mature trees creating a riparian riverbank strip between the golf course and river.

### **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)?**

#### **River Spey SAC**

**No LSE** due to no direct water course connectivity and no indirect effects likely from the proposed development and associated infrastructure due to the intervening golf course and topography, so no effects on habitats and supporting processes of the qualifying interests. While the proposed development site is in places within 200m of the SAC, which is the disturbance zone for breeding otter, the intervening golf course that goes up to the boundary of the river and SAC is well used. This will not change as a result of the proposed development. Therefore any otter in the vicinity will already be used to the existing level of human activity, which should not change as a result of the revised location of the pumping station, and so there will be no LSE through disturbance to otter as a result of the proposed development. **Therefore the River Spey SAC is not considered further in this appraisal.**

### **STAGE 4:**

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

**STAGE 5:**

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