

# **AGENDA ITEM 6**

## **APPENDIX 2**

**2022/0358/DET**

# **HABITATS REGULATIONS APPRAISAL**

## HABITATS REGULATIONS APPRAISAL

<b>Planning reference and proposal information</b>	2022/0358/DET Formation of road & SuDS basin
<b>Appraised by</b>	Karen Aldridge – Ecology Planning Advice Officer
<b>Date</b>	13 January 2023
<b>Checked by</b>	Tbc
<b>Date</b>	Tbc

## INFORMATION

### European site details

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

**I) River Spey SAC**

#### Qualifying interest(s)

##### River Spey SAC

Otter

Freshwater pearl mussel

Sea lamprey

Atlantic salmon

#### 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

<b>APPRAISAL</b>
<b><u>STAGE 1:</u></b>
<b>What is the plan or project?</b>
<b>Relevant summary details of proposal (including location, timing, methods, etc)</b>
Construction of an access road and SuDS pond (for surface water runoff). Ground clearance including removal of existing trees will be required to prepare the site. The River Spey SAC is approximately 300 m south of the proposed site.
<b><u>STAGE 2:</u></b>
<b>Is the plan or project directly connected with or necessary for the management of the European site for nature conservation?</b>
<b>No</b>
<b><u>STAGE 3:</u></b>
<b>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)?</b>
<p><b>I) River Spey SAC</b></p> <p>All qualifying features: <b>No Likely Significant Effect.</b></p> <p>The River Spey SAC is approximately 300 m at the closest point of the proposed site location. There are no apparent natural or man-made pathways between the proposed development and the SAC (e.g. drainage channels or tributaries). Given the distance from the site and the details of the proposed development (e.g. infiltration only SuDS pond), it is considered unlikely that any pollution (e.g. sediment or fuels) from the site would reach the SAC and have any detrimental impacts on the conservation objectives of the River Spey SAC. Similarly due to the distance and position of the proposed development, no disturbance is considered for any otter which may be using the River Spey for resting or foraging/commuting.</p> <p><b>No further appraisal is considered as all conservation objectives are met.</b></p>
<b><u>STAGE 4:</u></b>
<b>Undertake an Appropriate Assessment of the implications for the site(s) in view of the(ir) conservation objectives</b>
<b>N/A</b>
<b><u>STAGE 5:</u></b>
<b>Can it be ascertained that there will not be an adverse effect on site integrity?</b>
<b>N/A</b>