

AGENDA ITEM 6

APPENDIX 2

2022/0012/DET

HABITATS REGULATIONS APPRAISAL

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Planning reference and proposal information	2022/0012/DET Erection of 6 dwelling houses and associated works, former railway yard, Killiecrankie. Connection to mains water and waste water system.
Appraised by	Nina Caudrey, Development Planning and Environmental Advice
Date	7 February 2022
Checked by	NatureScot
Date	14 February 2022

INFORMATION
European site details
Name of European site(s) potentially affected
River Tay SAC
Qualifying interest(s)
<p>Atlantic salmon</p> <p>Clear water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels</p> <p>River lamprey</p> <p>Brook lamprey</p> <p>Sea lamprey</p> <p>Otter</p>
Conservation objectives for qualifying interests
<p>Habitat</p> <p>Conservation Objective 2. To ensure that the integrity of River Tay SAC is maintained by meeting objectives 2a, 2b and 2c</p> <p>2b. Maintain the structure, function and supporting processes of clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels</p> <p>2c. Restore the habitats supporting Atlantic salmon within the site and availability of food</p> <p>2a. Maintain the distribution and viability of typical species of clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels</p> <p>Conservation objective 1: To ensure that the qualifying feature (clear water lakes etc) of the River Tay SAC is in favourable condition and makes an appropriate contribution to achieving favourable conservation status.</p> <p>Species</p> <p>Conservation Objective 2. To ensure that the integrity of the River Tay is maintained by meeting objectives 2a, 2b and 2c for each qualifying feature.</p> <p>2b. Maintain the distribution of the lamprey species throughout the site</p> <p>2c. Maintain the habitats supporting the lamprey species' within the site, and availability of food</p> <p>2a. Maintain the population of the lamprey species' as viable components of the site</p> <p>2b. Maintain the distribution of Atlantic salmon throughout the site</p> <p>2c. Maintain the habitats supporting Atlantic salmon within the site and availability of food</p> <p>2a. Maintain the population of Atlantic salmon, including range of genetic types, as a viable component of the site</p>

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 viable components of the site

Conservation objective 1: To ensure that the qualifying (species) 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)

Erection of 6 dwelling houses and associated works, former railway yard, Killiecrankie. Connection to mains water and waste water system. Ground clearance including removal of existing scrub and 9 trees will be required to prepare the site. The River Garry, part of the SAC, is approximately 50m to the south from the proposed development site, through a steep wooded and rocky embankment. The proposed development site is set back from the top of the embankment, located on a flat area, bounded to the west by a public road and the north by the railway line. There is existing housing to the east, less than approximately 40m from the proposed development site. The housing is in closer proximity to the river than the proposed development site. Connection to mains water and sewerage is proposed.

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)?

NO LSE for any of the species or the qualifying habitat from pollution caused by sediment release during construction: Although the proposed development site is in close proximity when considered on a map, on the ground the location of the proposed development on a flat plateau set back from the river, combined with the intervening wooded embankment, mean that there should not be a risk of sediment release getting as far as to reach the SAC during construction.

NO LSE from to disturbance to otter: The exposed bedrock and flashy nature of the River Garry (due to upstream hydroelectric power stations) makes the location inhospitable for otter. Combined with the steep embankment making recreational use of the riparian area unattractive to people, and the existing housing providing an existing level of human activity in proximity to the river (albeit set back at the top of the embankment, as the proposed development would be) means there is no risk of disturbance to otter.

As there will be no LSE on any of the qualifying interests, no further assessment is required.

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?