



Planning Advice Number 2/2015

River Dee Special Area of Conservation



The River Dee and its tributaries have been designated as a Special Area of Conservation (SAC) as they provide a valuable habitat for important populations of freshwater pearl mussel, Atlantic salmon and otter.

SAC's form part of a network of internationally important sites for nature conservation, known as Natura 2000 sites. This leaflet provides guidance on how developments that may affect this site will be assessed.

Under UK legislation, the Planning Authority has a duty to assess proposed works within or affecting the River Dee Special Area of Conservation. If there is likely to be a significant effect a Habitats Regulations Assessment (HRA) will be required. The HRA considers the impact of a proposal on the natural interests for which a Natura site is designated and informs the planning decision that is made.

The Planning Authority has to consider whether a proposal is likely to have a significant effect on the Natura site either individually, or in combination with other plans and projects. Not only does this apply to works requiring planning permission, it also applies to works which could otherwise be carried out as permitted development in terms of the General Permitted Development Order. A prior notification application will be required.

Written approval from the Planning Authority must be given before any works can be carried out under permitted development. The purpose of the prior notification procedure is to allow the Planning Authority to assess whether a proposal is likely to have a significant effect on the Natura site either individually or in combination with other plans or projects.



In order to establish this, the following information will be required:

- Reason for works and whether specifically connected to conservation management of the SAC.
- A detailed method statement that sets out the works proposed and how they are to be carried out. In particular details of timing of works and measures to minimise disturbance and silt being released into the watercourse.
- Confirmation that Scottish Environment Protection Agency (SEPA's) Pollution Prevention Guidelines are to be adhered to during all works.
- Clarification of any machinery to be used during the proposed works and the exact works that will be carried out by this machinery.
- Details of known proposed, approved or ongoing works in the immediate vicinity, which may lead to a cumulative impact.

On receipt of a prior notification that may impact on a Natura site the Planning Authority will consult with Scottish Natural Heritage (SNH) who may seek further information, including:

- Detailed survey work relating to the interests of the site; and
- Any measures proposed to avoid impacts on the SAC.

The above information will allow the Planning Authority to deal with the prior notification as timeously as possible and carry out a Habitats Regulations Assessment if required. If it is considered that the proposal will have an adverse impact on the conservation interests of the site the works cannot be undertaken under permitted development rights and a full planning application will be required. The Planning Authority may also consult with the Scottish Environment Protection Agency, the Dee District Salmon Fisheries Board and Aberdeenshire Council's Flood Prevention Unit, to establish if planning permission is required for other reasons. If it is established that a proposal will not have a significant affect on the qualifying interest of the Natura site then work can proceed under permitted development rights.



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For further information

Email: planning@aberdeenshire.gov.uk

www.aberdeenshire.gov.uk/planning

Other useful contact

Scottish Natural Heritage

Tel: 01224 266500

www.snh.gov.uk