



**ATLANTIC58**

## ROSSLYN PIER REPAIR WORKS

Habitats Regulations Appraisal Report  
For Summer Isles Enterprises Ltd

4 August 2023

# Rosslyn Pier Repair Works Habitat Regulations Appraisal Report

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## PROJECT INFORMATION:

PROJECT CODE	39
NGR	NB 99456 07124
REGION	Summer Isles
LOCAL AUTHORITY	Highland Council

## PROJECT TEAM:

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VERSION COMMENTS	V1.0

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# 1. INTRODUCTION

- 1.1.1. Summer Isles Enterprises Ltd (SIE) is planning to complete urgent repair works on Rosslyn Pier, located on the island of Tanera Mor, part of the Summer Isles archipelago group, situated off Loch Broom on the west coast of Scotland. The pier is the primary access point to the island, as the only landing point accessible at all tidal stages and helps to support the transit of over 100 staff who work within the hospitality industry based on the island.
- 1.1.2. A Habitats Regulations Appraisal (HRA) has been undertaken on behalf of SIE to determine whether the site has the potential to affect any European Sites i.e., Special Protection Areas (SPAs) or Special Areas of Conservation (SAC). The pier is located within the Inner Hebrides and the Minches SAC and near other SPAs. The HRA will support a licence application to Marine Scotland for the repair works under the Marine (Scotland) Act 2010. The report will determine whether the proposed development presents any likely significant effects (LSEs) on the qualifying interests of the relevant designated sites and whether an appropriate assessment will be required.

## 1.2. SITE LOCATION

- 1.2.1. The site is located on the island of Tanera Mor (NB 99456 07124) (Figure 1), the largest of the Summer Isles with an area of approximately 324 ha. The island is 2.7 km in length and 2.2 km in width at its widest point. The island is 1 km from the Scottish mainland and the closest township is Achiltibuie, located on the Coigach coastline. The island has a range of habitats including native woodland, grassland, heath, and rocky tidal coastlines.

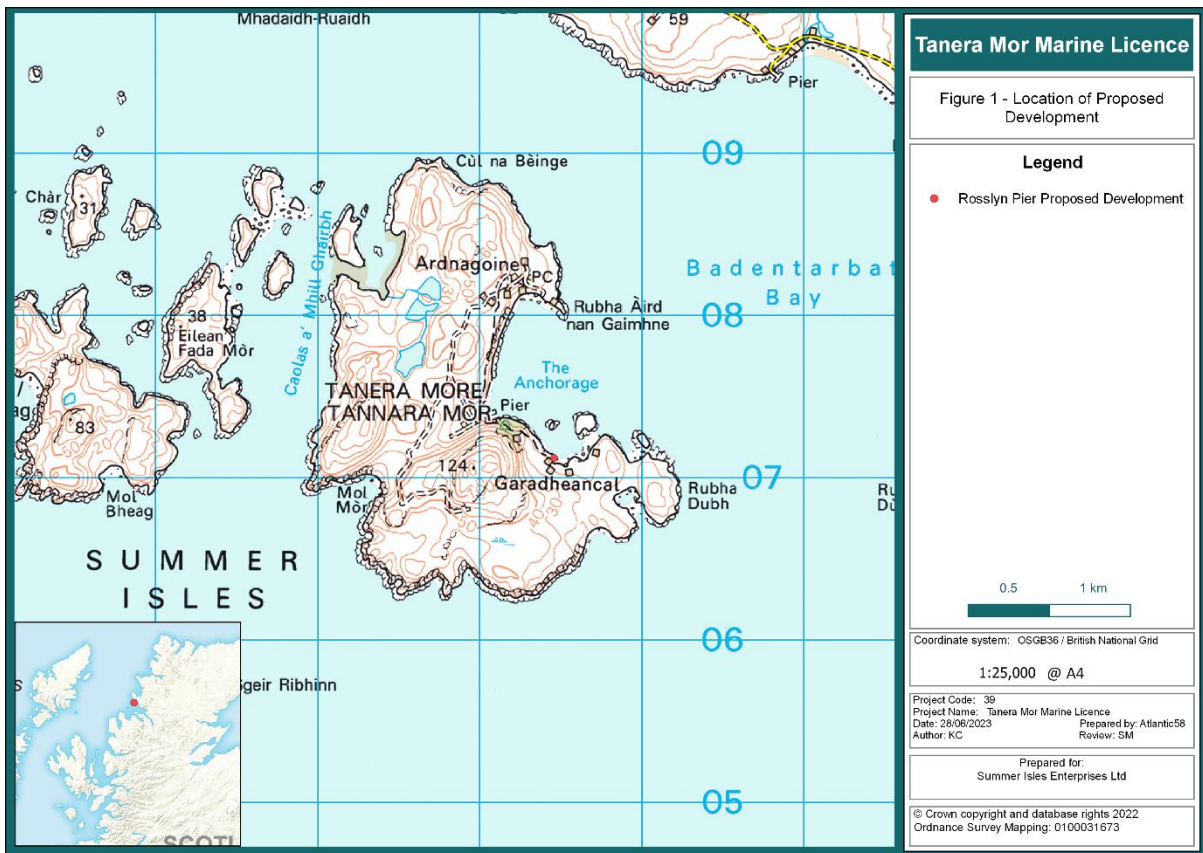


Figure 1 Location of Proposed Development

### 1.3. PROJECT RATIONALE

- 1.3.1. SIE is progressing a range of development initiatives across the island as part of a plan to enhance hospitality and tourism facilities. Development is ongoing within the island and new paths, building improvements and restorations are planned or under construction across the island. Rosslyn Pier is a key access point for the island for construction workers, staff, volunteers, and guests. In addition, the pier is the only access point, which is accessible during all tidal states, and represents the primary point of access for maritime emergency services. Recent inspections indicated evidence of severe structural instability, which poses an immediate safety risk, and emergency remedial works are required to enable ongoing development activities and access to the island.

### 1.4. PROJECT DESCRIPTION

- 1.4.1. SIE proposes to complete emergency repair works at Rosslyn Pier within Tanera Mor on the Summer Isles to enable the regular berthing of three vessels and provide vehicle access at all levels of the tide. Structural inspections recorded several badly cracked areas, noticeable outward movement of a wall face, missing stones and pointing, and scour/abrasion of rock. The deck slab is also in poor condition with numerous cracks and damaged areas.
- 1.4.2. An aerial photograph of the site layout is provided in Figure 2. The current development comprises of the pier structure, an associated boathouse, access track and entertainment space. Photographs of the pier are provided in Appendix 1: Image 1, Image 2, and Image 3. In addition, the following documents should be referenced:
- The existing pier plan and elevation is provided in Drawing No. 237004-004.
  - The proposed repair works are provided in Drawing No. 237004-005
  - The method statement outlines the proposed works and mitigation: *Rosslyn Pier Repair Works Method Statement V1.0*

### Works below MHWS

The works relate to the southeast wall of the pier structure only.

#### *Preparatory Works*

Silt curtains, also known as turbidity curtains or sediment curtains, are currently installed at the site (see *Rosslyn Pier Repair Works Method Statement V1*). Works will be scheduled to align with low tide cycles. The existing gravel berm (illustrated in Drawing 237004-105 will be removed (approximately 200 t) from the upper area of the pier structure with an excavator / digger. Marine growth and loose material from pier masonry will be cleaned with a high-pressure washer. Following preparation works, a full inspection of the pier will be carried out to identify areas of soft material, soft material will be excavated out.

#### *Construction Works*

- **Repointing the pier** –application of mortar mix to joints to cure and attain the required strength.
- **Construction of a concrete berm / infill of undermined areas** –temporary timber shuttering (marine plywood) will be erected and sealed using the appropriate foam and supported by sandbags to allow a mass concrete foundation to be poured. Dowels (material) in an injectable resin will be drilled or placed into the structure to pin infill concrete to the existing structure. Rapid set marine grade concrete

(RC32, exposure class XS2<sup>1</sup>) will be used for all works below MHWS to infill the undermined areas of the pier and create a berm / step along the face of the pier. Approximately 18m<sup>2</sup> of concrete will be poured into the timber shuttering in defined phases to ensuring proper consolidation, compaction and setting prior to inundation with seawater at higher tides. Drawing 237004-105 indicates the nature and extent of works proposed for the main pier repair works.

## Works above MHWS

- **Concrete capping slab** – a concrete cap will be applied atop the pier structure. Timber formwork will be erected to create the desired shape and dimensions of the new concrete slab. Steel reinforcement bars will be set within the formwork to provide structural strength and stability to the new slab. A suitable mix of marine grade, rapid set concrete will be poured within the formwork. The slab will be protected from adverse weather conditions, excessive drying, and potential damage during the initial curing period using coverings, barriers, or other protective measures. Concrete will be vibrated with a handheld tool to remove air and facilitate levelling. Regular inspections and quality checks will be undertaken during the construction process to ensure compliance with design specifications and industry standards.

Silt screens are currently positioned around the perimeter of the works to prevent any sediment entering the water column from dispersing outwith the site boundary. Minor masonry drilling requirements (for dowel installation) and concrete vibration (for expulsion of air bubbles) will be undertaken using handheld tools. No major acoustic disturbance blasting, deterrents or piling activities are expected.

## Material Movements

Materials will be imported to site. The concrete will be mixed at a separate location on the island, at a dedicated facility on the island (Dutch Barn/ Paddock, approximately 100 m from the pier) where it will be transported to site via a small ready mix concrete truck.

## Timescale and Duration

The works are timed for completion as soon as the marine licence is issued, the developer has an aspirational timescale to initiate work as of mid-August 2023 or mid-September 2023. The duration of the works are as follows:

Works below MHWS – two x 2-week phases of development to align with tidal cycles.

Works above MHWS – one x 1-week phases of development to align with tidal cycles.

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<sup>1</sup><https://www.bsigroup.com/en-GB/industries-and-sectors/construction-and-building/bs-8500-concrete-complementary-british-standard-to-bs-en-206/>

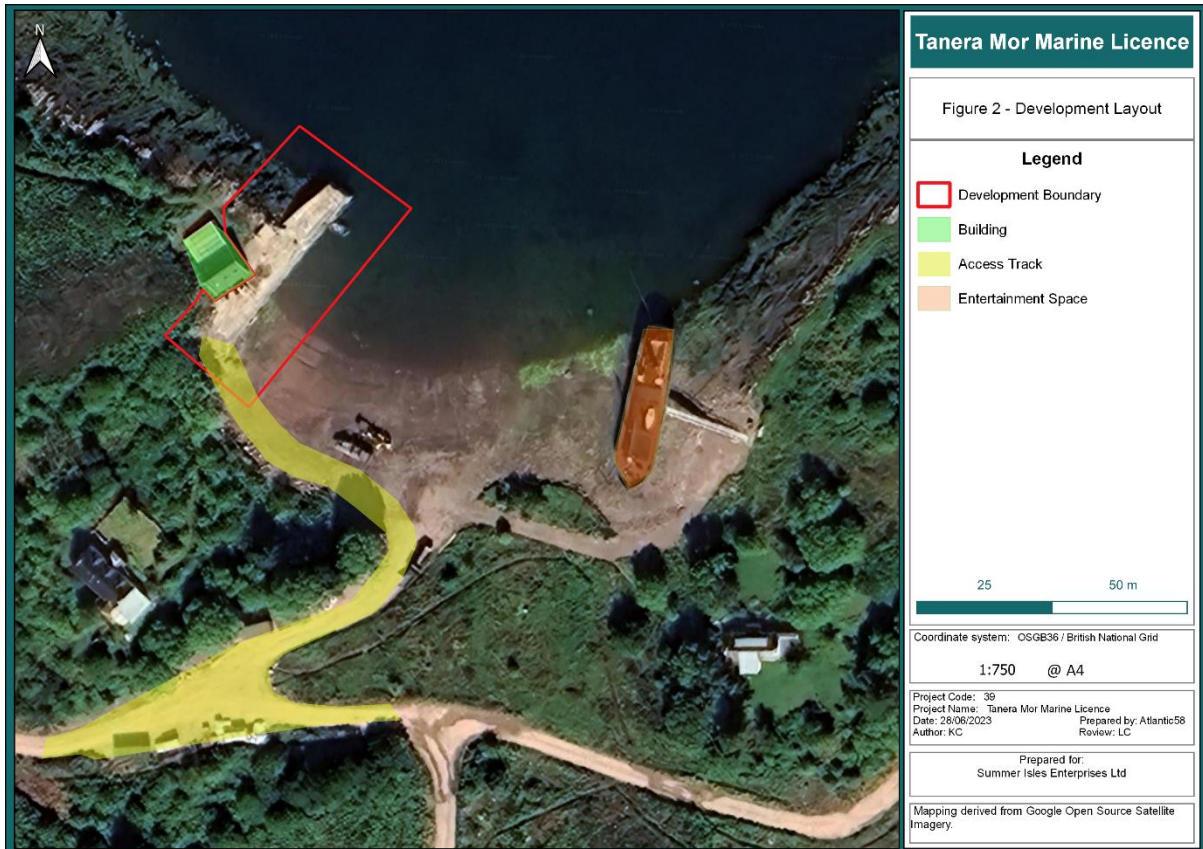


Figure 2 Development Layout

## 1.5. THE HABITATS REGULATIONS

- 1.5.1. The Habitats Directive and the Wild Birds Directive are transposed into domestic law in Scotland by The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). These Regulations apply on land in Scotland, and in Scottish inshore waters (the area of sea adjacent to Scotland from 0 to 12 nautical miles). European sites (SACs and SPAs) form a UK-wide network of protected sites. Proposed SPAs (pSPAs) and candidate SACs (cSACs) are given the same protection as classified SACs and SPAs by the Scottish Government.
- 1.5.2. Where a plan or project could affect a site within European sites, the Habitats Regulations require the competent authority to consider the provisions of Regulation 61 should a proposed development affect a site. This means the competent authority has a duty to:
- determine if a development is directly connected with or necessary to site management for conservation; and, if not
  - determine if a development is likely to have a significant effect (Likely Significant Effect, (LSE)) on the site either individually or in-combination with other plans or projects; and, if so, then
  - Considering conservation objectives, make an appropriate assessment of the implications for the site.
- 1.5.3. This process is classed as HRA and applies to any plan or project which has the potential to affect the qualifying features of a designated site. The competent authority, in this instance Marine Scotland, will decide whether an appropriate assessment is necessary and carry it out (with advice provided by NatureScot) if required. The applicant, in this instance Atlantic58 on behalf of SIE, is providing the information to inform the appropriate assessment.
- 1.5.4. The approach to HRA follows a nine-stage process as detailed in NatureScot guidance (NatureScot, 2023). Stages 1 to 5 are relevant to this assessment:

- Stage 1: What is the Plan or Project?
- Stage 2: Is the plan or project directly connected with or necessary to site management for nature conservation?
- Stage 3: Is the plan or project (either alone or in combination with other plans or projects) likely to have a significant effect on a European site?
- Stage 4: Undertake an appropriate assessment of the implications for the site in view of its conservation objectives.
- Stage 5: Can it be ascertained that the proposal will not adversely affect the integrity of the site?

## 2. HABITATS REGULATIONS APPRAISAL

### 2.1. STAGE 1: WHAT IS THE PLAN OR PROJECT?

- 2.1.1. Details of the Rossllyn Pier repair upgrade works project are provided in Section 1.4. The competent authority in this instance is Marine Scotland.

### 2.2. STAGE 2: IS THE PLAN OR PROJECT DIRECTLY CONNECTED WITH OR NECESSARY TO SITE MANAGEMENT FOR NATURE CONSERVATION?

- 2.2.1. No, the project is not necessary to site management for nature conservation.

### 2.3. STAGE 3: IS THE PLAN OR PROJECT (EITHER ALONE OR IN COMBINATION WITH OTHER PLANS OR PROJECTS) LIKELY TO HAVE A SIGNIFICANT EFFECT ON A EUROPEAN SITE?

- 2.3.1. The test of Likely Significant Effect (LSE) is a screening stage to determine whether an appropriate assessment is required.
- 2.3.2. To establish whether European sites and their qualifying features have the potential to be affected by the proposed development, features were identified based on connectivity and proximity. Effects from the development such as pollution or disturbance, can impact the conservation objectives of European sites at distance. To establish a baseline for search parameters, *distances have been adopted based on a conservative consideration of proximity* driving the potential for LSE. The following parameters have been used:
- SACs - a 10 km search area from the proposed development boundary.
  - SPAs - up to 20 km from the proposed development boundary.
- 2.3.3. European sites found within the search areas and their associated qualifying species/habitats are listed in



#### 2.3.4.

Table 1 and represented in Figure 3. The table provides the distance from the proposed development and which sites have the potential for Likely Significant Effects (LSE).

- 2.3.5. Two European Sites have been scoped in for further assessment based on the screening assessment set out in Table 1: Inner Hebrides and Minches Special Area of Protection (SAC) and Inverpolly SAC.
- 2.3.6. The conservation objectives for the qualifying features screened into the appropriate assessment are set out below:

#### Inner Hebrides and Minches SAC

- 2.3.7. Harbour porpoise is the only qualifying feature of this designation, the conservation objectives of harbour porpoise are as follows:
1. To ensure that the Inner Hebrides and the Minches SAC continues to make an appropriate contribution to harbour porpoise remaining at favourable conservation status.
  2. To ensure for harbour porpoise within the context of environmental changes, that the integrity of the Inner Hebrides and the Minches SAC is maintained through 2a, 2b and 2c:
    - 2a. Harbour porpoise within the Inner Hebrides and the Minches are not at significant risk from injury or killing.
    - 2b. The distribution of harbour porpoise throughout the site is maintained by avoiding significant disturbance.
    - 2c. The condition of supporting habitats and the availability of prey for harbour porpoise are maintained.

#### Inverpolly SAC

- 2.3.8. Inverpolly SAC is designated for a range of habitat features, freshwater pearl mussel (*Margaritifera margaritifera*) and otter (*Lutra lutra*). Otter is the only qualifying feature identified to have potential connectivity to the proposed development via foraging / commuting zones. Otter signs have been identified in proximity to the site (See Otter Survey Report). Conservation objectives in relation to otter at the site are as follows:
1. To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained, and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and
  2. To ensure for the qualifying species that the following are maintained in the long term:
    - Population of the species as a viable component of the site.
    - Distribution of the species within site.
    - Distribution and extent of habitats supporting the species.
    - Structure, function and supporting processes of habitats supporting the species.
    - No significant disturbance of the species.

Table 1 European sites within the development's search area

Name	Designation	Qualifying Interests	Distance	Connectivity	Potential for Likely Significant Effects (LSE)	Rationale
Inner Hebrides and the Minches	SAC	Harbour Porpoise ( <i>Phocoena phocoena</i> )	0 km (within/ adjacent)	Yes	Yes	The development is located within the SAC is near the development, there is potential for disturbance arising from site activities, notably noise disturbance.
Inverpolly	SAC	Various terrestrial habitat features including standing water, blanket bog, and heathland communities.	7.4 km	No	No	Otter foraging / commuting ranges are within the range of the SAC.
		Freshwater Pearl Mussel ( <i>Margaritifera margaritifera</i> )		No	No	
		Otter ( <i>Lutra lutra</i> )		Yes	Yes	
Inverpolly, Loch Urigill and nearby Lochs	SPA	Black throated diver ( <i>Gavia arctica</i> ), breeding	7.4 km	Yes	No	Works are located within the foraging area of black throated diver; however, the works will be scheduled in September outwith the breeding season for this species.
Priest Island	SPA	Storm petrel, breeding	7.8 km	Yes	No	Works are located within the foraging area of storm petrel; however, the works will be scheduled in September, and it is

						anticipated that chicks will have fledged at this stage.
Wester Ross Lochs	SPA	Black throated diver	20 km	<b>Yes</b>	No	Works are located within the foraging area of black throated diver; however the works will be scheduled in September out with the breeding season for this species.

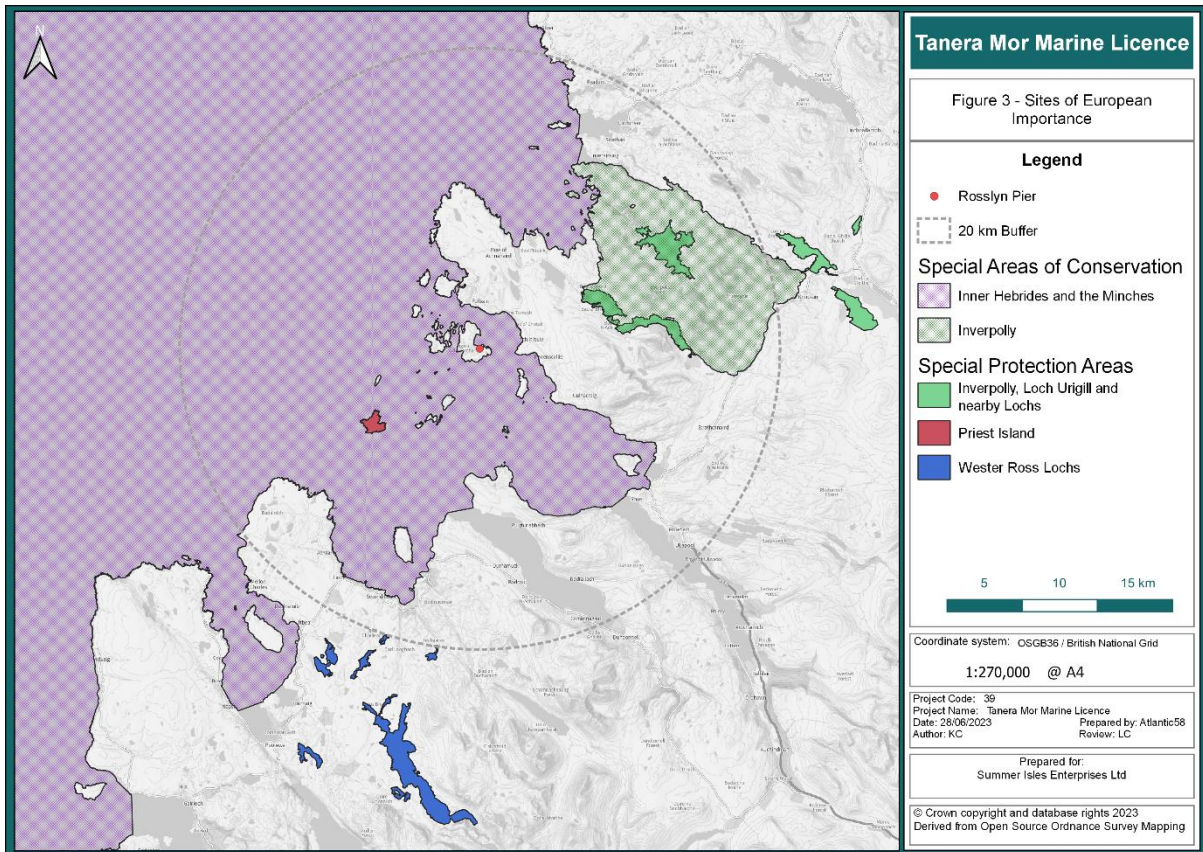


Figure 3 SACs within 10 km and SPAs within 20 km of the development boundary.

## 2.4. STAGE 4: UNDERTAKE AN APPROPRIATE ASSESSMENT OF THE IMPLICATIONS FOR THE SITE IN VIEW OF ITS CONSERVATION OBJECTIVES

2.4.1. Information to support an appropriate assessment is provided below in relation to the sites screened into the assessment set out under Stage 3.

### *Inner Hebrides and the Minches SAC*

2.4.2. The development site is within the Inner Hebrides and the Minches SAC, which supports an internationally important population of harbour porpoise (*Phocoena phocoena*). It covers 13,800 km<sup>2</sup> spanning most of the west of Scotland and is the largest protected area in Europe for harbour porpoise. The SAC is important for the feeding of calves in shallow waters and the site is in favourable condition.

2.4.3. Areas with the most frequent sightings are generally in coastal waters, often in areas where there is a high degree of water mixing, sometimes associated with strong tidal streams. Such areas have high productivity and are often associated with concentrations of small prey fish (JNCC,nd). The harbour porpoise has a strong population within the SAC as it favours subtropical to temperate and subarctic waters, usually but not exclusively over the continental shelf at depths of 20 – 100 m (Mammal Society n.d).

2.4.4. Conservation objectives for the SAC are:

- To ensure that the Inner Hebrides and the Minches SAC continues to make an appropriate contribution to harbour porpoise remaining at favourable conservation status.
- To ensure for harbour porpoise within the context of environmental changes, that the integrity of the Inner Hebrides and the Minches SAC is maintained through the following:

- Harbour porpoise within the Inner Hebrides and the Minches are not at significant risk from injury or killing.
- The distribution of harbour porpoise throughout the site is maintained by avoiding significant disturbance.
- The condition of supporting habitats and the availability of prey for harbour porpoise are maintained.

2.4.5. The following impacts from the proposed development have been assessed:

*Construction Phase*

- Potential pollution arising from construction works reducing water quality and leading to the degradation of harbour porpoise habitat and reduction in prey.
- Disturbance and displacement of harbour porpoise through vessel movements and works at the construction site leading to changes in the distribution of harbour porpoise throughout the site.

*Operations and Maintenance Phase*

- The expected operation and maintenance of the pier will be at the same level as it is currently, as a result, no impacts during operation and maintenance have been identified that could affect harbour porpoise. **Impacts during the operational phase are screened out.**

*Decommissioning Phase*

- Decommissioning of the pier is unlikely and future works would likely involve maintenance or repair works. Any works associated with future decommissioning are likely to be similar to those during construction works and are not assessed further.

*Pollution*

2.4.6. The removal of gravel and excavation works as part of site preparations have potential to generate sediment which can disperse to the water column. Concreting and minor resin injection works will be required as part of the construction process to repoint the existing masonry, infill damaged area of the pier, create a small berm and cap the pier. Approximately 18 m<sup>2</sup> of concrete will be required for the berm and infill works and 204 m<sup>2</sup> for the concrete cap.

2.4.7. Pollution risks may arise primarily from the following:

- Ingress of seawater following repointing / concrete infilling activities and wash out of concrete.
- Spillages during the infill / berm concrete pouring process.
- Loss of integrity, or leakage of the shuttering of the infill and cap works.
- Other spillages from oils and fuels from plant and resins.

2.4.8. The method statement provided in *Roslyn Pier Repair Works Method Statement V1.0* details the best practice mitigations to protect the marine environment from concrete spillages. A silt curtain is currently installed to contain any sediment generated by the preparatory works, including the removal of gravel and limited extent of excavation works (discrete sections of the pier will be excavated where areas of soft sediment are identified for removal).

2.4.9. Timber shuttering will be sealed with foam sealant prior to ensure the integrity of the concrete retaining structure during pouring operations. Works will be undertaken at low tide using rapid set marine grade concrete (RC32, exposure class XS2<sup>2</sup>) for all works below MHWS to infill the undermined areas of the pier and create a berm / step along the face of the pier. Concrete

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<sup>2</sup><https://www.bsigroup.com/en-GB/industries-and-sectors/construction-and-building/bs-8500-concrete-complementary-british-standard-to-bs-en-206/>

pouring works will be phased to facilitate setting of appropriate volumes of concrete before tidal inundation with seawater.

- 2.4.10. Any concrete spillages below NHWS will be manually removed, the proposed specification of rapid set concrete it is not expected to dissolve rapidly in the water column, however silt curtains will remain on site during operations.
- 2.4.11. The duration of the works is short term and expected to last no more than 2 x 2 week periods for the berm / infill and one week for the concrete cap.
- 2.4.12. Based on the proposed nature of the works and mitigations proposed:
- Harbour porpoise within the Inner Hebrides and the Minches are not at significant risk from injury or mortality and **No Likely Significant Effects** are anticipated from the development from potential pollution arising from construction works.
  - The condition of supporting habitats and the availability of prey for harbour porpoise are maintained and **No Likely Significant Effects** are anticipated from the development from potential pollution arising from construction works reducing water quality and leading to the degradation of harbour porpoise habitat and reduction in prey.

#### *Noise and Visual Disturbance*

- 2.4.13. Displacement arising from disturbance (visual and noise) from construction activities and vessel movements has the potential to cause disturbance to harbour porpoises that may be foraging or socialising in the area. The project site is already located at an established pier location, which is the primary access point to Tanera Mor, and is associated with a high level of existing activity from vessel movements for construction workers and fishing activities, SIE employees and visitors to the island.
- 2.4.14. Harbour porpoise are likely to tolerate short term disturbance from construction activities due to the regular movement and berthing of vessels around the island. Masonry drilling and concrete vibration will be carried out using handheld tools and no excessive noise from construction will be generated (blasting, piling or acoustic deterrents).
- 2.4.15. The distribution of harbour porpoise throughout the site is maintained by avoiding significant disturbance and no **likely significant effects** are concluded.

#### *Inverpolly SAC*

- 2.4.16. Inverpolly SAC is situated between Ullapool and Lochinver in the south-west Sutherland area of Highland, Scotland and consists of inland water bodies, bogs, marshes, fens, heath, woodland and inland rocks, screes, and sands. The site is approximately 11,882 ha, in favourable/recovering condition and overlaps Inverpolly SSSI and Inverpolly, Loch Urigill and nearby Lochs SPA. The site has several qualifying interests which include terrestrial habitats which have been screened out within Table 1 and otter which is an Annex II – Primary species identified as having connectivity and possible LSE from the development.
- 2.4.17. The Inverpolly SAC is located 7 km away from the construction site. Otters hold a home range, but the total area held varies with food availability and between habitats (Kruuk and Moorhouse 1991). On the coast of Shetland, where numbers are stable and habitat is similar, otters occupy distinct core foraging areas, whilst sharing larger group home ranges, 5 km – 14 km for females, and greater areas for males (Kruuk and Moorhouse 1991). Otters occupy territories to reduce competition with one another (Kruuk and Moorhouse 1991); therefore, given the size of the small-scale development, it is likely that one individual predominantly uses this area as part of a greater home range. An otter survey undertaken on 13 June 2023 indicated extensive evidence of otter use across the area, but no evidence of recent use.
- 2.4.18. Conservation objectives of the SAC are:
- To avoid deterioration of the habitats of the qualifying species or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained, and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and

- To ensure for the qualifying species that the following are maintained in the long term:
  - Population of the species as a viable component of the site.
  - Distribution of the species within site.
  - Distribution and extent of habitats supporting the species.
  - Structure, function and supporting processes of habitats supporting the species.
  - No significant disturbance of the species.

2.4.19. The following impacts from the proposed development have been assessed:

*Construction Phase*

- Potential pollution arising from construction works reducing water quality and leading to degradation of otter habitat and reduction in prey.
- Disturbance and displacement of otter through vessel movements.

*Operations and Maintenance Phase*

- The expected operation and maintenance of the pier will be at the same level as it is currently, as a result, no impacts during operational and maintenance have been identified that could affect the integrity of the site.

*Pollution*

2.4.20. The removal of gravel and excavation works as part of site preparations have potential to generate sediment which can disperse to the water column. Concreting and minor resin injection works will be required as part of the construction process to repoint the existing masonry, infill damaged area of the pier, create a small berm and cap the pier. Approximately 18 m<sup>2</sup> of concrete will be required for the berm and infill works and 204 m<sup>2</sup> for the concrete cap. Pollution risks may arise primarily from the following:

- Ingress of seawater following repointing / concrete infilling activities and wash out of concrete.
- Spillages during the infill / berm concrete pouring process.
- Loss of integrity, or leakage of the shuttering of the infill and cap works.
- Other spillages from oils and fuels from plant and resins.

2.4.21. The method statement provided in *Rossllyn Pier Repair Works Method Statement V1.0* details the best practice mitigations to protect the marine environment from concrete spillages. A silt curtain is currently installed to contain any sediment generated by the preparatory works, including the removal of gravel and limited extent of excavation works (discrete sections of the pier will be excavated where areas of soft sediment are identified for removal).

2.4.22. Timber shuttering will be sealed with foam sealant prior to ensure the integrity of the concrete retaining structure during pouring operations. Works will be undertaken at low tide using rapid set marine grade concrete (RC32, exposure class XS2<sup>3</sup>) for all works below MHWS to infill the undermined areas of the pier and create a berm / step along the face of the pier. Concrete pouring works will be phased to facilitate setting of appropriate volumes of concrete before tidal inundation with seawater.

2.4.23. Any concrete spillages below NHWS will be manually removed, the proposed specification of rapid set concrete it is not expected to dissolve rapidly in the water column, however silt curtains will remain on site during operations.

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<sup>3</sup><https://www.bsigroup.com/en-GB/industries-and-sectors/construction-and-building/bs-8500-concrete-complementary-british-standard-to-bs-en-206/>

- 2.4.24. The duration of the works is short term and expected to last no more than 2 x 2 week periods for the berm / infill and one week for the concrete cap.
- 2.4.25. Based on the proposed nature of the works and mitigations proposed **no likely significant effects** are concluded on the following conservation objects:
- Population of the species as a viable component of the site.
  - Distribution of the species within site.
  - Distribution and extent of habitats supporting the species.
  - Structure, function and supporting processes of habitats supporting the species.

#### *Disturbance*

- 2.4.26. Displacement arising from disturbance (visual and noise) from construction activities and vessel movements has the potential to cause disturbance to otter that may be foraging or commuting in the area. Disturbance may result in otter no longer using the site and move to areas which are less favourable for foraging.
- 2.4.27. The project site is already located at an established pier location, which is the primary access point to Tanera Mor, and is associated with a high level of existing activity from vessel movements for construction workers, fishing activities, SIE employees, an entertainment venue, and visitors to the island. The baseline environment is subject to substantial disturbance.
- 2.4.28. Survey findings indicated extensive evidence of otter use of the across the area, however the absence of fresh spraint, and high frequency of aged / dried spraint in association with an inactive potential resting place suggests that habitat use by otter may have reduced relatively recently, potentially in combination with the disused resting place location [Redacted] from the development. While there is a small potential for disturbance to otter within 200 m, this applies to breeding otter only and no signs of breeding were recorded in the survey area. Due to high levels of existing baseline disturbance, it is unlikely that breeding otter has been near the site.
- 2.4.29. No excessive noise from construction will be generated; no blasting, piling or acoustic deterrents are planned to support construction activities. The proposed works are anticipated create minimal additional disturbance to otter in the area based on current activity levels. The immediate area (within 50 m) of the proposed development shows no signs of otter, and therefore it is unlikely that the works would disrupt otter moving through this area.
- 2.4.30. The conservation objectives for Inverpolly SAC in relation to otter are maintained by avoiding significant disturbance and **no likely significant effects** are concluded.

## 2.5. STAGE 5 CAN IT BE ASCERTAINED THAT THE PROPOSAL WILL NOT ADVERSELY AFFECT THE INTEGRITY OF THE SITES?

- 2.5.1. A 10 km search buffer (SACs) and 20 km search buffer (SPAs) was used to identify European sites which may have connectivity to the proposed development. Two sites were screened into the assessment:
- Inner Hebrides and Minches SAC
  - Inverpolly SAC
- 2.5.2. No adverse effects were identified in relation to the integrity to each of the European sites assessed and **no likely significant effects** are concluded.

## 3. SUMMARY

- 3.1.1. SIE are planning to conduct emergency repairs on Rosslyn Pier, Tanera Mor based in the Summer Isles. The pier is a key access point for the island for construction workers, staff, volunteers, and



guests. In addition, the pier is the only access point, which is accessible during all tidal states, and represents the primary point of access for maritime emergency services.

- 3.1.2. Survey results of an inspection highlighted several badly cracked areas, noticeable outward movement of a wall face, missing stones and pointing, and scour/abrasion of rock. The deck slab is also in poor condition with numerous cracks and damaged areas.
- 3.1.3. Repair works are expected to include infill / berm creation of undermined in relation to the southeast section of the pier using rapid set marine grade concrete. A concrete capping slab shall be cast atop the pier and the existing ladder at the end of the pier shall be replaced with a new steel ladder. No blasting or piling will be involved in the construction works.
- 3.1.4. Two SACs were identified to have connectivity and potential for likely significant effects:
  - The Inner Hebrides and Minches SAC is designated for harbour porpoise and sits immediately adjacent to the project. The development is unlikely to have an adverse effect as no excessive noise from construction will be generated; no blasting, piling or acoustic deterrents are planned to support construction activities. No **likely significant effects** are concluded in terms of the integrity and conservation objectives of harbour porpoise.
  - Inverpolly SAC is located approximately 7 km from the proposed development and designated for a range of habitats including oligotrophic to mesotrophic standing waters, blanket bogs, lakes, ponds, and wet heath. It is also designated for otter which has a foraging range overlapping with the proposed development. The existing baseline line is assessed to generate reasonable levels of activity associated with an operational pier. No excessive noise from construction will be generated and no blasting, piling or acoustic deterrents are planned to support construction activities. No **likely significant effects** are concluded in terms of the integrity and conservation objectives of the qualifying species and habitats.

## 4. REFERENCES

Bolton, M (2021) GPS tracking reveals highly consistent use of restricted foraging areas by European Storm-petrels *Hydrobates pelagicus* breeding at the largest UK colony: Implications for conservation management. *Bird Conservation International*, 31(1), 35-52. Available from <<https://www.cambridge.org/core/journals/bird-conservation-international/article/gps-tracking-reveals-highly-consistent-use-of-restricted-foraging-areas-by-european-stormpetrels-hydrobates-pelagicus-breeding-at-the-largest-uk-colony-implications-for-conservation-management/DE6A57A1B5C3141DAB63A854610334D7>> [27/06/2023]

Hoekendijk, J., Spitz, J., Read, A., Leopold, M. and Fontaine, M. (2017) Resilience of harbor porpoises to anthropogenic disturbance: Must they really feed continuously? *Marine Mammal Science*. 34 (1) Available from <<https://onlinelibrary.wiley.com/doi/full/10.1111/mms.12446>>

JNCC (n.d) *1351 Harbour porpoise *Phocoena phocoena** [online]. Available from <<https://sac.jncc.gov.uk/species/S1351/>> [22/06/2023]

JNCC (2018) *STANDARD DATA FORM for sites within the 'UK national site network of European sites'* [online]. Available from <<https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9001261.pdf>> [22/06/2023]

JNCC (2022) *STANDARD DATA FORM for sites within the 'UK national site network of European sites'* [online]. Available from <<https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9001511.pdf>> [22/06/2023]

Kruuk, H and Moorhouse, A. (1991) 'The Spatial Organization of Otters (*Lutra Lutra*) In Shetland'. *Journal of Zoology* [online] 224 (1), 41-57. Available from <<https://zslpublications.onlinelibrary.wiley.com/doi/abs/10.1111/j.1469-7998.1991.tb04787.x>> [06/07/2023]

Lyll (2020) Rosslyn Pier Visual Inspection and Recommendations Report - Lochshell Engineering. Prepared for Summer Isles Enterprises Ltd.

Mammal Society (n.d) *Species – Harbour Porpoise* [online]. Available from <<https://www.mammal.org.uk/species-hub/full-species-hub/discover-mammals/species-harbour-porpoise/>> [22/06/2023]

NatureScot (2023) Habitats Regulations Appraisal (HRA) [online]. Available from <<https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal-hra>> [28/06/2023]

Omand (2023) Rosslyn Pier Inspection – Arch Henderson Architect Report. Prepared for Summer Isles Enterprises Ltd.

SNH (2010). *Natura sites and the Habitats Regulations. How to consider proposals affecting SACs and SPAs in Scotland* [online]. The essential quick guide. Available at: <https://www.nature.scot/natura-sites-and-habitats-regulations-how-consider-proposals-affecting-sacs-and-spas-scotland> [22/06/2023]

Scottish National Heritage (2016) *Assessing Connectivity with Special Protection Areas (SPAs) Guidance* [online]/ Available from <<https://www.nature.scot/sites/default/files/2022-12/Assessing%20connectivity%20with%20special%20protection%20areas.pdf>> [11/07/2023]

## APPENDIX 1: IMAGES



*Image 1 Northwest view of the pier and associated boathouse*



*Image 2 Northeastern view of the pier*



*Image 3 Southeastern view of the pier*

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