Contents

1. Introduction and Background

1.1 The Cairngorms National Park is a place of international conservation value, where approximately 25% of the area is designated as Natura 2000 sites. The assessment of potential effects of development on these sites is therefore an important part of developing the Local Plan for the National Park. In light of recent European Court ruling, which confirmed that Article 6(3) and 6(4) of the Habitats Directive applies to development plans, and that development plans that are likely to have a significant effect on Special Protection Areas (SPAs) or Special Areas of Conservation (SACs) can only be approved after an appropriate assessment of the policies and proposals has been undertaken, the Cairngorms National Park Authority has prepared this report to assess the effects of the Cairngorms National Park Local Plan may have on European sites.

1.2 The assessment considers the likely impacts of the polices, proposals, and land use allocations within the modified deposit Local Plan against the qualifying interest and conservation objectives of the Natura 2000 sites. The assessment concludes that with appropriate safeguards and mitigation the finalised Local Plan as modified will not adversely affect the integrity of any Natura site in the Cairngorms National Park.

The Cairngorms National Park

1.3 The Cairngorms National Park was designated in 2003 by the Scottish Parliament because it satisfied the conditions for a National Park set out in the National Parks (Scotland) Act 2000:

National Parks (Scotland) Act 2000 section 2.2

a. That the area is of outstanding national importance because of its natural heritage, or the combination of its natural and cultural heritage;

b. That the area has a distinctive character and a coherent identity;

c. That designating the area as a National Park would meet the special needs of the area and would be the best means of ensuring that the National Park aims are collectively achieved in relation to the area in a co-ordinated way.

1.4 The Act also sets out four aims for National Parks in Scotland:

National Parks (Scotland) Act 2000 section 1

a. To conserve and enhance the natural and cultural heritage of the area;

b. To promote sustainable use of natural resources of the area;

c. To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public;

d. To promote sustainable economic and social development of the area's communities.

1.5 The four aims must be achieved collectively and in a co-ordinated way, and it is the statutory function of the Cairngorm National Park Authority to ensure this collective and co-ordinated approach

1.6 Map 1 shows the boundaries of the Cairngorms National Park. It extends to 1,467 square miles and covers part of four Local Authority Areas (Aberdeenshire, Angus, Highland and Moray). The Park is centred on the Cairngorms Mountains and extends to Grantown-on-Spey, Strathdon,

Ballater, the heads of the Angus Glens, and Dalwhinnie and Laggan.

2. The Cairngorms National Park and the Planning System

2.1 Unlike a local authority, the CNPA is not a full planning authority, but shares planning powers in the Park area with the four constituent local authorities. The Park Authority is responsible for preparing a Local Plan for the area, but only operates the development control function on applications that are considered to be of significance to the aims of the National Park.

2.2 Development Control functions within the National Park are shared by the Park Authority and the four constituent local authorities. Planning applications are made to the local authorities in the first instance, and the National Park Authority has a power to 'call-in' applications to be decided by the Park Authority where it considers they have some significance to the aims of the National Park. In practice, this has meant that so far the Park Authority has called in around 16 per cent of the planning applications within the National Park area for determination.

The Cairngorms National Park Local Plan

2.3 The Local Plan provides one of the National Park Authority's tools to ensure the delivery of objectives of the National Park Plan and the collective and co-ordinated delivery of the aims of the Park. It is intended to promote sustainable development in the Park through sustainable economic and social development of its communities, the sustainable use of its natural resources and the conservation, and where possible, the enhancement of its outstanding natural and cultural heritage.

2.4 The Local Plan comprises a Written Statement and Proposals Map. The Written Statement consists of a policy framework divided into three distinct sections. These reflect the divisions of the National Park Plan as Conserving and Enhancing the Park, Living and Working in the Park, and Enjoying and Understanding the Park. In addition there are proposals for each key settlement depicting land use designations.

2.5 The Local Plan takes its vision from the Park Plan.

The Cairngorms National Park Plan's Vision for the Park:
Imagine a world-class National Park – an outstanding environment in which the natural and cultural resources are cared for by the people who live there and visit; a renowned international destination with fantastic opportunities for all to enjoy its special places; an exemplar of sustainable development showing how people and place can thrive together. A National Park that makes a significant contribution to our local, regional and national identity.
This is our vision for the Cairngorms National Park in 2030.

2.6 To achieve this vision the Local Plan has a number of guiding principles which also guide the National Park Plan. In establishing these principles the Local Plan will delivery a framework for the future of the National Park.

- **Sustainable Development – A National Park for today and for the future**. All development will create a sustainable Park for people today and in the future, with a network of sustainable communities which have room to thrive but respect their heritage.
- **Social Justice – A National Park for all**. Development opportunities will be created which meet the needs of all, locally for people living and working in the Park, regionally to meet its role as a threshold to the Highlands and Royal Deeside, and nationally as a destination for visitors.
- **People Participating in the Park – A National Park for people**. Opportunities will be established for the National Park to engage everyone, both local people and visitors, to create a place which engenders a sense of citizenship and ownership.
- **Managing Change – A National Park open to ideas**. Development will take advantage of the most current opportunities, technologies and best practice, and the policy framework will allow for such developments to thrive.

- **Adding Value – A National Park that makes a difference**. The development process will build on a National Park to deliver a positive future and allow for initiatives and ideas to move forward in a timely way.

2.7 This vision is supported by the Park Plan's strategic objectives but it is the Outcomes for 2012 and Priorities for Action that provide the clearest indication of how this Local Plan must work towards the vision. The Local Plan is obviously only one of the delivery tools of the Park Plan, and is not itself enough to achieve the vision.

2.8 For a comprehensive list of the Park Plan's Outcomes for 2012 or Priorities for Action, the Park Plan itself is available from the offices of the Cairngorms National Park Authority or can be downloaded from: **www.cairngorms.co.uk**

3. Natura 2000 sites within the Cairngorms National Park

Special Conservation Areas (SAC)
Ballochbuie
Caenlochan
Cairngorms
Coyles of Muick
Creag Meagaidh
Creag nan Gamhainn
Dinnet Oakwood
Drumochter Hills
Glen Tanar
Greenhill of Strathdon
Insh Marshes
Kinveachy Forest
Ladder Hills
Monadliath
Morrone Birkwood
Morven and Mullachdubh
Muir of Dinnet
River Dee
River South Esk
River Spey

Special Protection Areas (SPA)
Abernethy Forest
Anagach Woods
Ballochbuie
Caenlochan
Cairngorms
Craigmore Wood
Creag Meagaidh
Drumochter Hills
Glen Tanar
Kinveachy Forest
Loch Vaa
Lochnagar
Muir of Dinnet
River Spey – Insh Marshes

Ramsar sites
Cairngorms Loch
Muir of Dinnet
River Spey – Insh Marshes

4. Method of Assessment

4.1 Working with our colleagues in Scottish Natural Heritage, each policy and settlement within the Local Plan has been screened to determine whether or not there would be an impact on Natura sites.

4.2 All Ramsar interests are safeguarded by assessing the impact on the overlapping SPA and SAC sites.

4.3 Those policies and settlement proposals not considered to have an impact have been identified and the reasoning highlighted. The remaining policies and settlement proposals have therefore been identified as requiring further consideration (see Tables 1 and 2).

4.4 The cumulative effects (what happens when many small effects are added together) of the policies and proposals on the aquatic Natura sites, including the Dee and Spey, have been highlighted as of particular concern due to their sensitivity to impacts arising from development.

Screening Process to identify Likely Significant Effect of on Natura 2000 sites

4.5 Table 1 lists all the policies of the Local Plan and identifies those where there is likely to be a significant effect on Natura sites. Where such an effect is identified Appropriate Assessment will be undertaken. The table also lists those policies where there is no likely significant effect and the reasoning for this decision is given.

4.6 Table 2 lists all settlements in a similar way

Table 1 – Likely Significant Effect of Policies

Policy Number	Policy	A/A Required	Reason
1	Development in the Cairngorms National Park	Yes	
2	Natura 2000 Sites	No	Safeguarding Policy
3	National Natural Heritage Designations	Yes	Mitigation of adverse effects on national designations could affect Natura 2000 features.
4	Other Important Natural and Earth Heritage sites and interests	Yes	Mitigation of adverse effects on other important interests could affect features in overlapping or nearby Natura 2000 sites.
5	Protected Species	No	Safeguarding Policy
6	Biodiversity	Yes	Compensatory or management measures could affect Natura 2000 features
7	Landscape	Yes	Mitigation of significant adverse effects on landscape character could affect Natura 2000 features.
8	Gardens and Designed Landscapes	Yes	Mitigation of significant adverse impacts on GDLs could affect features in overlapping & adjacent Natura 2000 sites.
9	Archaeology	Yes	Archaeological excavation could affect Natura 2000 features.
10	Listed Buildings	Yes	Construction or demolition could affect features in overlapping or nearby Natura 2000 sites, especially River SACs.
11	Conservation Areas	No	Sets out criteria for development affecting Listed Buildings
12	The Local and Wider Cultural Heritage of the Park	No	Sets out criteria for development affecting sites of local and wider cultural heritage
13	Water Resources	Yes	
14	Mineral and Soil/Earth Resources	Yes	
15	Contaminated Land	Yes	
16	Energy Generation	Yes	
17	Improvements to Settlements	Yes	
18	Design Standards for Development	No	Subsidiary policy that does not propose development. Sets standards for development proposed through other policies/proposals
19	Reducing Carbon Emissions in Development	No	Subsidiary policy that does not propose development. Sets standards for carbon emissions in development proposed through other policies/proposals
20	Developer Contributions	No	Relates to implementation of policies throughout the Plan, and does not propose development.
21	Contributions to Affordable Housing	No	Relates to implementation of policies throughout the Plan, and does not propose development.
22	Housing Development within Settlement Boundaries	Yes	
23	Housing Development in	Yes	

	Rural Building Groups		
24	Housing Proposals outside Settlements	Yes	
25	Replacement Houses	Yes	Demolition & construction could affect features in overlapping or nearby Natura 2000 sites, especially River SACs.
26	House Extensions and Alterations	Yes	Construction of extensions could affect features in overlapping or nearby Natura 2000 sites, especially River SACs.
27	Business Development	Yes	
28	Retail Development	Yes	
29	Conversion and reuse of Existing Traditional and Vernacular Buildings	Yes	Construction could affect features in overlapping or nearby Natura 2000 sites, especially River SACs.
30	Integrated and Sustainable Transport Network	Yes	
31	Telecommunications	Yes	
32	Waste Management	Yes	
33	Tourism Development	Yes	
34	Outdoor Access	Yes	
35	Formal Sport and Recreation Facilities	Yes	
36	Other Open Space Provision	Yes	

Table 2 - Likely Significant Effect of Settlements

Settlement	A/A Required	Natura site
An Camus Mor	Yes	River Spey SAC
Aviemore	Yes	River Spey SAC
Ballater	Yes	River Dee SAC
Grantown on Spey	Yes	Anagach Woods SPA
Kingussie	Yes	River Spey SAC, Insh Marshes SAC, River Spey - Insh Marshes SPA
Newtonmore	Yes	River Spey SAC, Insh Marshes SAC, River Spey - Insh Marshes SPA
Boat of Garten	Yes	Kinveachy Forest SPA Abernethy SPA Craigmore Wood SPA Cairngorm SPA
Carr-Bridge	Yes	River Spey SAC
Cromdale	Yes	River Spey SAC
Dalwhinnie	Yes	River Spey SAC
Dulnain Bridge	Yes	River Spey SAC
Kincraig	Yes	River Spey SAC River Spey & Insh Marshes SPA
Nethy Bridge	Yes	River Spey SAC, Abernethy SPA Craigmore Wood SPA
Tomintoul	No	No proximity to Natura
Braemar	Yes	River Dee SAC
Bellabeg	No	No proximity to Natura
Dinnet	Yes	River Dee SAC

Insh	Yes	River Spey & Insh Marshes SPA River Spey SAC, Insh Marshes SAC
Inverdruie	Yes	River Spey SAC

5. Assessment of likely significant effect on Natura Site

5.1 Table 3a and b set out an assessment of Local Plan policies and settlement proposals requiring further consideration as identified in Table 1 and 2. These tables highlight which policies and proposals are likely to have a significant effect on Natura sites and those where it is considered that there is no likely significant effect on the qualifying interests.

5.2 Where the table highlights that a policy is likely to have a significant effect on a Natura site then the policy has been examined in detail to assess the impact the wording of the policy of the conservation objectives of the designated site, and sensitivities of the relevant habitat or species. The wording of any such policies has been modified accordingly and these are listed in Table 5.

Table 3a **Likely significant effect on Natura by policy** **Natura Site**	Designation – SAC	Designation – SPA	Designation – Ramsar	**Policy**	1. Development in the Cairngorms National Park	3. National natural heritage designations	4. Other important natural and earth heritage sites & interests	6. Biodiversity	7. Landscape	8. Gardens & designed landscapes	9. Archaeology	10. Listed buildings	13. Water resources	14. Mineral and Soil/Earth Resources	15. Contaminated land	16. Energy Generation	17. Improvements to Settlements
Abernethy Forest		*			Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	N
Anagach Woods		*			Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	Y	N
Ballochbuie	*	*			Y	Y	Y	Y	Y	N	Y	N	N	Y	N	Y	N
Caenlochan	*	*			Y	Y	N	Y	Y	N	Y	N	N	N	N	Y	N
Cairngorms	*	*			Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	N
Cairngorms Loch			*		N	N	N	N	N	N	N	N	N	N	N	N	N
Coyles of Muick	*				Y	Y	N	Y	Y	N	Y	N	N	N	N	Y	N
Craigmore Wood		*			Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	N
Creag Meagaidh	*	*			Y	Y	Y	Y	Y	N	Y	N	N	N	N	Y	N
Creag nan Gamhainn	*				Y	Y	Y	Y	Y	N	Y	N	N	Y	N	Y	N
Dinnet Oakwood	*				Y	Y	Y	Y	Y	N	Y	N	N	Y	N	Y	N
Drumochter Hills	*	*			Y	Y	N	Y	Y	N	Y	N	N	Y	N	Y	N
Glen Tanar	*	*			Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	Y	N
Greenhill of Strathdon	*				Y	Y	Y	Y	Y	N	Y	N	N	Y	N	Y	N
Insh Marshes	*				Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y
Kinveachy Forest	*	*			Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	N
Ladder Hills	*				Y	Y	Y	Y	Y	N	Y	N	N	Y	N	Y	N
Loch Vaa		*			Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	Y	N
Lochnagar		*			Y	Y	Y	Y	Y	N	Y	N	N	N	N	Y	N
Monadliath	*				Y	Y	Y	Y	Y	N	Y	N	N	Y	N	Y	N
Morrone Birkwood	*				Y	Y	Y	Y	Y	N	Y	N	N	Y	N	Y	N
Morven & Mullachdubh	*				Y	Y	N	Y	Y	N	Y	N	N	N	N	Y	N
Muir of Dinnet	*	*	*		Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	Y	N
River Dee	*				Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
River South Esk	*				Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N
River Spey – Insh Marshes		*	*		Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N
River Spey	*				Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
The Maim	*				Y	Y	N	Y	Y	N	Y	N	N	Y	N	Y	N

Table 3a continued Likely significant effect on Natura by policy **Natura Site**	Designation – SAC	Designation – SPA	Designation –	**Policy**	22. Housing Development within Settlement	23. Housing Development in Rural Building	24. Housing Proposals outside	25. Replacement houses	26 House extensions and alterations	27. Business Development	28. Retail	29 Conversion and re-use of existing traditional and vernacular	30. Integrated and Sustainable Transport Network	31. Telecommunication	32. Waste	33. Tourism Development	34. Outdoor Access	35. Formal Sport and Recreation	36. Other Open Space Provision
Abernethy Forest		*			N	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Anagach Woods		*			N	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Ballochbuie	*	*			N	N	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Caenlochan	*	*			N	N	N	N	N	N	N	N	N	Y	N	Y	Y	N	N
Cairngorms	*	*			N	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Cairngorms Loch			*		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Coyles of Muick	*				N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N
Craigmore Wood		*			N	N	Y	N	N	Y	Y	N	N	Y	N	N	Y	N	N
Creag Meagaidh	*	*			N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N
Creag nan Gamhainn	*				N	N	Y	N	N	N	N	N	Y	Y	N	N	N	N	N
Dinnet Oakwood	*				N	N	Y	N	N	N	N	N	Y	N	N	N	Y	N	N
Drumochter Hills	*	*			N	N	Y	N	N	N	N	N	Y	Y	N	Y	Y	N	N
Glen Tanar	*	*			N	N	Y	N	N	Y	Y	Y	Y	Y	N	Y	Y	N	N
Greenhill of Strathdon	*				N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N
Insh Marshes	*				Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Kinveachy Forest	*	*			N	Y	Y	N	N	Y	Y	Y	Y	Y	Y	N	Y	N	N
Ladder Hills	*				N	N	Y	N	N	Y	Y	Y	Y	Y	N	Y	Y	N	N
Loch Vaa		*			N	N	Y	N	N	Y	Y	N	Y	N	Y	N	N	N	N
Lochnagar		*			N	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
Monadliath	*				N	N	N	N	N	N	N	N	N	Y	N	N	Y	N	N
Morrone Birkwood	*				N	N	Y	N	N	Y	Y	N	N	Y	N	Y	Y	N	Y
Morven & Mullachdubh	*				N	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
Muir of Dinnet	*	*	*		N	N	N	N	N	N	N	N	Y	Y	N	Y	Y	N	N
River Dee	*				Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
River South Esk	*				N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
River Spey – Insh Marshes		*	*		N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y

River Spey	*				Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
The Maim	*				N	N	N	N	N	N	N	N	Y	Y	N	N	N	N	N

Table 3b **Likely significant effect on Natura by settlement** **Natura Site**	Designation - SAC	Designation - SPA	Designation -	**Settlement**	An Camus Mor	Aviemore	Ballater	Grantown	Kingussie	Newtonmore	Boat of Garten	Carr-bridge	Cromdale	Dalwhinnie	Dulnain Bridge	Kincraig	Nethy Bridge	Braemar	Dinnet	Insh	Inverdruie
Abernethy Forest		*			N	N	N	N	N	N	Y	N	N	N	N	N	Y	N	N	N	N
Anagach Woods		*			N	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	N
Ballochbuie	*	*			N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Caenlochan	*	*			N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Cairngorms	*	*			N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N
Cairngorms Loch			*		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Coyles of Muick	*				N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Craigmore Wood		*			N	N	N	N	N	N	Y	N	N	N	N	N	Y	N	N	N	N
Creag Meagaidh	*	*			N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Creag nan Gamhainn	*				N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Dinnet Oakwood	*				N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Drumochter Hills	*	*			N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Glen Tanar	*	*			N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Greenhill of Strathdon	*				N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Insh Marshes	*				N	N	N	N	Y	Y	N	N	N	N	N	Y	N	N	N	Y	N
Kinveachy Forest	*	*			N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N
Ladder Hills	*				N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Loch Vaa		*			N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Lochnagar		*			N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Monadliath	*				N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Morrone Birkwood	*				N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Morven & Mullachdubh	*				N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Muir of Dinnet	*	*	*		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
River Dee	*				N	N	Y	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N
River South Esk	*				N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

River Spey – Insh Marshes		*	*		N	N	N	N	Y	Y	N	N	N	N	N	Y	N	N	N	Y	N
River Spey	*				Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y
The Maim	*				N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

6. Safeguarding Policies

6.1 Having established which policies might have an impact on Natura 2000 sites, it is important to remember that the Local Plan also contains a number of policies to protect these sites principally through policies 1 and 2.

Policy 1 Development in the Cairngorms National Park

a) Development will be supported where the aims of the Park are collectively achieved in a co-ordinated way, or where the objectives of designation and the overall integrity of the area are not compromised.

b) Development that would have any significant adverse effects on the special qualities of the Park will only be permitted if these are clearly outweighed by social or economic benefits of national importance and will be mitigated to the satisfaction of the planning authority by the enhancement of qualities or features of equal importance to the National Park.

c) Where development appears to cause conflict between the first aim of the Park and other National Park aims, greater weight will be given to the first aim – to conserve and enhance the natural and cultural heritage of the area.

d) Development that is likely to conflict with the second, third or fourth aims of the Park or lead to adverse effects on the Park's special qualities, will only be permitted where it is considered that these would be clearly outweighed by the development's likely positive contribution to one or more of the other aims and the Park's special qualities, and where satisfactory measures are incorporated to minimise, mitigate or compensate the adverse effects of the development.

e) Where the potential impacts of a proposal are uncertain, but where there is an evidence base to indicate that significant irreversible damage could occur either to the current environmental or social or economic situation, the precautionary principle shall be applied.

Policy 2 Natura 2000 Sites

Development likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment in accordance with the Conservation (Natural Heritage etc) Regulations 1994 (as amended). Where an assessment is unable to ascertain that a development will not adversely affect the integrity of the site, the development will only be permitted where:
a) there are no alternative solutions; and
b) there are imperative reasons of overriding public interest including those of a social or economic nature.

Where the site has been designated for a European priority habitat or species, development will only be permitted where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers).

6.2 These policies aim to protect sites designated as Natura from inappropriate development. Other safeguarding policies aim to offer some degree of protection through consideration of various aspects of development including impact on other natural heritage sties, impact on biodiversity, impact of development on the wider landscape and its various features and design standards for all development.

6.3 Further safeguarding mechanisms will be provided through forthcoming supplement planning guidance on a topic basis, and will include guidance on such things as renewable energy, sustainable development, area based masterplans and development briefs, and open space development.

6.4 In addition there are various mitigation measures that can be employed to reduce potential impacts of proposals, and these would extend to planning conditions and the use of design statements will all applications.

7. Assessment of Natura sites against policies and settlement proposals likely to have significant effects

Name of European Site	Abernethy Forest
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Capercaillie (Tetrao urogallus) • Osprey (Pandion haliaetus) • Scottish crossbill (Loxia scotica)
Policy assessment	**Effect on conservation objectives**
See Table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
Boat of Garten	A separate comprehensive assessment of this site concluded that it could not be demonstrated that increased disturbance to capercaillie from the proposed development would have no impact on the metapopulation of birds which also uses the nearby SPAs. Therefore the proposal risks adversely affecting the integrity of the SPAs. However, the assessment considers that implementation of mitigation outlined below would reduce disturbance to the extent that the proposal is unlikely to negatively affect the capercaillie within Boat of Garten Wood sufficiently to affect the maintenance of the populations as a viable component of the Natura sites, or their distribution within the Natura sites. The assessment concludes that so long as the recommended mitigation works were undertaken, the ability of Boat of Garten Wood to function as a potential 'stepping stone' for capercaillie would not be significantly impaired. The Local Plan should state that this mitigation should be part of an access management plan produced by the developers, and enforced via a Section 75 agreement with the Cairngorms National Park Authority or Highland Council (whichever determines any planning application). The necessary conditions or modifications required are:

	Condition: 1. The design of the development should not include any new direct access into the wood beyond (i.e. additional to the existing formal paths). Access could be provided via the existing tracks so that occupants of the houses have easy access to the wider woodland. Reason: To avoid creating new paths in the woodland, and therefore increasing the area of woodland which is effectively unavailable to capercaillie. 2. Operational controls should limit construction activity to the zoned area. Reason: To avoid noise and damage to the wider woodland. 3. Retention of trees on the boundary of the zoned area to act as screening. Reason: To screen the housing from the wider woodland. 4. Using signs to encourage people to stick to paths and keeps dogs on leads during the breeding season (a technique used elsewhere, eg Anagach Woods. Reason: to avoid disturbance to capercaillie in the wider woodland. (A full copy of this appropriate assessment is also available. *)*
Nethy Bridge	The Plan contains proposals for 63 new houses in Nethy Bridge. If they were all built, and all were occupied with an average household size for this village, this would result in an increase in the village's population of ~16%. This could in theory lead to an increase in numbers of people using the network of paths within Abernethy Forest SPA and potentially disturbing capercaillie. However, significant additional disturbance is not likely in practice for two reasons: 1. We do not have data on the proportions of recreational use in Abernethy Forest that are by local residents and by visitors. However, anecdotal evidence and local knowledge suggests that these paths are popular amongst both types of user. For this reason, a 16% increase in recreational use by local residents will translate into a lower overall increase in use. This scale of increase in recreational use – of say 10% -is well within the range of normal fluctuations that arise from other factors such as the weather, and economic factors affecting visitor numbers. 2. Even if there was an increase in the number of people taking recreation in Abernethy Forest, it is very likely that they would follow the existing popular promoted routes which are well managed and maintained. This management includes providing advice for people on avoiding disturbance to capercaillie at sensitive times of year. Habitual recreational use of well-designed track networks is not thought to significantly disturb capercaillie. These proposals will therefore not detract from meeting the site's conservation objectives.
Conclusion on site integrity	Implementing the recommended conditions or mitigation will not detract from meeting the conservation objectives and thus site integrity

	will not be adversely affected.

Name of European Site	Anagach Woods
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Capercaillie (Tetrao urogallus)
Policy assessment	**Effect on conservation objectives**
See Table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
Grantown-on-Spey	The Plan contains proposals for around 250 new houses in Grantown-on-Spey. If they were all built, and all were occupied as permanent homes with an average household size of for this area, this could result in a substantial (~27%) increase in the town's population. This could in theory lead to an increase in numbers of people using the network of paths within Anagach Woods SPA and potentially disturbing capercaillie. This network of paths is currently popular with both locals and visitors. However, significant additional disturbance is not likely in practice for two reasons: 1. a substantial increase in recreational use of Anagach is not likely because the sites proposed for new housing lie on the opposite (NW) side of the town. The new houses would thus be closer to the network of promoted paths in the area around the Dreggie and the former railway line, than they would be to the paths in Anagach Woods. People living in the houses would be generally more likely to walk on the local path network, with only a smaller proportion crossing town to walk in Anagach. 2. Even if there was an increase in the number of people walking in Anagach, it is most likely that they would follow the existing popular promoted routes which are well managed and maintained. This management includes providing advice for people on avoiding disturbance to capercaillie at sensitive times of year. Habitual

	recreational use of well-designed track networks is not thought to significantly disturb capercaillie. These proposals will therefore not detract from meeting the site's conservation objectives.
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Ballochbuie
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitats (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitats	• Blanket bog* • Bog Woodland* • Caledonian forest* • Dry heaths • Plants in crevices on acid rocks • Plants in crevices on base-rich rocks • Wet heathland with cross-leaved heath (* indicates priority habitat)
Site Type	**Special Area of Conservation**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Otter (Lutra lutra)
Site Type	**Special Protection Area**

Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Capercaillie (Tetrao urogallus) • Scottish crossbill (Loxia scotica)
Policy assessment	**Effect on conservation objectives**
See Table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on these sites. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the sites' conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/A	N/A
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Caenlochan
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitats (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitats	• Acidic scree • Alpine and subalpine heaths • Base-rich fens • Base-rich scree • Blanket bog* • Dry heaths

	• Grasslands on soils in heavy metals • High-altitude plant communities associated with areas of water seepage* • Montane acid grasslands • Mountain willow scrub • Plants in crevices on acid rocks • Plants in crevices on base-rich rocks • Species-rich grassland with mat-grass in upland areas* • Tall herb communities (*indicates priority habitat)
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extent of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Dotterel (Charadrius moninellus) • Golden eagle (Aquila chrysaetos)
Policy assessment	**Effect on conservation objectives**
See Table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on these sites. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the sites' conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Cairngorms
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitats (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site

	• Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitats	• Acid peat-strained lakes and ponds • Acidic scree • Alpine and subalpine heaths • Blanket bog* • Bog Woodland* • Caledonian forest* • Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels • Dry grasslands and scrublands on chalk or limestone • Dry heaths • Hard-water springs depositing lime* • High-altitude plant communities associated with areas of water seepage* • Juniper on heaths or calcareous grasslands • Montane acid grasslands • Mountain willow scrub • Plants in crevices on acid rocks • Plants in crevices on base-rich rocks • Species-rich grassland with mat-grass in upland areas* • Tall herb communities • Very wet mires often identified by an unstable 'quaking' surface • Wet heathland with cross-leaved heath (*indicates priority habitat)
Site Type	**Special Area of Conservation**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Green shield-moss (Buxbaumia viridis) • Otter (Lutra lutra)
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Capercaillie (Tetrao urogallus) • Dotterel (Charadrius moninellus) • Golden eagle (Aquila chrysaetos) • Merlin (Falco columbarius) • Osprey (Panion haliaetus) • Peregrine (Falco peregrinus) • Scottish crossbill (Loxia scotica)
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a –could in theory be likely to have a significant effect on these sites. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the sites' conservation objectives.
Settlement assessment	**Effect on conservation objectives**
Boat of Garten	A separate comprehensive assessment of this site concluded that it could not be demonstrated that increased disturbance to capercaillie from the proposed development would have no impact on the metapopulation of birds which also uses the nearby SPAs. Therefore the proposal risks adversely affecting the integrity of the SPAs. However, the assessment considers that implementation of mitigation outlined below would reduce disturbance to the extent that the proposal is unlikely to negatively affect the capercaillie within Boat of Garten Wood sufficiently to affect the maintenance of the populations as a viable component of the Natura sites, or their distribution within the Natura sites. The assessment concludes that so long as the recommended mitigation works were undertaken, the ability of Boat of Garten Wood to function as a potential 'stepping stone' for capercaillie would not be significantly impaired. The Local Plan should state that this mitigation should be part of an access management plan produced by the developers, and enforced via a Section 75 agreement with the Cairngorms National Park Authority or Highland Council (whichever determines any planning application). The necessary conditions or modifications required are: Condition: 1. The design of the development should not include any new direct access into the wood beyond (i.e. additional to the existing formal paths). Access could be provided via the existing tracks so that occupants of the houses have easy access to the wider woodland. Reason: To avoid creating new paths in the woodland, and therefore increasing the area of woodland which is effectively unavailable to capercaillie.

	2. Operational controls should limit construction activity to the zoned area. Reason: To avoid noise and damage to the wider woodland. 3. Retention of trees on the boundary of the zoned area to act as screening. Reason: To screen the housing from the wider woodland. 4. Using signs to encourage people to stick to paths and keeps dogs on leads during the breeding season (a technique used elsewhere, eg Anagach Woods. Reason: to avoid disturbance to capercaillie in the wider woodland. (A full copy of this appropriate assessment is also available.)
Conclusion on site integrity	Implementing the recommended conditions or mitigation will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Coyles of Muick
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitats (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitat	• Grasslands on soils rich in heavy metals
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Craigmore Wood
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Capercaillie (Tetrao urogallus)
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
Boat of Garten	A separate comprehensive assessment of this site concluded that it could not be demonstrated that increased disturbance to capercaillie from the proposed development would have no impact on the metapopulation of birds which also uses the nearby SPAs. Therefore the proposal risks adversely affecting the integrity of the SPAs. However, the assessment considers that implementation of mitigation outlined below would reduce disturbance to the extent that the proposal is unlikely to negatively affect the capercaillie within Boat of Garten Wood sufficiently to affect the maintenance of the populations as a viable component of the Natura sites, or their distribution within the Natura sites. The assessment concludes that so long as the recommended mitigation works were undertaken, the ability of Boat of Garten Wood to function as a potential 'stepping stone' for capercaillie would not be significantly impaired. The Local Plan should state that this mitigation should be part of an access management plan produced by the developers, and enforced via a Section 75 agreement with the Cairngorms National Park Authority or Highland Council (whichever determines any planning application). The necessary conditions or modifications required are: Condition: 1. The design of the development should not include any new direct access into the wood beyond (i.e. additional to the existing formal paths). Access could be provided via the existing tracks so that occupants of the houses have easy access to the wider woodland.

	Reason: To avoid creating new paths in the woodland, and therefore increasing the area of woodland which is effectively unavailable to capercaillie. 2. Operational controls should limit construction activity to the zoned area. Reason: To avoid noise and damage to the wider woodland. 3. Retention of trees on the boundary of the zoned area to act as screening. Reason: To screen the housing from the wider woodland. 4. Using signs to encourage people to stick to paths and keeps dogs on leads during the breeding season (a technique used elsewhere, eg Anagach Woods. Reason: to avoid disturbance to capercaillie in the wider woodland. (A full copy of this appropriate assessment is also available. *)*
Nethy Bridge	The Plan contains proposals for 63 new houses in Nethy Bridge. If they were all built, and all were occupied with an average household size for this village, this would result in an increase in the village's population of ~16%. This could in theory lead to an increase in numbers of people using the network of paths within Craigmore Wood SPA and potentially disturbing capercaillie. However, significant additional disturbance is not likely in practice for two reasons: 1. We do not have data on the proportions of recreational use in Craigmore Wood that are by local residents and by visitors. However, anecdotal evidence and local knowledge suggests that these paths are popular amongst both types of user. For this reason, a 16% increase in recreational use by local residents will translate into a lower overall increase in use. This scale of increase in recreational use – of say 10% -is well within the range of normal fluctuations that arise from other factors such as the weather, and economic factors affecting visitor numbers. 2. Even if there was an increase in the number of people taking recreation in this site, it is very likely that they would follow the existing promoted routes which are well managed and maintained. Habitual recreational use of well-designed track networks is not thought to significantly disturb capercaillie. These proposals will therefore not detract from meeting the site's conservation objectives.
Conclusion on site integrity	Implementing the recommended conditions or mitigation will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Creag Meagaidh
Site Type	**Special Area of Conservation**

Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitat	• Acidic scree • Alpine and subalpine heaths • Blanket bog* • Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels • Dry heaths • Montane acid grasslands • Mountain willow scrub • Plants in crevices on acid rocks • Plants in crevices on base-rich rocks • Tall herb communities • Wet heathland with cross-leaved heath (*indicates priority habitat)
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extent of habitats supporting the species • Structure, function and supporting process of habitats supporting the species No significant disturbance of the species
Qualifying Species	• Dotterel (Charadrius morinellus)
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on these sites. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the sites' conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site	Implementing the policies and proposals will not detract from meeting

integrity	the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Creag nan Gamhainn
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitat	• Hard-water strings depositing lime* (*indicates priority habitat)
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Dinnet Oakwood
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat

	• Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitat	• Western acidic oak woodland
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Drumochter Hills
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitats	• Acidic scree • Alpine and subalpine heaths • Blanket bog* • Dry heaths • Montane acid grasslands • Mountain willow scrub • Plants in crevices on acid rocks • Species-rich grassland with mat-grass in upland areas* • Tall herb communities • Wet heathland with cross-leaved heath (*indicates priority habitat)
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Dotterel (Charadrius moninellus) • Merlin (Falco columbarius)
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on these sites. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the sites' conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Glen Tanar
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitats	• Blanket bog* • Caledonian forest* • Dry heaths • Wet heathland with cross-leaved heath (*indicates priority habitat)
Site Type	**Special Area of Conservation**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Otter (Lutra lutra)
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Capercaillie (Tetrao urogallus) • Hen Harrier (Circus cyaneus) • Osprey (Pandion halietus) • Scottish crossbill (Loxia scotica)
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on these sites. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the sites' conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Greenhill of Strathdon
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitat	• Dry heaths • Grasslands on soils rich in heavy metals • Juniper on heaths or calcareous grasslands
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Insh Marshes
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitats	• Alder woodland on floodplains* • Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels • Very wet mires often identified by an unstable 'quaking' surface (* indicates priority habitat)
Site Type	**Special Area of Conservation**

Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Otter (Lutra lutra)
Policy assessment	**Effect on conservation objectives**
Policy 13 Water Resources	Implications of permitting new private sewage treatment systems. The combination of Policies 2 & 13, and the guidance in paragraphs 4.80 and 4.81 on implementing this policy, together theoretically provide good protection for the water quality in Insh Marshes from pollution from private wastewater treatment systems. In practice, however, there is no mechanism to monitor the discharge from private systems, and so to tell if they are still functioning effectively. It is therefore important that these Policies and the contents of paras 4.80 and 4.81 are applied rigorously in relation to proposals for new private waste water treatment systems in, and upstream of, the Insh Marshes catchment. The settlement proposals for the community of Insh, which is one of the communities within the catchment, states that 'Any growth must also take into account the capacity of infrastructure serving the settlement and wider area.' If this statement applies to public sewerage infrastructure, it may provide some additional protection for water quality in the Marshes by discouraging development proposals that cannot be accommodated by the existing sewerage infrastructure. Provided that the safeguards identified in the previous paragraph are adhered to closely, implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 14 Mineral & Soil /Earth Resources	In theory development in line with this policy could lead to impacts on the qualifying habitats, the qualifying species or the supporting habitats within this site if, during minerals extraction, physical or chemical contaminants were released into watercourses that flow into Insh Marshes. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this could be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 15 Contaminated Land	In theory development in line with this policy could lead to impacts on the qualifying habitats, the qualifying species or the supporting habitats

	within this site if, as a result of development on contaminated land, physical or chemical contaminants were released into watercourses that flow into Insh Marshes. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this could be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 32 Waste Management	In theory development in line with this policy could lead to impacts on the qualifying habitats, the qualifying species or the supporting habitats within this site if, during construction or operation of landfill sites or compost or energy from waste schemes, physical or chemical contaminants were released into watercourses that flow into Insh Marshes. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this could be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Other policies as identified in Table 3a	Implementation of a variety of other policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
Kingussie, Newtonmore and Insh (rural settlement)	In theory development in line with the proposals in Kingussie, Newtonmore and Insh could lead to impacts on the qualifying habitats, the qualifying species or the supporting habitats within this site if, during construction, physical or chemical contaminants were released into watercourses that flow into Insh Marshes. Development at Insh could also result in disturbance to otter. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this could be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction; and, at Insh, requiring otter surveys prior to submission of planning applications and designing developments to avoid damaging holts or disturbing these animals. Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Conclusion on site integrity	Provided that Policies 2 and 13, and further detail in paragraphs 4.80 and 4.81 are implemented rigorously as described above,

	implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Kinveachy Forest
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitats	• Bog woodland* • Caledonian forest* (* indicates priority habitat)
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Capercaillie (Tetrao urogallus) • Scottish crossbill (Loxia scotica)
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on these sites. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the sites' conservation objectives.
Settlement assessment	**Effect on conservation objectives**
Boat of Garten	A separate comprehensive assessment of this site concluded that it could not be demonstrated that increased disturbance to capercaillie

	from the proposed development would have no impact on the metapopulation of birds which also uses the nearby SPAs. Therefore the proposal risks adversely affecting the integrity of the SPAs. However, the assessment considers that implementation of mitigation outlined below would reduce disturbance to the extent that the proposal is unlikely to negatively affect the capercaillie within Boat of Garten Wood sufficiently to affect the maintenance of the populations as a viable component of the Natura sites, or their distribution within the Natura sites. The assessment concludes that so long as the recommended mitigation works were undertaken, the ability of Boat of Garten Wood to function as a potential 'stepping stone' for capercaillie would not be significantly impaired. The Local Plan should state that this mitigation should be part of an access management plan produced by the developers, and enforced via a Section 75 agreement with the Cairngorms National Park Authority or Highland Council (whichever determines any planning application). The necessary conditions or modifications required are: Condition: 1. The design of the development should not include any new direct access into the wood beyond (i.e. additional to the existing formal paths). Access could be provided via the existing tracks so that occupants of the houses have easy access to the wider woodland. Reason: To avoid creating new paths in the woodland, and therefore increasing the area of woodland which is effectively unavailable to capercaillie. 2. Operational controls should limit construction activity to the zoned area. Reason: To avoid noise and damage to the wider woodland. 3. Retention of trees on the boundary of the zoned area to act as screening. Reason: To screen the housing from the wider woodland. 4. Using signs to encourage people to stick to paths and keeps dogs on leads during the breeding season (a technique used elsewhere, eg Anagach Woods. Reason: to avoid disturbance to capercaillie in the wider woodland. (A full copy of this appropriate assessment is also available. *)*
Conclusion on site integrity	Implementing the recommended conditions or mitigation will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Ladder Hills
Site Type	**Special Area of Conservation**
Conservation	To avoid deterioration of the qualifying habitat (listed below) thus

Objectives	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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat No significant disturbance of typical species of the habitat
Qualifying Habitats	• Alpine and subalpine heaths • Blanket bog* • Dry heaths (*indicates priority habitat)
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Loch Vaa
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species No significant disturbance of the species
Qualifying species	• Slavonian grebe (Podiceps auritus)
Policy assessment	**Effect on conservation objectives**
Policy 13 Water Resources	**Implications of permitting new private sewage treatment systems**. The combination of Policies 2 & 13, and the guidance in paragraphs

	4.80 and 4.81 on implementing this policy, together theoretically provide good protection for the water quality in Loch Vaa from pollution from private wastewater treatment systems. In practice, however, there is no mechanism to monitor the discharge from private systems, and so to tell if they are still functioning effectively. It is therefore important that these Policies and the contents of paras 4.80 and 4.81 are applied rigorously in relation to proposals for new private waste water treatment systems in the Loch Vaa catchment. Provided that the safeguards identified in the previous paragraph are adhered to closely, implementation of this policy will not detract from meeting the site's conservation objectives.
Other policies as identified in Table 3a	Implementation of a variety of other policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Provided that Policies 2 and 13, and further detail in paragraphs 4.80 and 4.81 are implemented rigorously, implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Lochnagar
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Dotterel (Charadrius morinellus)
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement	**Effect on conservation objectives**

assessment	
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Monadhliath
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitat	• Blanket bog* (* indicates priority habitat)
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Morrone Birkwood
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term:

	• Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitats	• Alpine and subalpine heaths • Base-rich fens • Dry grasslands and scrublands on chalk or limestone • Hard-water springs depositing lime* • High-altitude plant communities associated with areas of water seepage* • Juniper on heaths or calcareous grasslands (*indicates priority habitat)
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Morven and Mullachdubh
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitat	• Juniper on heaths or calcareous grasslands
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on this site. In practice, any

	development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	Muir of Dinnet
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitats that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within the site • Structure and function of the habitat • Process supporting the site • Distribution of typical species of the habitat • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat
Qualifying Habitats	• Clear water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels • Degraded raised bogs • Dry heaths • Very wet mires often identified by an unstable 'quaking' surface
Site Type	**Special Area of Conservation**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Otter (Lutra lutra)
Site Type	**Special Protection Area**
Conservation	To avoid deterioration of the habitats of the qualifying species (listed

Objectives	below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Species	• Greylag goose (Anser anser) • Waterfowl assemblage
Site Type	**Ramsar Site**
Feature	• Greylag goose (Anser anser)
Site Description	The Muir of Dinnet Ramsar Site comprises two neighbouring freshwater lochs (Davan and Kinord) in the Deeside are of Aberdeenshire, Scotland. The entire area of the SPA falls within Muir of Dinnet SSSI and NNR.
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could in theory be likely to have a significant effect on these sites. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the sites' conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	River Dee
Site Type	**Special Area of Conservation**
Conservation Objectives	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 To ensure for the qualifying habitats that the following are maintained in the long term: • Population of the species, including range of genetic types for salmon, 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 to the species

	• Distribution and viability of freshwater pearl mussel host species • Structure, function and supporting processes of habitats supporting freshwater pearl mussel host species
Qualifying Interest(s)	• Atlantic salmon • Freshwater pearl mussel • Otter
Policy assessment	**Effect on conservation objectives**
Policy 13 water resources	**General** New development is likely to have a significant effect on the river Dee if it could result in a deterioration of water quality. This would either be as the result of an increase in the concentration of nutrients from discharges of waste water (from sewage works or private septic tanks); or pollutants from industrial/commercial sites, or surface water drainage from sites and from release of sediments. Location of development that could have an effect on the function of flood plains or lead to modification of river banks, could also be likely to have a significant effect, either directly or indirectly. The abstraction of water from the Dee and its tributaries to provide drinking water for new developments could also be likely to have a significant effect on the Dee, especially if it was to cause a reduction in water levels at low flow rates. **Implications of connecting new developments proposed in the Plan to the public sewerage network** Any proposals to increase the discharge from, or upgrade, existing public sewerage treatment plants, or to build new ones, as a consequence of the development proposals in the Local Plan could potentially affect water quality in the River Dee SAC, and the qualifying species. In particular, the last 'Site Condition Monitoring' survey revealed that the freshwater pearl mussel population was in unfavourable condition. Various suggestions have been put forward to explain the failure of the freshwater pearl mussel population to meet its conservation objectives. Amongst them are an increase in nutrient levels and river engineering. However, until further research has been undertaken, the cause of the deterioration remains unclear. It is therefore essential that Policy 13 is stringently adhered to in order to avoid compounding any problems that might be associated with, for example, the enrichment of watercourses in the catchment of the River Dee. Research specific to adult Freshwater Pearl Mussels identifies a sensitivity limit of 0.03mg/l Soluble Reactive Phosphorous to maintain the favourable conservation status of the species. The corresponding limits for juvenile Freshwater Pearl Mussel and Atlantic Salmon are not known. In practice all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by only granting planning permission if it can be demonstrated that the 0.03mg/l threshold for Soluble Reactive Phosphorous in-river will not be exceeded as a result of the proposed development. In addition, compliance monitoring can be used to ensure that discharges of harmful chemicals from domestic or commercial developments do not increase in the future. The policy requiring all developments to have SUDS schemes should prevent adverse effects from sediment and surface water discharges. In the

	longer term, in order to inform decisions on discharge consents further research is needed into the tolerances of the qualifying species to concentrations of different chemicals, and also into the sources of these chemicals and the paths by which they reach the river. **Implications of permitting new private sewage treatment systems**. The combination of Policies 2 & 13, and the guidance in paragraphs 4.80 and 4.81 on implementing this policy, together theoretically provide good protection for the water quality in the River Dee from pollution from private wastewater treatment systems. In practice, however, there is no mechanism to monitor the discharge from private systems, and so to tell if they are still functioning effectively. A study conducted by the Environment Agency in England and Wales showed that headwater streams often contain a diverse fauna that may include species not found in other parts of a catchment, but that headwater streams are often polluted by poorly maintained sewage treatment facilities attached to remote dwellings. It is therefore important that these Policies and the contents of paras 4.80 and 4.81 are applied rigorously in relation to proposals for new private waste water treatment systems in the Dee catchment, and that sufficient details are available on the construction and operation of such sewage treatment facilities to understand how they will operate to avoid an adverse effect, especially in combination with other developments. One of the ways this would be achieved is by only granting planning permission if it can be demonstrated that the 0.03mg/l threshold for Soluble Reactive Phosphorous in-river will not be exceeded as a result of the proposed development. Provided that the safeguards identified in the previous paragraphs are adhered to closely, implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 14 Mineral and Earth / soil Resources	In theory development in line with this policy could lead to impacts on the species or their supporting habitats within this site if, during minerals extraction, physical or chemical contaminants were released into watercourses that flow into the River Dee. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 15 Contaminated Land	In theory development in line with this policy could lead to impacts on the species or their supporting habitats within this site if, as a result of development on contaminated land, physical or chemical contaminants were released into watercourses that flow into the River Dee. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of

	sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 32 Waste Management	In theory development in line with this policy could lead to impacts on the species or their supporting habitats within this site if, during construction or operation of landfill sites or compost or energy form waste schemes, physical or chemical contaminants were released into watercourses that flow into the River Dee. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Other policies as identified in Table 3a	Implementation of a variety of other policies – identified in Table 3a – could theoretically have significant effects on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
Braemar	In theory development in line with the proposals in Braemar could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction, physical or chemical contaminants were released into watercourses that flow into the River Dee. In addition, C1 and H2 are within the 1 in 200 year flood risk area identified by SEPA, and any flood mitigation works required in order to develop these sites could also lead to impacts on the qualifying species or their supporting habitats. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction. Construction and development could also cause in theory cause disturbance to otter, but in practice planning applications have already been submitted for the two housing allocations where otters may have been an issue, and no further surveys are needed. Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Ballater	In theory development in line with the proposals in Ballater could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction, physical or chemical contaminants were released into watercourses that flow into the River Dee. This is a particular risk for development on sites ED1, ED2, and H1 which are adjacent to the SAC. In addition, H1 lies within the 1 in 200 year flood risk area identified by SEPA, and any flood mitigation works required in order to develop this site could also lead to impacts on the qualifying species or their supporting habitats. In practice, however, all

	development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction. Hence implementation of these proposals will not detract from meeting the site's conservation objectives. Some of the areas zoned as ENV (environmental) are alongside watercourses and may have positive effects on the SAC.
Dinnet	In theory development in line with the proposals in Dinnet could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction, physical or chemical contaminants were released into watercourses that flow into the River Dee. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction. Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Cumulative effects of policies and proposals	**Cumulative effects of supplying water to all the new developments proposed in the Plan.** An increase in water abstraction from the River Dee catchment could potentially have a number of effects on the SAC, depending on the amount to be abstracted and the location. These include affecting the ability of Atlantic salmon to migrate upstream and spawn, reducing available habitat and increasing the concentration of pollutants. We are not aware of how much water can be abstracted from the Dee catchment under the existing consents and what risk of impacts there might be if abstraction was up to the limit of existing consents. Neither are we aware if the consents would have to be revised to accommodate the increased housing proposed in this Plan. In practice, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by liaising with Scottish Water to establish how housing proposals would affect abstraction levels and then considering the risk of affecting salmon. If it cannot be ascertained that proposals for water abstraction to support new development will not adversely affect the SAC, alternative water sources will need to found.
Conclusion on site integrity	Provided that Policies 2 and 13, and further detail in paragraphs 4.80 and 4.81 are implemented rigorously as described above, implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European	River South Esk

Site	
Site Type	**Special Area of Conservation**
Conservation Objectives	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 To ensure for the qualifying habitats that the following are maintained in the long term: • Population of the species, including range of genetic types for salmon, 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 to the species • Distribution and viability of freshwater pearl mussel host species • Structure, function and supporting processes of habitats supporting freshwater pearl mussel host species
Qualifying Species	• Atlantic salmon • Freshwater pearl mussel
Policy assessment	**Effect on conservation objectives**
Policy 13 Water Resources	**General** New development is likely to have a significant effect on the River South Esk if it could result in a deterioration of water quality. This would either be as the result of an increase in the concentration of nutrients from discharges of waste water (from sewage works or private septic tanks); or pollutants from industrial/commercial sites, or surface water drainage from sites and from release of sediments. Location of development that could have an effect on the function of flood plains or lead to modification of river banks , could also be likely to have a significant effect, either directly or indirectly. The abstraction of water from the South Esk and its tributaries to provide drinking water for new developments could also be likely to have a significant effect on the South Esk, especially if it was to cause a reduction in water levels at low flow rates. **Implications of connecting new developments proposed in the Plan to the public sewerage network, and of permitting new private sewage treatment systems**. Any proposals to build new public sewerage treatment plants, or to permit new private sewage treatment systems as a consequence of the development proposals in the Local Plan could potentially affect water quality in the River South Esk SAC, and the qualifying species. In particular, research specific to adult Freshwater Pearl Mussels identifies a sensitivity limit of 0.03mg/l Soluble Reactive Phosphorous to maintain the favourable conservation status of the species. The corresponding limits for juvenile Freshwater Pearl Mussel or Atlantic Salmon are not known. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by only granting

	planning permission if it can be demonstrated that the 0.03mg/l threshold for Soluble Reactive Phosphorous in-river will not be exceeded as a result of the proposed development. In addition, compliance monitoring of any new public sewerage treatment plant can be used to ensure that discharges of harmful chemicals do not increase in the future. In the longer term, in order to inform decisions on discharge consents further research is needed into the tolerances of the qualifying species to concentrations of different chemicals, and also into the sources of these chemicals and the paths by which they reach the river. The combination of Policies 2 & 13, and the guidance in paragraphs 4.80 and 4.81 on implementing this policy, together theoretically provide good protection for the water quality in the River South Esk from pollution from private wastewater treatment systems. In practice, however, there is no mechanism to monitor the discharge from private systems, and so to tell if they are still functioning effectively. A study conducted by the Environment Agency in England and Wales showed that headwater streams often contain a diverse fauna that may include species not found in other parts of a catchment, but that headwater streams are often polluted by poorly maintained sewage treatment facilities attached to remote dwellings. It is therefore important that these Policies and the contents of paras 4.80 and 4.81 are applied rigorously in relation to proposals for new private waste water treatment systems in the South Esk catchment. Provided that the safeguards identified in the two previous paragraphs are adhered to closely, implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 14 Mineral and Earth / soil Resources	In theory development in line with this policy could lead to impacts on the qualifying species or their supporting habitats within this site if, during minerals extraction, physical or chemical contaminants were released into watercourses that flow into the River South Esk. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Other policies as identified in Table 3a	Implementation of a variety of other policies – identified in Table 3a – could theoretically have significant effects on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Provided that Policies 2 and 13, and further detail in paragraphs 4.80 and 4.81 are implemented rigorously, implementing the policies and

	proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	River Spey – Insh Marshes
Site Type	**Special Protection Area**
Conservation Objectives	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 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 the site • Distribution and extend of habitats supporting the species • Structure, function and supporting process of habitats supporting the species • No significant disturbance of the species
Qualifying Interest(s)	• Hen harrier (Circus cyaneus) • Osprey (Pandion haliaetus) • Spotted crake (Porzana porzana) • Whooper swan (Cygnus Cygnus) • Wigeon (Anus Penelope) • Woodsandpiper (Tringa galeola)
Site Type	**Ramsar Site**
Feature	• Breeding bird assemblage
	• Flood-plain fen
	• Mesotropic loch
	• Tropic range river/stream
	• Whooper swan (Cygnus Cygnus)
Site description	The River Spey-Insh Marshes site is a mosaic of freshwater wetland habitats. The River Spey is considered to be a unique example in Britain of a large, high altitude, but slow flowing river. Loch Insh is, however, noted for its exceptionally rapid water turnover and is an excellent example of a mesotrophic loch, an uncommon type in Britain. The Insh Marshes form the largest, most northerly, single-unit flood-plain mire of the poor fen type in Great Britain. The boundaries of the Ramsar site are coincident with those of the River Spey-Insh Marshes SSSI.
Policy assessment	**Effect on conservation objectives**
Policy 13 Water Resources	**Implications of connecting new developments around or upstream of Loch Insh that are proposed in the Plan to the public sewerage network** Any proposals to increase the discharge from, or upgrade, existing public sewerage treatment plants, or to build new ones, as a consequence of the development proposals in the Local Plan could potentially affect water quality in River Spey – Insh Marshes SPA, and the qualifying species. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be

	achieved is by using compliance monitoring to ensure that discharges of harmful chemicals do not increase in the future. **Implications of permitting new private sewage treatment systems**. The combination of Policies 2 & 13, and the guidance in paragraphs 4.80 and 4.81 on implementing this policy, theoretically provide good protection for the water quality in River Spey – Insh Marshes from pollution from private wastewater treatment systems. In practice, however, there is no mechanism to monitor the discharge from private systems, and so to tell if they are still functioning effectively. It is therefore important that these Policies and the contents of paras 4.80 and 4.81 are applied rigorously in relation to proposals for new private waste water treatment systems in, and upstream of, the Loch Insh catchment. Provided that the safeguards identified in the two previous paragraphs are adhered to closely, implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 14 Mineral and Soil / earth Resources	In theory development in line with this policy could lead to impacts on the structure, function and supporting process of habitats supporting the qualifying species within this site if, during minerals extraction, physical or chemical contaminants were released into watercourses that flow into Insh Marshes. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 15 Contaminated Land	In theory development in line with this policy could lead to impacts on the structure, function and supporting process of habitats supporting the qualifying species within this site if, as a result of development on contaminated land, physical or chemical contaminants were released into watercourses that flow into Insh Marshes. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 32 Waste Management	In theory development in line with this policy could lead to impacts on the structure, function and supporting process of habitats supporting the qualifying species within this site if, during construction or operation of landfill sites or compost or energy form waste schemes, physical or chemical contaminants were released into watercourses that flow into Insh Marshes. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by means of a

	condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during construction and operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Other policies as identified in Table 3a	Implementation of a variety of other policies – identified in Table 3a – could theoretically have significant effects on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
Kingussie, Newtonmore and Insh (rural settlement)	In theory development in line with the proposals in Kingussie, Newtonmore and Insh could lead to impacts on the structure, function and supporting process of habitats supporting the qualifying species within this site if, during construction, physical or chemical contaminants were released into watercourses that flow into Insh Marshes, or into the Spey and thence to Insh Marshes. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction. Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Conclusion on site integrity	Provided that Policies 2 and 13, and further detail in paragraphs 4.80 and 4.81 are implemented rigorously, implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	River Spey
Site Type	**Special Area of Conservation**
Conservation Objectives	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 To ensure for the qualifying habitats that the following are maintained in the long term: • Population of the species, including range of genetic types for salmon, 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 to the species • Distribution and viability of freshwater pearl mussel host species

	• Structure, function and supporting processes of habitats supporting freshwater pearl mussel host species
Qualifying Interest(s)	• Atlantic salmon • Freshwater pearl mussel • Otter • Sea lamprey
Policy assessment	**Effect on conservation objectives**
Policy 13 Water Resources	**General** New development is likely to have a significant effect on the River Spey if it could result in a deterioration of water quality. This would either be as the result of an increase in the concentration of nutrients from discharges of waste water (from sewage works or private septic tanks); or pollutants from industrial/commercial sites, or surface water drainage from sites and from release of sediments. Location of development that could have an effect on the function of flood plains or lead to modification of river banks, could also be likely to have a significant effect, either directly or indirectly. The abstraction of water from the Spey and its tributaries to provide drinking water for new developments could also be likely to have a significant effect on the Spey, especially if it was to cause a reduction in water levels at low flow rates. **Implications of connecting new developments proposed in the Plan to the public sewerage network** Any proposals to increase the discharge from, or upgrade, existing public sewerage treatment plants, or to build new ones, as a consequence of the development proposals in the Local Plan could potentially affect water quality in the River Spey SAC, and the qualifying species. In particular, research specific to adult Freshwater Pearl Mussels identifies a sensitivity limit of 0.03mg/l Soluble Reactive Phosphorous to maintain the favourable conservation status of the species. The corresponding limits for juvenile Freshwater Pearl Mussel, Atlantic Salmon or Sea Lamprey are not known. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by only granting planning permission if it can be demonstrated that the 0.03mg/l threshold for Soluble Reactive Phosphorous in-river will not be exceeded as a result of the proposed development. In addition, compliance monitoring can be used to ensure that discharges of harmful chemicals do not increase in the future. In the longer term, in order to inform decisions on discharge consents further research is needed into the tolerances of the qualifying species to concentrations of different chemicals, and also into the sources of these chemicals and the paths by which they reach the river. **Implications of permitting new private sewage treatment systems**. The combination of Policies 2 & 13, and the guidance in paragraphs 4.80 and 4.81 on implementing this policy, theoretically provide good protection for the water quality in the River Spey from pollution from private wastewater treatment systems. In practice, however, there is no mechanism to monitor the discharge from private systems, and so to tell if they are still functioning effectively. A study conducted by the

	Environment Agency in England and Wales showed that headwater streams often contain a diverse fauna that may include species not found in other parts of a catchment, but that headwater streams are often polluted by poorly maintained sewage treatment facilities attached to remote dwellings. It is therefore important that these Policies and the contents of paras 4.80 and 4.81 are applied rigorously in relation to proposals for new private waste water treatment systems in the Spey catchment. Provided that the safeguards identified in the two previous paragraphs are adhered to closely, implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 14 Mineral and Earth / soil Resources	In theory development in line with this policy could lead to impacts on the qualifying species or their supporting habitats within this site if, during minerals extraction, physical or chemical contaminants were released into watercourses that flow into the River Spey. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 15 Contaminated Land	In theory development in line with this policy could lead to impacts on the qualifying species or their supporting habitats within this site if, as a result of development on contaminated land, physical or chemical contaminants were released into watercourses that flow into the River Spey. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Policy 32 Waste Management	In theory development in line with this policy could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or operation of landfill sites or compost or energy form waste schemes, physical or chemical contaminants were released into watercourses that flow into the River Spey. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is by means of a condition attached to any grant of planning permission requiring approval of a method statement designed to avoid releases of sediment or chemicals into watercourses during construction and operation. Hence implementation of this policy will not detract from meeting the site's conservation objectives.
Other policies as identified in Table 3a	Implementation of a variety of other policies – identified in Table 3a – could theoretically have significant effects on this site. In practice, any development proposals will have to comply with Policy 2, which

	protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
An Camus Mor	In theory development in line with the proposals in An Camus Mor could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. Construction and development could also cause disturbance to otter. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction; to ensure that there is no potential for otter to become entangled in construction materials (eg overnight); and requiring otter surveys prior to submission of planning applications and designing developments to avoid damaging holts or disturbing these animals. Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Aviemore	In theory development in line with the proposals in Aviemore could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. Developments on sites H1, H2, H3 and ED3 have the greatest potential to cause such impacts as a result of their proximity to the Spey and its tributaries. Construction on sites H1 and ED3 could also cause disturbance to otter. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction; and to ensure that there is no potential for otter to become entangled in construction materials (eg overnight). In addition, otter surveys could be required prior to submission of planning applications on sites H1 and ED3, and the results used to design developments to avoid damaging holts or disturbing these animals. Hence implementation of these proposals will not detract from meeting the site's conservation objectives. Some of the areas zoned as ENV (environmental) are alongside watercourses and may have positive effects on the SAC.
Kingussie	In theory development in line with the proposals in Kingussie could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural

	Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction. Hence implementation of these proposals will not detract from meeting the site's conservation objectives. Some of the areas zoned as ENV (environmental) are alongside watercourses and may have positive effects on the SAC.
Newtonmore	In theory development in line with the proposals in Newtonmore could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. Development on sites ED3 and H2 have the greatest potential to cause such impacts as a result of their proximity to the Spey. Development on site ED3 could also cause disturbance to otter. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction; and to ensure that there is no potential for otter to become entangled in construction materials (eg overnight). In addition, otter surveys could be required prior to submission of planning applications on site ED3, and the results used to design developments to avoid damaging holts or disturbing these animals. Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Boat of Garten	In theory development in line with the proposals in Boat of Garten could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction. Hence implementation of these proposals will not detract from meeting the site's conservation objectives. The area zoned as ENV (environmental) is close to the Spey and may have positive effects on the SAC.
Carr-bridge	In theory development in line with the proposals in Carr-bridge could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. Construction could also cause disturbance to otter. Development on sites ED1 and ED2 have the greatest potential to cause such impacts as a result of their proximity to the Spey. In addition, part of ED 2 appears

	to be within the 1 in 200 year flood risk area identified by SEPA, and any flood mitigation works required in order to develop this site could also lead to impacts on the qualifying species or their supporting habitats. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction; and to ensure that there is no potential for otter to become entangled in construction materials (eg overnight). Hence implementation of these proposals will not detract from meeting the site's conservation objectives. Some of the areas zoned as ENV (environmental) are alongside watercourses and may have positive effects on the SAC.
Cromdale	In theory development in line with the proposals in Cromdale could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. Construction could also cause disturbance to otter. Development on site ED1 has the greatest potential to cause such impacts as a result of its adjacency to the Spey, and part of the site appears to be within the 1 in 200 year flood risk area identified by SEPA. Any flood mitigation works required in order to develop this site could also lead to impacts on the qualifying species or their supporting habitats. Development on site ED1 could also cause disturbance to otter. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction; and to ensure that there is no potential for otter to become entangled in construction materials (eg overnight). In addition, otter surveys could be required prior to submission of planning applications on site ED1, and the results used to design developments to avoid damaging holts or disturbing these animals. Hence implementation of these proposals will not detract from meeting the site's conservation objectives. The area zoned as ENV (environmental) is alongside the Burn of Cromdale and may have positive effects on the SAC.
Dalwhinnie	In theory development in line with the proposals in Dalwhinnie could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. Construction could also cause disturbance to otter. Development on sites ED2 and ED3 have the greatest potential to cause such impacts as a result of their proximity to the Spey and its tributaries. In addition, part of H1, H2, H3 and ED 2 appear to be within the 1 in 200 year flood risk

	area identified by SEPA, and any flood mitigation works required in order to develop these sites could also lead to impacts on the qualifying species or their supporting habitats. Development on site ED2 could also cause disturbance to otter. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction; and to ensure that there is no potential for otter to become entangled in construction materials (eg overnight). In addition, otter surveys could be required prior to submission of planning applications on site ED1, and the results used to design developments to avoid damaging holts or disturbing these animals. Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Dulnain Bridge	In theory development in line with the proposals in Dulnain Bridge could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. Construction could also cause disturbance to otter. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction; and to ensure that there is no potential for otter to become entangled in construction materials (eg overnight). Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Kincraig	In theory development in line with the proposals in Kincraig could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction. Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Nethy Bridge	In theory development in line with the proposals in Nethy Bridge could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. Construction could also cause disturbance to otter. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways

	this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction; and to ensure that there is no potential for otter to become entangled in construction materials (eg overnight). Hence implementation of these proposals will not detract from meeting the site's conservation objectives. Some of the areas zoned as ENV (environmental) are alongside watercourses and may have positive effects on the SAC.
Insh (rural settlements)	In theory development in line with the proposals in Insh could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction. Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Inverdruie (rural settlements)	In theory development in line with the proposals in Inverdruie could lead to impacts on the qualifying species or their supporting habitats within this site if, during construction or subsequently, physical or chemical contaminants were released into the River Spey. Construction could also cause disturbance to otter. In addition much of Inverdruie is within the 1 in 200 year flood risk area identified by SEPA. If plans for a new water supply for Badenoch and Strathspey come to fruition, the risk of flooding in Inverdruie could be exacerbated as the flow in the River Druie may return to a natural or near natural flow regime once abstraction from Loch Einich ceases. Any proposals for flood mitigation in this settlement could lead to impacts on the qualifying species or their supporting habitats within the River Spey SAC. In practice, however, all development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). One of the ways this would be achieved is, for applications that involve ground disturbance near to watercourses, identifying appropriate guidance for developers to follow to avoid releases of sediment or chemicals into watercourses during construction; to ensure that there is no potential for otter to become entangled in construction materials (eg overnight); and requiring otter surveys prior to submission of planning applications and designing developments to avoid damaging holts or disturbing these animals.. Hence implementation of these proposals will not detract from meeting the site's conservation objectives.
Cumulative effects of policies and proposals	**Cumulative effects of supplying water to all the new developments proposed in the Plan.** The appropriate assessment for the proposed new water supply for Badenoch and Strathspey will consider the effects of abstracting the water needed to supply the new development proposed in this Local

	Plan on the River Spey SAC. This assessment is not duplicated here. In the longer term, in order to inform decisions on future water abstractions, further consideration is needed of the effects of abstraction on water quantities in the Spey, whether abstraction-induced changes are likely to be mitigated or exacerbated by the effects of climate change, and the tolerances of the qualifying species to changes in water quantity. The cumulative effects of the waste water treatment arrangements and their associated discharges associated with the new developments proposed in the Plan are considered with the effects of Policy 13 above.
Conclusion on site integrity	Provided that Policies 2 and 13, and further detail in paragraphs 4.80 and 4.81 are implemented rigorously, implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

Name of European Site	The Maim
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the qualifying habitat (listed below) 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 habitat that the following are maintained in the long term: • Extent of the habitat on site • Distribution of the habitat within site • Structure and function of the habitat • Processes supporting the habitat • Distribution of typical species of the habitat • Viability of typical species of the habitat • No significant disturbance of typical species of the habitat
Qualifying Interest(s)	• Dry heaths
Policy assessment	**Effect on conservation objectives**
See table 3a	Implementation of a variety of policies – identified in Table 3a – could theoretically have significant effects on this site. In practice, any development proposals will have to comply with Policy 2, which protects Natura sites in accordance with the Conservation (Natural Heritage etc) Regulations1994 (as amended). Hence the Local Plan will not detract from meeting the site's conservation objectives.
Settlement assessment	**Effect on conservation objectives**
N/a	N/a
Conclusion on site integrity	Implementing the policies and proposals will not detract from meeting the conservation objectives and thus site integrity will not be adversely affected.

8. Policy Modifications

8.1 In light of the appropriate assessments of the Natura 2000 some mitigations are necessary to ensure that the Local Plan proposals can be implemented without adversely affecting the integrity of the sites for their qualifying interests.

8.2 There are no modifications to the policies needed as a result of this appropriate assessment, provided that Policy 2 (Natura) is implemented in line with the various planning conditions recommended in Section 7. This assessment also identifies that it is particularly important that Policy 13 (water resources), and the provisions in paras 4.80 & 4.81 accompanying that Policy, are strictly implemented in order to address specific vulnerabilities of the River and Loch-based sites to abstraction and increased chemical (particularly phosphorous) and sediment loading.

8.3 In regard to settlement proposals specific mitigation measures have been highlighted in reference to the Boat of Garten Housing proposals. The inclusion of the necessary text to secure the necessary mitigation measures has been added to the text regarding this site.

9. Conclusions

9.1 The Cairngorms National Park Local Plan policies and settlement proposals have been assessed to consider whether they would be likely to have a significant effect on Natura 2000 sites.

9.2 Tables have been completed to highlight the policies and settlement proposals which would have no significant effects and those where there is likely to be a significant effect. Those likely to have a significant effect on the qualifying interests of the sites have been subject to an appropriate assessment to consider in more detail the specific sensitivities of each site against the conservation objectives of the qualifying interests.

9.3 The assessment concludes that the Cairngorms National Park Local Plan will not adversely affect the integrity of the Natura sites. However the assessment recognises that additional safeguarding and mitigation will be needed to safeguard the qualifying interests. These mitigations are set out in Table 5 and are in addition to the formal policy modifications set out in Table 1. Further detailed assessments will also be required for individual proposals at the planning application stage

9.4 It is therefore concluded that with the modifications set out in Table 1 and 5 the policies and proposals of the Local Plan can be implemented without adversely affecting the integrity of any of the Natura 2000 sites within the Cairngorms National Park.