Agenda item 5

Appendix 2

2026/0135/DET

Habitats regulations appraisal

HABITATS REGULATIONS APPRAISAL

Planning reference and proposal information	**2026/0135/DET** **Proposed mountain toboggan track and associated structures, buildings, platforms, landscaping and infrastructure works** **Land 284M East of Cairngorm Mountain Glenmore Aviemore**
Appraised by	Scott Shanks, Ecological Advice Officer
Date	11 June 2026 **Updated 30 October 2026**
Checked by	Kirsty North – NatureScot Operations Officer
Date	2 November 2026

INFORMATION

European site details

Name of European site(s) potentially affected

1) River Spey SAC (approximately 800m from development boundary)

2) Cairngorm SAC (approximately 350m from development boundary)

3) Cairngorm SPA (approximately 350m from development boundary)

3) Cairngorms Massif SPA (approximately 2.6km from development boundary)

Qualifying interest(s)

1) River Spey SAC

Otter

Freshwater pearl mussel (FWPM)

Sea lamprey

Atlantic salmon

2) Cairngorms SAC

Alpine and subalpine heaths

High-altitude plant communities associated with areas of water seepage

Blanket bog

Bog woodland

Plants in crevices on base-rich rocks

Caledonian forest

Dry heaths

Tall herb communities

Juniper on heaths of calcareous grasslands

Acid peat-stained lakes and ponds,

Wet heathland with cross-leaved heath

Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels,

Hard-water springs depositing lime

Dry grasslands and scrublands on chalk or limestone

Montane acid grasslands

Plants in crevices on acid rocks

Acidic scree

Species-rich grasslands with mat-grass in upland areas,

Mountain willow scrub

Very wet mires often identified by an unstable 'quaking' surface

Otter

Green shield-moss

3) Cairngorms SPA

Capercaillie

Dotterel

Golden Eagle

Merlin

Osprey

Peregrine

Scottish crossbill

4) Cairngorms Massif SPA

Golden eagle

1) River Spey SAC

Conservation Objective 2. To ensure that the integrity of the River Spey SAC is restored by meeting objectives 2a, 2b, 2c for each qualifying feature (and 2d for freshwater pearl mussel):

2b. Restore the distribution of **freshwater pearl mussel** throughout the site

2c. Restore the habitats supporting **freshwater pearl mussel** within the site and availability of food

2d. Restore the distribution and viability of **freshwater pearl mussel** host species and their supporting habitats

2a. Restore the population of **freshwater pearl mussel** as a viable component of the site

2b. Maintain the distribution of **sea lamprey** throughout the site

2c. Maintain the habitats supporting **sea lamprey** within the site and availability of

food

2a. Maintain the population of **sea lamprey** as a viable component of the site

2b. Restore the distribution of **Atlantic salmon** throughout the site

2c. Restore the habitats supporting **Atlantic salmon** within the site and availability of food

2a. Restore the population of **Atlantic salmon**, including range of genetic types, as a viable component of the site

2b. Maintain the distribution of **otter** throughout the site

2c. Maintain the habitats supporting **otter** within the site and availability of food

2a. Maintain the population of **otter** as a viable component of the site

Conservation Objective 1. To ensure that the qualifying features of the River Spey SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.

2) Cairngorms SAC

Conservation Objective 2. To ensure that the integrity of Cairngorms SAC is restored by meeting objectives 2a, 2b and 2c for each qualifying feature.

2a. Maintain the extent and distribution of **Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels** within the site

2b. Maintain the structure, function and supporting processes of the **Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels**

2c. Maintain the distribution and viability of typical species of the **Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels**

2a. Maintain the extent and distribution of **Acid peat-stained lakes and ponds** within the site

2b. Maintain the structure, function and supporting processes of **Acid peat-stained lakes and ponds**

2c. Maintain the distribution and viability of typical species of **Acid peat-stained lakes**

and ponds

2a. Maintain the extent and distribution of **Wet heathland with cross-leaved heath** within the site

2b. Maintain the structure, function and supporting processes of **Wet heathland with cross-leaved heath**

2c. Maintain the distribution and viability of typical species of **Wet heathland with cross-leaved heath**

2a. Maintain the extent and distribution of **European dry heaths** within the site

2b. Maintain the structure, function and supporting processes of **European dry heaths**

2c. Maintain the distribution and viability of typical species of **European dry heaths**

2a. Maintain the extent and distribution of **Alpine and Boreal heaths** within the site

2b. Maintain the structure, function and supporting processes of the **Alpine and Boreal heath**

2c. Maintain the distribution and viability of typical species of the **Alpine and boreal heath**

2a. Restore the extent and distribution of **Mountain willow scrub** within the site

2b. Restore the structure, function and supporting processes of **Mountain willow scrub**

2c. Restore the distribution and viability of typical species of **Mountain willow scrub**

2a. Maintain the extent and distribution of **Juniper on heaths or calcareous grasslands** within the site.

2b. Maintain the structure, function and supporting processes of **Juniper on heaths or calcareous grasslands**

2c. Maintain the distribution and viability of typical species of **Juniper on heaths or calcareous grasslands**

2a. Maintain the extent and distribution of **Montane acid grasslands** within the site.

2b. Maintain the structure, function and supporting processes of **Montane acid grasslands**

2c. Maintain the distribution and viability of typical species of **Montane acid grasslands**

2a. Maintain the extent and distribution **of Dry grasslands and scrublands on chalk or limestone** within the site.

2b. Restore the structure, function and supporting processes of **Dry grasslands and scrublands on chalk or limestone.**

2c. Maintain the distribution and viability of typical species of **Dry grasslands and scrublands on chalk or limestone**

2a. Maintain the extent and distribution of **Species-rich grasslands with mat-grass in upland areas** within the site

2b. Restore, the structure, function and supporting processes of **Species-rich grasslands with mat-grass in upland areas**

2c. Restore the distribution and viability of typical species of **Species-rich grasslands with mat-grass in upland areas**

2a. Maintain the extent and distribution of **Tall herb communities** within the site

2b. Maintain the structure, function and supporting processes of **Tall herb communities**

2c. Maintain the distribution and viability of typical species of **Tall herb communities**

2a. Maintain the extent and distribution of **Blanket bog** within the site

2b. Restore the structure, function and supporting processes of **Blanket bog**

2c. Restore the distribution and viability of typical species of **Blanket bog**

2a. Maintain the extent and distribution of **Very wet mires often identified by an unstable 'quaking' surface** within the site

2b. Maintain the structure, function and supporting processes of **Very wet mires often identified by an unstable 'quaking' surface**

2c. Maintain the distribution and viability of typical species of **Very wet mires often identified by an unstable 'quaking' surface**

2a. Maintain the extent and distribution of **Hard water springs depositing lime** within the site

2b. Maintain the structure, function and supporting processes of **Hard water springs depositing lime**

2c. Maintain the distribution and viability of typical species of **Hard water springs depositing lime**

2a. Maintain the extent and distribution of **High-altitude plant communities associated with water seepage** within the site

2b. Maintain the structure, function and supporting processes of **High-altitude plant communities associated with water seepage**

2c. Maintain the distribution and viability of typical species of **High-altitude plant communities associated with water seepage**

2a. Maintain the extent and distribution of **Acidic scree** within the site

2b. Maintain the structure, function and supporting processes of Acidic scree

2c. Maintain the distribution and viability of typical species of **Acidic scree**

2a. Maintain the extent and distribution of **Plants in crevices on acid rocks** within the site

2b. Maintain the structure, function and supporting processes of **Plants in crevices on acid rocks**

2c. Maintain the distribution and viability of typical species of **Plants in crevices on acid rocks**

2a. Maintain the extent and distribution of **Plants in crevices on base-rich rocks** within the site

2b. Restore the structure, function and supporting processes of **Plants in crevices on base-rich rocks**

2c. Restore the distribution and viability of typical species of **Plants in crevices on base-rich rocks**

2a. Restore the extent and distribution of **Caledonian forests** within the site

2b. Restore the structure, function and supporting processes of **Caledonian forests**

2c. Restore the distribution and viability of typical species of **Caledonian forests**

2a. Maintain the extent and distribution of **Bog woodland** within the site

2b. Maintain the structure, function and supporting processes of **Bog woodland**

2c. Maintain the distribution and viability of typical species of **Bog woodland**

2b. Maintain the distribution of **otter** throughout the site

2c. Maintain the habitats supporting **otter** within the site and availability of food

2a. Restore the population of **otter** as a viable component of the site

2b. Maintain the distribution of **Green shield-moss** throughout the site

2c. Maintain the habitats supporting **Green shield-moss** within the site

2a. Maintain the population of **Green shield-moss** as a viable component of the site

Conservation Objective 1. To ensure that the qualifying features of Cairngorms SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.

3) Cairngorms SPA

To avoid deterioration of the habitats of the qualifying species (**Capercaillie**, **Dotterel**, **Golden eagle**, **Merlin**, **Osprey**, **Peregrine**, and **Scottish crossbill**) 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 site

-Distribution and extent of habitats supporting the species

-Structure, function and supporting processes of habitats supporting the species

-No significant disturbance of the species

3) Cairngorms Massif SPA

To avoid deterioration of the habitats of **Golden eagle** 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 site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species

APPRAISAL

STAGE 1:

What is the plan or project?

Relevant summary details of proposal (including location, timing, methods, etc)

Proposed development is for a mountain toboggan track and associated structures, buildings, platforms, landscaping and infrastructure works at land close to the Cairngorm Mountain Ski Centre near Glenmore, Aviemore

The toboggan track will be accessed by visitors/users via an entrance building that will be built close ot existing buildings/car park. The toboggan track ascends next to an existing ski tow infrastructure and then descends down the slope on a raised mono-rail secured into the ground by ground anchors. The positioning of the route can be adjusted/ micro-sited to avoid habitats on site. An emergency access ATV track is proposed next to the ski tow. A fairly busy path currently goes through the development site up the slope from the ski centre.

A watercourse Allta' Choire Chais runs close to existing ski centre infrastructure, downhill of the development.

A CEMP has been provided with the proposal.

STAGE 2:

Is the plan or project directly connected with or necessary for the management of the European site for nature conservation?

1) River Spey SAC

No, this development is not directly connected with or necessary for the management of the European site for nature conservation.

2) Cairngorms SAC

No, this development is not directly connected with or necessary for the management of the European site for nature conservation.

3) Cairngorms SPA

No, this development is not directly connected with or necessary for the management of the European site for nature conservation.

4) Cairngorms Massif SPA

No, this development is not directly connected with or necessary for the management of the European site for nature conservation.

STAGE 3:

Is the plan or project (either alone or in-combination with other plans or projects) likely to have a significant effect on the site(s)?

1) River Spey SAC

Otter: Yes, LSE from short term indirect effects arising during construction activity through potential changes to water quality and impacts on prey species. However, there will not be any likely significant effects from disturbance as there would be no change to the existing levels or patterns of human activity caused by the implementation of the proposed development when otter would be active. While the Allt a' Choire Chais could potentially be used by otter associated with the SAC, the Ski Centre area between the development and the watercourse is well used by people and vehicles which is likely to deter otter, and any otter that are using the watercourse will be habituated to the existing level of disturbance.

Freshwater pearl mussel: YES, LSE from short term indirect effects arising during construction including sediment released during construction activity that could smother FWPM populations downstream of the site. Pollution from construction work such as fuel spillages could also enter the watercourse and impact FWPM and host species (salmonids).

Sea lamprey: Yes, LSE from short term indirect effects arising during construction activity including impacts on existing habitat and water quality through release of sediment mobilised from the slopes during construction works, or pollution from construction activity such as fuel spills.

Atlantic salmon: Yes, LSE from short term indirect effects arising during construction activity including impacts on existing habitat and water quality through release of mobilised sediment during construction works that could smother Atlantic salmon spawning gravels downstream of the site, or pollution from construction activity such as fuel spills.

2) Cairngorms SAC

All habitats: No LSE. There will be no direct effects on the SAC habitats or those habitats supporting SAC species, due to the type and location of the proposed development, the distance between the development and the SAC and the topography meaning that the toboggan track and related infrastructure should not alter the hydrology of the SAC. Access to the toboggan track for riders will be from close to the existing ski centre buildings and riders will be returned to the same area,

therefore there should be no significant increase in recreational access to the SAC that might cause trampling of sensitive habitats. **Therefore, as no likely significant effects have been identified, all of the habitat features of the SAC have been removed from further consideration.**

Otter: Yes, LSE from short term indirect effects arising during construction activity through potential changes to water quality and impacts on prey species.

However, there will not be any likely significant effects from disturbance as there would be no change to the existing levels or patterns of human activity caused by the implementation of the proposed development when otter would be active. While the Allt a' Choire Chais could potentially be used by otter associated with the SAC, the Ski Centre area between the development and the watercourse is well used by people and vehicles which is likely to deter otter, and any otter that are using the watercourse will be habituated to the existing level of disturbance. **Therefore, disturbance impacts on otter have been removed from further consideration.**

Green shield-moss: No LSE. This is a woodland species, and no suitable woodland habitat will be directly or indirectly impacted as a result of this development, and **therefore this qualifying interest has been removed from further consideration**.

3) Cairngorms SPA

All Species: No LSE. No significant effects are likely either on supporting habitats or through disturbance to qualifying interests.

There will be no direct effects on supporting habitats for qualifying interests of the SPA due to the type and location of the proposed development, the distance between the development and the SPA, and the topography, meaning that the proposed development and associated infrastructure will not alter the hydrology of the SPA.

The proposed toboggan track is located next to the existing buildings, carpark, tracks and ski infrastructure used by staff, visitors, walkers, cyclists and skiers (in winter). Access to the toboggan track for riders will be from close to the existing buildings, and riders will be returned to the same area, therefore there should not be a significant increase in recreational access to the SPA that might cause an increase in disturbance in areas that are not already well used. While there may be some indirect effects on habitats supporting the SPA species, these are not considered to be of a scale that would have a likely significant effect on the qualifying interests of the SPA.

In relation to human activity and potential disturbance: No LSE for any of the qualifying interests The proposed development is not likely to change levels of human activity or patterns of recreation around the proposed development: while the

toboggan track would introduce a new form of activity to the immediate area, it would occur close to a contained area already well used by people year round for walking and/or skiing, as well as staff and vehicle activity associated with works at the skiing and other infrastructure for Cairngorm Mountain.

The temporal pattern of use would not change, as no lighting for night-time use is proposed. So, there would be no detectable change to existing patterns of use of paths and tracks in the wider area, including the SPA as a result of the proposed development.

Additional assessment for capercaillie: A detailed assessment has been undertaken in relation to capercaillie **(see Annex I and II),** which also concludes no likely significant effects.

Therefore, as there are no likely significant effects identified, the SPA is not considered further.

4) Cairngorms Massif SPA

Golden eagle: No, LSE. As detailed above for the Cairngorm SPA, there will be no direct effects on supporting habitat for golden eagle within the SPA. While the development is within potential foraging range of breeding golden eagle from the SPA, the location and type of development will not result in a significant increase in human activity and potential disturbance in areas that are not already well used by staff, visitors, walkers and skiers in proximity to the existing buildings, carpark and associated infrastructure. Access to the toboggan track for riders will be from close to the existing buildings, and riders will be returned to the same area, therefore there will not be a significant increase in recreational access to the SPA or areas around the SPA as a result of this development that might result in increased disturbance in areas that are not already well used. While there may be some indirect effects on habitats supporting the SPA species, these are not considered to be of a scale that would have a likely significant effect on the qualifying interest of the SPA.

Discussion with Isla Graham (CNPA Raptor Conservation Officer) in June 2026 confirmed that there is a low occupancy of golden eagle in the area around the Cairngorms ski centre development and foraging golden eagle are likely to avoid the areas close to high levels of human activity. Therefore, there is unlikely to be a significant effect from potential disturbance to foraging golden eagle during the construction phase or operational phase.

Therefore, as there are no likely significant effects identified, the SPA is not considered further.

STAGE 4:

Undertake an Appropriate Assessment of the implications for the site(s) in view of

the(ir) conservation objectives

1) River Spey SAC

Conservation Objective 2. To ensure that the integrity of the River Spey SAC is restored by meeting objectives 2a, 2b, 2c for each qualifying feature (and 2d for freshwater pearl mussel):

2b. Restore the distribution of Atlantic salmon and freshwater pearl mussel throughout the site

No works are proposed within the Alt Mor (part of the River Spey SAC), so there will be no direct loss of suitable habitat for these species within the SAC. Therefore, the current and potential distribution of these species would not be directly affected.

However, there is potential for indirect impacts from construction activities, e.g., mobilised sediments, oils or fuel entering the Allt a' Choire Chais tributary of the Allt Mor (and River Spey), which is approximately 60m from the development site. The development is approximately 850m upstream of the confluence with the Allt Mor. Pollution events could indirectly cause the distribution of Atlantic salmon and freshwater pearl mussel to change due to changes in water quality (temporary) and, if significant amounts of sediment reach the watercourse, through smothering of habitats which are used by spawning salmon/juveniles and habitats suitable for supporting FWPM (long term).

A Pollution Prevention Plan (PPP) is recommended through condition. The PPP should include standard good practice, such as not storing oil within 10m of a watercourse and a detailed sediment management to prevent mobilised sediment entering the watercourse. Guidance for Pollution Documents should also be referred to and implemented on site (i.e. GPP2, GPP5, GPP8, GPP21, GPP22[1]) If a pollution prevention plan is conditioned and implemented - this conservation objective would be met.

If a pollution prevention plan is conditioned and implemented this conservation objective would be met.

2c. Restore the habitats supporting Atlantic Salmon and freshwater pearl mussel within the site and availability of food

The current and potential restoration of the distribution of habitats supporting Atlantic salmon and FWPM within the SAC would not be directly affected as no development will occur within the watercourse. However, pollution from construction activities on this site could potentially affect supporting habitats if significant amounts of sediment reach the SAC and cause smothering of habitats, reducing the distribution and extent of habitat suitable for salmon spawning and juvenile salmon, and habitats suitable for FWPM (long term). **Mitigation measures identified for 2b above would reduce the risk**

[1] https://www.netregs.org.uk/tools/guidance-for-pollution-prevention-gpp-documents/

of pollution reaching the watercourse to a minimal level and so this Conservation Objective would be met.

2d. Restore the distribution and viability of freshwater pearl mussel host species and their supporting habitats

The distribution and viability of FWPM host species (Atlantic salmon and other salmonids) would not be directly affected, as no work will be undertaken within the River Spey SAC. However, as discussed in 2b & 2c, there is potential for pollution from construction activities to indirectly affect the habitats supporting these species which may in turn lead to a change in distribution or in change in health of FWPM host species. **Mitigation measures identified for 2b above would reduce the risk of pollution reaching the watercourse to a minimal level and so this Conservation Objective would be met.**

2a. Restore the population of Atlantic Salmon (including a range of genetic types) and freshwater pearl mussel as viable components of the site

As the other conservation objectives can be met for Atlantic salmon and FWPM with mitigation, the proposed development would not hinder or prevent the restoration of the population of Atlantic salmon or FWPM as viable components of site. However, the proposed development will not have an impact on the genetic types of salmon. **Therefore, this conservation objective would be met.**

2b. Maintain the distribution of sea lamprey throughout the site

The current distribution of sea lamprey would not be directly impacted by the development proposals as no works will take place within the River Spey SAC. However, there is potential for pollution from construction activities to enter the Allt Mor tributary of the River Spey SAC via the Allt a' Choire Chais watercourse, which could indirectly affect spawning substrates (long term) and water quality (temporary) which may alter the distribution of sea lamprey.

As detailed within 2b for Atlantic salmon & freshwater pearl mussel a Pollution Prevention Plan detailing standard good practice construction activity will reduce the risk of accidental pollution and **therefore this conservation objective would be met.**

2c. Maintain the habitats supporting sea lamprey within the site and availability of food

Habitats supporting sea lamprey will not be directly impacted as no works will take place within the watercourse. However, there is potential for indirect effects from

pollution or sediment entering the watercourse that could smoother potential sea lamprey spawning grounds (long term). Changes to water quality through suspended solids or chemicals (temporary) may lead to a reduction in food availability through negatively impacting the distribution of prey fish species.

The implementation of standard pollution prevention measures in a Pollution Prevention Plan will reduce the risk of pollution entering the watercourse**, so that this conservation objective would be met.**

2a. Maintain the population of sea lamprey as a viable component of the site

As the other conservation objectives for sea lamprey can be met through the implementation of mitigation, the proposed development would not negatively impact on the current population of sea lamprey within the SAC, therefore this conservation objective would be met.

2b. Maintain the distribution of otter throughout the site

Otter have been recorded within the 1km square adjacent to the development (1km square contains the confluence of the Allt a' Choire Chais with the Allt Mor tributaries of the River Spey (Lutra lutra : Otter | NBN Atlas) The Allt Mor (designated part of the River Spey SAC) is approximately 860m downstream of the development, therefore there will not be a direct impact on habitats supporting otter, or otter prey species within the SAC. The Allt a' Choire Chais tributary of the Allt Mor may potentially be used by foraging otter from the River Spey SAC. The closest stretch of the Allt a' Choire Chais is approximately 60m from the development site. The development site is within the boundary of the Cairngorms Ski Centre and next to existing ski-tow infrastructure.

Due to the location of the development close to existing buildings and car park of the ski centre, and the steep montane habitats within the development site it is unlikely that otter from the River Spey SAC would regularly forage within the development site, and therefore the proposed development at this location is unlikely to result in a significant impact on foraging otter from the SAC.

However, there is potential for indirect effects from pollution or sediment entering the watercourse that could potentially result in changes to water quality that could temporarily lead to a reduction in food availability through negatively impacting the distribution of prey fish species.

The implementation of standard pollution prevention measures in a Pollution Prevention Plan (as discussed for Atlantic salmon and FWPM) will reduce the risk of pollution entering the watercourse**, so that this conservation objective would be met.**

2c. Maintain the habitats supporting otter within the site and availability of food

No works are proposed within or next to the River Spey, so the extent of habitats supporting otter within the site will be maintained.

The pollution issues identified for the freshwater species discussed above, could affect otter prey species, however the implementation of previously discussed mitigation measures would reduce the risk of this occurring to a minimal level **and so the conservation objective would be met.**

2a. Maintain the population of otter as a viable component of the site

As the other conservation objectives can be met for otter with the mitigation included in the proposal, the proposed development would not hinder or prevent the maintenance of the population of otter as a viable component of site, therefore this conservation objective would be met.

Conservation Objective 1. To ensure that the qualifying features of the River Spey SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.

As all the other conservation objectives would be met, the proposed development would not prevent or hinder the condition or conservation status of the qualifying interests of the SAC, **and so this conservation objective would be met.**

In conclusion, If a Pollution Prevention Plan is conditioned and implemented this will reduce the potential effects to a minimal level, so that all the conservation objectives can be met for the River Spey SAC.

Note: Pollution Prevention measures are included in the Construction Environmental Management Plan (CEMP) that has been submitted with this application.

2) Cairngorms SAC

Otter

Potential impacts on otter associated with the River Spey SAC (discussed above) are relevant here as otter within the Cairngorms SAC close to the proposed development will be associated with tributaries of the River Spey including the Allt Mor and Allt a' Choire Chais.

2b. Maintain the distribution of otter throughout the site

Otter have been recorded within the 1km square adjacent to the development (1km square contains the confluence of the Allt a' Choire Chais with the Allt Mor tributaries of the River Spey (Lutra lutra : Otter | NBN Atlas) The Allt a' Choire Chais flows into the Cairngorms SAC approximately 500m downstream of the development, therefore there will not be a direct impact on habitats supporting otter, or otter prey species within the

SAC. The Allt a' Choire Chais may potentially be used by foraging otter from Cairngorms SAC. The closest stretch of the Allt a' Choire Chais is approximately 60m from the development site. The development site is within the boundary of the Cairngorms Ski Centre and next to existing ski-tow infrastructure.

Due to the location of the development close to existing buildings and car park of the ski centre, and the steep montane habitats within the development site it is unlikely that otter from the River Spey SAC would regularly forage within the development site, and therefore the proposed development at this location is unlikely to result in a significant impact on foraging otter from the SAC.

However, there is potential for indirect effects from pollution or sediment entering the watercourse that could potentially result in changes to water quality that could temporarily lead to a reduction in food availability through negatively impacting the distribution of prey fish species.

The implementation of standard pollution prevention measures in a Pollution Prevention Plan (as discussed for Atlantic salmon and FWPM) will reduce the risk of pollution entering the watercourse**, so that this conservation objective would be met.**

2c. Maintain the habitats supporting otter within the site and availability of food

No works are proposed within the Cairngorms SAC, so the extent of habitats supporting otter within the site will be maintained.

The pollution issues identified for the freshwater species discussed above, could affect otter prey species, however the implementation of previously discussed mitigation measures would reduce the risk of this occurring to a minimal level **and so the conservation objective would be met.**

2a. Maintain the population of otter as a viable component of the site

As the other conservation objectives can be met for otter with the mitigation included in the proposal, the proposed development would not hinder or prevent the maintenance of the population of otter as a viable component of site, **therefore this conservation objective would be met.**

Conservation Objective 1. To ensure that the qualifying features of the Cairngorms SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.

As all the other conservation objectives would be met, the proposed development would not prevent or hinder the condition or conservation status of the qualifying interests of the SAC, **and so this conservation objective would be met.**

In conclusion, if a Pollution Prevention Plan is conditioned and implemented this will

reduce the potential effects to a minimal level, so that all the conservation objectives can be met for the Cairngorms SAC.

STAGE 5:

Can it be ascertained that there will not be an adverse effect on site integrity?

1) River Spey SAC

Yes, Provided the mitigation measures below are implemented, then the conservation objectives will be met and therefore there will not be an adverse effect on site integrity.

The mitigation measures that require to be secured by condition are:

- A Construction Method Statement/ Construction Management Plan which includes site-specific pollution-prevention measures and a sediment management plan should be produced and agreed with the CNPA prior to any works commencing on site and then fully implemented during construction. The reason for this condition is to protect the water environment and River Spey SAC from pollution events, sediment mobilisation or disease caused during construction.

Annex 1 Capercaillie Assessment: 2026/0135/DET – Cairngorms Toboggan Track (Cairngorms SPA)

Note: This document is based on the understanding of existing and likelihood of potential use of the area by users of the above development based on submitted documentation, combined with professional judgement and local knowledge by NatureScot and CNPA to reach conclusions about likelihood of effects on the capercaillie qualifying interest of the Cairngorms SPA. The questions below were developed to assess the potential effects of developments within or near existing settlements, but are equally applicable to other situations, as the logic and considerations are the same wherever a development is located.

Q1. Is the proposed development likely to change levels of human activity or patterns of recreation around the proposed development/associated settlement? *Q1: This and Q2 are included as screening questions to filter out any developments that aren't likely to have changed levels or patterns of recreation.*	**No. The proposed development is not likely to change levels of human activity or patterns of recreation around the proposed development.** While a mountain toboggan track would introduce a new form of activity to the immediate area, it would occur in a contained area already well used by people year-round for walking, cycling and/or skiing, as well as staff and vehicle activity associated with works at the skiing and other infrastructure for Cairngorm Mountain. The temporal pattern of use would not change, as no lighting for night-time use of the toboggan track is proposed. Access to the toboggan track for riders will be from close to the existing ski centre buildings and the carpark area, and riders will be returned to the same area, therefore there will be no significant increase in recreational access to the SPA or associated capercaillie woodlands as a result of this development. So there would be no detectable change to existing patterns of use of paths and tracks in the wider area, including the SPA, as a result of the proposed development.
Q2. Are capercaillie woods significantly more accessible from this development site than from other parts of the associated settlement? *Q2: This is included to ensure the effect of otherwise small-scale development sites particularly close to capercaillie woods are adequately considered. Evidence from settlements in Strathspey where houses are*	**No.** capercaillie woodlands are not significantly more accessible from this development site than from other parts of the associated settlement. While the road leading to the Cairngorm Ski Centre and the proposed mountain toboggan track passes through Glenmore National Nature Reserve and Capercaillie Woodland O – Glenmore (see map in Annex II), the proposed development is over 1.5km away from the capercaillie woodland and there is no direct connection between the toboggan track activity and recreational activities within Wood O. Within Glenmore NNR a range of recreational activities such as camp sites and

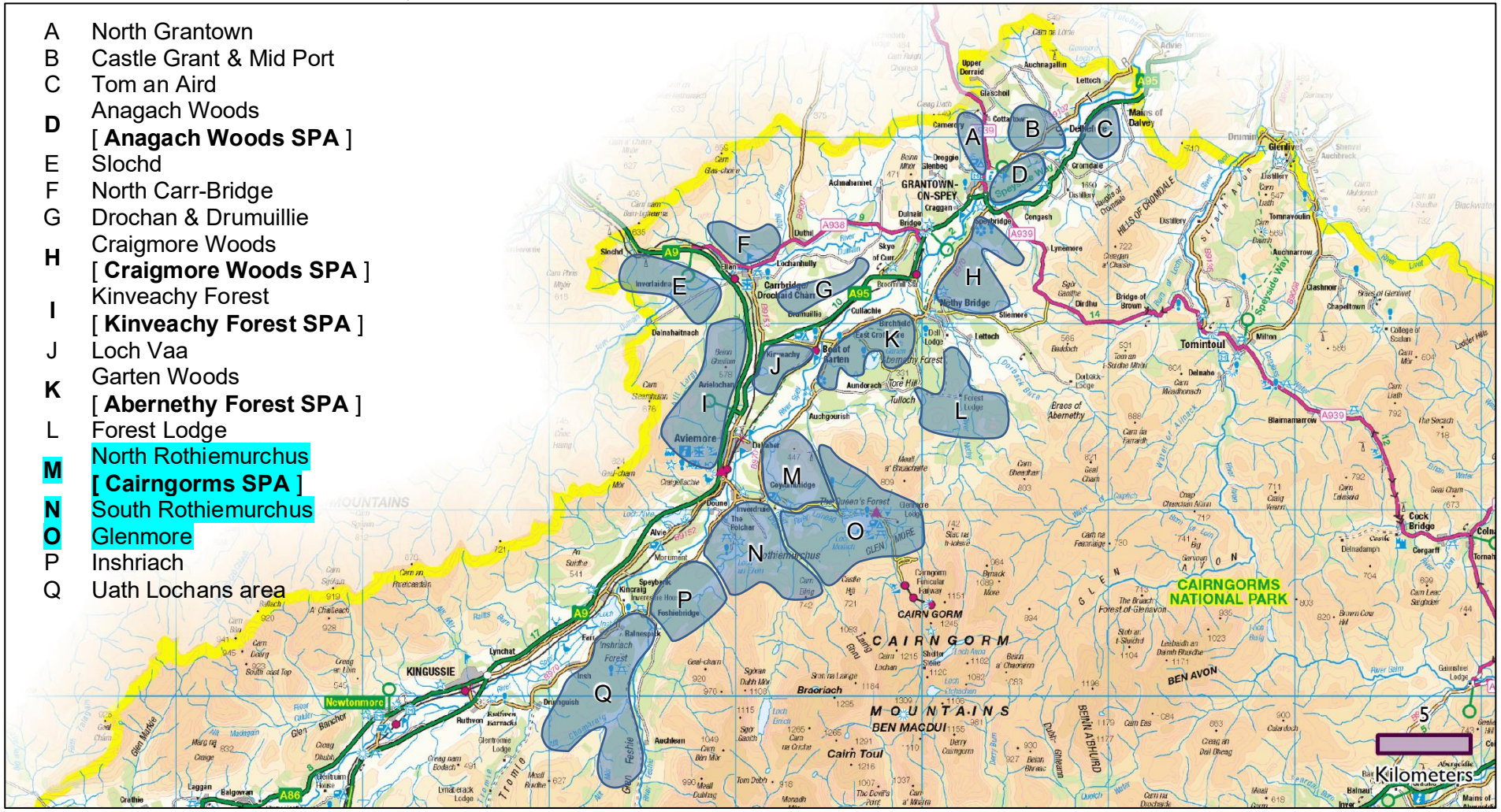
adjacent to woodlands indicates that networks of informal paths and trails have developed within the woods linking back gardens with formal path networks and other popular local destinations (eg primary schools). Such paths are likely to be used by visitors.	walking trails are offered within Glenmore Forest and in the vicinity of Loch Morlich that are popular with visitors and residents of the Cairngorms National Park. Wood O is significantly more accessible from these developments than from the proposed toboggan track.
If Q1 & Q2 = No, conclusion is no significant disturbance to capercaillie and assessment ends here If Q1 or Q2 = Yes, continue to Q3	
Q3. Which capercaillie woods are likely to be used regularly for recreation by users of the development site at detectable levels? (list all) *Q3: This is included to identify which capercaillie woods are likely to be used for recreation by users of non-housing development sites at levels that would be detectable. The answer will be assessed using professional judgement based on knowledge of existing patterns of recreation around settlements and in the local area, the relative appeal of the capercaillie woods concerned compared to other recreational opportunities in the area, the volume of recreational visits likely to be generated by the development site, and informed by national survey data (eg on the distances people travel for recreational visits).*	**N/A**
Continue to Q4	
Q4. Are residents / users of this	**N/A**

development site predicted to undertake any off path recreational activities in any of the woods identified at Q3 at detectable levels? *Q4: This is included because any off path recreational use in capercaillie woods will result in significant disturbance and require mitigation.*	
If Q4 = No for any woods, continue to Q5 If Q4 = Yes for any woods, mitigation is needed. Note and continue to Q5.	
Q5: Are each of the woods identified at Q3 already established locations for recreation? *Q5: This is included because if users of the development site are likely to access previously infrequently-visited capercaillie woods, or parts of these woods, for recreation, significant disturbance is likely and mitigation is needed. This will be answered on the basis of professional knowledge.*	**N/A**
If Q5 = No for any woods, mitigation is needed. Note and continue to Q6. If Q5 = Yes for any woods, continue to Q6	
Q6: For each of the woods identified at Q3, are users of the development site predicted to have different temporal patterns of recreational use to any existing visitors, or to undertake a different profile of activities? (eg. more dog walking, or early morning	**N/A**

use) *Q6: This is included because some types of recreation are particularly disturbing to capercaillie; and increased levels of these types of recreation will cause significant disturbance and require mitigation. This will be answered on the basis of professional knowledge on existing patterns of recreational use and whether each location is sufficiently close and/or convenient in relation to the development site and patterns of travel from there, to be used by users of the development for different recreational activities or at different times of day. For example, capercaillie woods with safe routes for dogs that are located close to development sites are likely to be used for early morning &/or after work dog walking.*	
If Q6 = yes for any woods, mitigation is needed. Note and continue to Q7 If Q6 = No for any woods, continue to Q7	
Q7: For each of the woods identified at Q3, could the predicted level of use by residents / users of the development site significantly increase overall levels of recreational use? *Q7: This is included because a significant increase in recreational use could result in significant disturbance to capercaillie, even in situations where the capercaillie wood is already popular for recreation, and no changes to current recreational patterns / activities or off path activities are predicted. The answer was assessed on the basis of*	**N/A**

professional judgement of current levels of use and whether the increase is likely to be more than approximately 10%.	
If Q4-7 = No for all woods, conclusion is no significant disturbance to capercaillie and assessment ends here If Q4, 5, 6 and/or 7 = Yes for any woods, mitigation is needed	
Conclusion: Is mitigation needed as a consequence of this development site in relation to each wood listed at Q3?	**No specific migration is needed in relation to capercaillie as a consequence of this development.**
Reasons mitigation needed:	**N/A**

Annex II Badenoch and Strathspey capercaillie woods map (considered woodlands highlighted blue)



Capercaillie woodland in Badenoch and Strathspey.

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