



Agenda item 5

Appendix 2

2025/0109/DET

Habitats regulations appraisal

HABITATS REGULATIONS APPRAISAL

Planning reference and proposal information	2025/0109/DET Formation of 3m wide 9km long segregated NMU route/path. Land Between Aviemore and Carrbridge, PH22 And PH23.
Appraised by	Scott Shanks, Planning Ecological Advice Officer
Date	07 July 2025
Checked by	Kirsty North, NatureScot Operations Officer – Central Highland
Date	04 August 2025

INFORMATION
European site details
Name of European site(s) potentially affected
1) Loch Vaa SPA 2) River Spey SAC 3) Kinveachy Forest SPA^{1,2} 4) Cairngorms SPA^{1,3} 5) Abernethy Forest SPA¹ 6) Craigmore Wood SPA¹ 7) Anagach Woods SPA¹ ¹It is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated woodlands shown on the map in Annex I has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. While other capercaillie SPAs are considered in this HRA, attention has been focused in this HRA on the capercaillie woods likely to be used regularly for recreation by users of the proposed development site, which in this case is Kinveachy Forest SPA (including Wood I- Kinveachy Forest) (see Annex2- Detailed Capercaillie Assessment). ² Elements of the proposed development are also within 975m of the Kinveachy Forest SAC, which is designated for Caledonian forest and bog woodland. However, it is considered that there is no connectivity between these habitat qualifying interests of this SAC and the project site, and so this site has been scoped out of further consideration. ³Elements of the proposed development are within 3.1 km of the Cairngorms SAC, which is designated for Alpine and subalpine heaths, High-altitude plant communities associated with areas of water seepage, Blanket bog, Bog woodland, Green shield-moss, Plants in crevices on base-rich rocks, Caledonian forest, Dry heaths, Tall herb communities, Juniper on heaths of calcareous grasslands, Otter, 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, and Very wet mires often identified by an unstable 'quaking' surface. However, it is considered that there is no connectivity between the habitat qualifying interests of this SAC and the project site, and so this site has been scoped out of further consideration.
Qualifying interest(s)
1) Loch Vaa SPA Slavonian grebe (breeding) 2) River Spey SAC Otter Atlantic salmon Sea lamprey Freshwater pearl mussel (FWPM)

3) Kinveachy Forest SPA

Capercaillie (breeding)
Scottish crossbill

4) Cairngorms SPA

Golden eagle
Dotterel
Merlin
Peregrine
Scottish crossbill
Osprey
Capercaillie

5) Abernethy Forest SPA

Scottish crossbill
Osprey
Capercaillie

6) Craigmore Wood SPA

Capercaillie (breeding)

7) Anagach Woods SPA

Capercaillie (breeding)

Elements of the proposed development are within 975m of the **Kinveachy Forest SAC**, which is designated for **Caledonian forest** and **bog woodland**. However, it is considered that there is no connectivity between the qualifying interests of this SAC and the project site, and **so this site has been scoped out**.

Conservation objectives for qualifying interests

1) Loch Vaa SPA

To avoid deterioration of the habitats of the qualifying species: **Slavonian Grebe (breeding)** 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

2) 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.

3) Kinveachy Forest SPA

To avoid deterioration of the habitats of the qualifying species (**Capercaillie (breeding)** 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

4) Cairngorms SPA

To avoid deterioration of the habitats of the qualifying species: **Golden eagle, Dotterel, Merlin, Peregrine, Scottish crossbill, Osprey, Capercaillie**, 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

5) Abernethy Forest SPA

-To avoid deterioration of the habitats of the qualifying species: **Capercaillie, Osprey, 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

6) Craigmore Wood SPA

To avoid deterioration of the habitats of the qualifying species: **Capercaillie (breeding)** 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

7) Anagach Woods SPA

To avoid deterioration of the habitats of the qualifying species: **Capercaillie (breeding)**, 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)

The Aviemore to Carrbridge Non-Motorised User Route (ACNMU) scheme intends to provide an NMU link between the two settlements of Aviemore and Carrbridge. The Proposed Scheme largely follows along the B9152, A95 and B9153 roads. The Proposed Scheme passes close to several European designated site for nature conservation. There is no programme for the works at present and the construction commencement date is currently not known.

STAGE 2:

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

1) Loch Vaa SPA

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

2) River Spey SAC

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

3) Kinveachy Forest SPA

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

4) Cairngorms SPA

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

5) Abernethy Forest SPA

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

6) Craigmore Wood SPA

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

7) Anagach Woods SPA

No, this project 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) Loch Vaa SPA (less than 50m from development)

Slavonian grebe (breeding): Yes, there will be an LSE, due to disturbance to breeding Slavonian grebe during construction phase, and operational phase, and as a result of potential impacts on habitat during construction. There will be similar impacts at Avielochan where breeding Slavonian Grebe have likely connectivity with the Loch Vaa SPA population.

2) River Spey SAC (within 750m)

Otter: Yes, there will be an LSE, due to habitat degradation during construction and potential disturbance during construction.

Atlantic salmon: Yes, there will be an LSE, due to habitat degradation and disturbance to spawning during construction.

Sea lamprey: Yes, there will be an LSE, due to habitat degradation during construction.

Freshwater pearl mussel: Yes, there will be an LSE, due to habitat degradation during construction.

(The River Spey flows south to north, to the east of the proposed NMU route, with the River Dulnain, one of its tributaries flowing through Carrbridge to the north of the route. The River Spey SAC is approximately 730 m north and 920 m to the east of the proposed route at the closest points. The route crosses three tributaries of the River Spey: Feith Mhor at OSGR NH90992134, Easter Aviemore Burn at OSGR: NH39771428 and an unnamed small watercourse at OSGR NH89881459. Therefore, there is a hydrological connection between the route and the SAC)

3) Kinveachy Forest SPA (within 1km – however Kinveachy capercaillie wood I includes supporting habitat within 300m of the development)

Capercaillie (breeding): Yes, there will be an LSE. The capercaillie population within this SPA is part of the wider Strathspey metapopulation that has connectivity to the neighbouring capercaillie SPAs (Abernethy Forest SPA, Anagach Woods SPA, Cairngorms SPA, Craigmore Wood SPA and Kinveachy Forest SPA) and capercaillie woodlands (see Annex I). There will be a likely significant effect on this qualifying interest due to loss of supporting habitat, disturbance during the construction phase and the disturbance during the operational phase.

Scottish crossbill: Yes, there will be an LSE. There is likely connectivity between the SPA and supporting non-designated woodland habitat close to and within the proposed development boundary. Due to disturbance during construction work, and potentially during operation.

4) Cairngorms SPA (approx. 3.1km)

Golden eagle: No LSE, the proposed development is approximately 3.1 km from the SPA and the habitats involved are not suitable for foraging or nesting Golden Eagle, and so **this qualifying interest has been scoped out from further consideration.**

Dotterel: No LSE, the proposed development is approximately 3.1 km from the SPA and the habitats involved are not suitable for Dotterel, and so **this qualifying interest has been scoped**

out from further consideration.

Merlin: No LSE, the proposed development is approximately 3.1 km from the SPA and the habitats impacted are not suitable for Merlin, and so **this qualifying interest has been scoped out from further consideration.**

Peregrine: No LSE, the proposed development is approximately 3.1 km from the SPA, so no direct impact on habitat within the SPA, and this species has a large range which is unlikely to be impacted by this development, and so **this qualifying interest has been scoped out from further consideration.**

Scottish crossbill: No, LSE. While the Scottish Crossbill population within this SPA is likely part of a wider metapopulation that has connectivity with Scottish Crossbill populations in neighbouring SPAs, it is considered that breeding crossbills within this site would not be dependent on foraging habitats more than 3.1 km from nest sites within this SPA.

Osprey: Yes, there will be an LSE. Suitable foraging habitats (Loch Vaa and Avielochan) directly adjacent to the proposed development could be used by foraging Osprey from the Cairngorms SPA, and there may be short-term disturbance from construction activity.

Capercaillie: Yes, there will be an LSE. The capercaillie population within this SPA is part of the wider Strathspey metapopulation that has connectivity to the neighbouring capercaillie SPAs (Abernethy Forest SPA, Anagach Woods SPA, Cairngorms SPA, Craigmore Wood SPA and Kinveachy Forest SPA) and capercaillie woodlands (see Annex I).

5) Abernethy Forest SPA (approx. 3.8km)

Scottish crossbill: No, LSE. While the Scottish Crossbill population within this SPA is likely part of a wider metapopulation that has connectivity with Scottish Crossbill populations in neighbouring SPAs, it is considered that breeding crossbills within this site would not be dependent on foraging habitats more than 3.8 km from nest sites within this SPA.

Osprey: Yes, there will be an LSE. Suitable foraging habitats (Loch Vaa and Avielochan) directly adjacent to the proposed development could be used by foraging Osprey from the Abernethy Forest SPA, and there may be a short-term disturbance from construction activity.

Capercaillie: Yes, there will be an LSE. The capercaillie population within this SPA is part of the wider Strathspey metapopulation that has connectivity to the neighbouring capercaillie SPAs (Abernethy Forest SPA, Anagach Woods SPA, Cairngorms SPA, Craigmore Wood SPA and Kinveachy Forest SPA) and capercaillie woodlands (see Annex I).

6) Craigmore Wood SPA (approx. 10km)

Capercaillie (breeding): Yes, there will be an LSE. The capercaillie population within this SPA is part of the wider Strathspey metapopulation that has connectivity to the neighbouring capercaillie SPAs (Abernethy Forest SPA, Anagach Woods SPA, Cairngorms SPA, Craigmore Wood SPA and Kinveachy Forest SPA) and capercaillie woodlands (see Annex I).

7) Anagach Woods SPA (approx. 13.8km)

Capercaillie (breeding): Yes, there will be an LSE. The capercaillie population within this SPA is part of the wider Strathspey metapopulation that has connectivity to the neighbouring capercaillie SPAs (Abernethy Forest SPA, Anagach Woods SPA, Cairngorms SPA, Craigmore Wood SPA and Kinveachy Forest SPA) and capercaillie woodlands (see Annex I).

STAGE 4:

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

1) Loch Vaa SPA

To avoid deterioration of the habitats of the qualifying species: **Slavonian Grebe (breeding)** 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:

Distribution of the species within site.

In the UK most records of Slavonian grebes are of autumn/winter migrants, however approximately 28 pairs breed in the UK each year. Nests are normally built in reed beds, sedge beds or in the semi-submerged branches of willows around the edges of small lochs and other waterbodies. Up to seven pairs of Slavonian grebes breed at Loch Vaa each year, however numbers fluctuate, particularly in years with warm springs and/summers, which can result in low water levels and separation of open water in the deeper centre of the loch from emergent vegetation where the grebes nest around the outside (<https://www.nature.scot/sites/default/files/site-special-scientific-interest/1065/site-management-statement.pdf>).

There is connectivity between the population of Slavonian grebes breeding at Loch Vaa and those at Avie Lochan, and birds may move between both sites before settling down to breed. During the breeding season the distribution of the species within the site is dependent on the extent of nesting and foraging habitats, water quality and the presence and abundance of prey species. Slavonian grebes are sensitive to disturbance within 350m of their nests (Ref: [Disturbance Distances in selected Scottish Bird Species – NatureScot Guidance | NatureScot](#)). The most recent site condition monitoring (in 2007) of the Slavonian grebe feature at Loch Vaa SSSI found that it was in unfavourable condition.

Construction activity for the NMU route will be undertaken within 20m Loch Vaa SPA (~100m from edge of the actual loch), and therefore pollution from construction work could affect water quality within the loch and have an impact prey species or vegetation in the loch. There is also likely to be some increase in noise and visual disturbance as a result of the construction work on the NMU route, however this increase is likely to be negligible, as the construction work will be separated from the loch by the busy A95 road and will be at least partly screened by woodland. Loch Vaa is already well used by walkers, swimmers and paddle-boarders, particularly during the summer months, which coincides with the Slavonian Grebe breeding season. Current access to Loch Vaa for water-sport activities is most likely from the Laggantygowan Cemetery. During the operation phase there is likely to be an increase in access to the site from users of the NMU route. Measures are proposed in the Mitigation Schedule to mitigate construction phase and operational-

phase impacts on the Slavonian grebes of Loch Vaa SPA.

The following relevant measures are proposed in the Mitigation Schedule:

- Pre-construction surveys will be undertaken to verify and, where required, update the baseline ecological conditions.
- An Ecological Management Plan (EMP) including a Habitat Management Plan (HMP) and Species Protection Plans (SPP) will be prepared for the Proposed Scheme. This will detail methods to be adopted pre-construction, during construction and post-construction, including elements such as habitat reinstatement and creation, species and habitat translocation, mitigation measures to safeguard protected species (including timing of works and exclusion zones) and monitoring requirements (Mitigation ACNEMU-E3).
- An Ecological Clerk of Works (ECoW) will be appointed to ensure that the EMP, HMP and SSP are implemented and followed during pre-construction phases, during construction and post-construction. (Mitigation ACNEMU-E6)
- Construction works will take account of sensitive ecological seasons (e.g. breeding seasons) and the potential impact that the type of construction work could have on any protected or priority habitat or species within that season (ACNEMU-E7).
- To minimise impacts habitats and species, the working area will be kept to the minimum necessary for construction of the Proposed Scheme to reduce habitat loss and impacts to protected and priority species and plant and personnel will be constrained to a prescribed working corridor through the use of temporary barriers to minimise the damage to habitats and potential direct mortality and disturbance to animals located within and adjacent to the Proposed Scheme working corridor. Parking will also be restricted to designated areas. (mitigations ACNEMU-E9, E10, E39, and E40)
- The use of construction lighting will be in accordance with BS5489-1:2020 Code of Practice for the Design of Road Lighting and follow best available guidance on lighting with regards to protected species (e.g. Institute of Lighting Professionals (2018)). The construction lighting design will take account of the need to avoid illuminating sensitive wildlife habitats in locations such as adjacent to watercourses; along woodland edges; and, where there is known activity identified through pre-construction ecological surveys. Where this is not possible the Contractor will agree any exceptions with NatureScot (ACNEMU-E11).
- Mitigation measures to avoid or reduce potential effects on surface waters will be employed, including Guidance for Pollution Prevention (GPPs) and Construction Industry Research and Information Association (CIRIA) guidance on the control of water pollution from construction sites will be adhered to for the duration of the construction phase, and appropriate drainage and runoff treatment (ACNEMU-E14).
- No working or artificial lighting within 50m of watercourses/waterbodies will be undertaken during the hours of darkness, taken to be 30 minutes before sunset to 30 minutes after sunrise, unless specifically agreed with NatureScot. Should this be unavoidable, lighting must be positioned to minimise light spill onto watercourses/waterbodies and will be subject to ECoW approval. The ECoW will monitor relevant species activity upstream and downstream of the works and may stop site activities at any time should they consider that the works are having an impact on a protected species (ACNEMU-E33).
- Stock fencing (a combination of post and rail, and post and wire) is to be installed along the length of the NMU route. The fencing will restrict access to sensitive and protected sites

such as Loch Vaa SPA from the development and thus will help reduce impacts of operational-phase recreational disturbance (Mitigation ACNEMU-E40).

If these measures are implemented, they should help to mitigate effects on the species to allow this Conservation Objective to be met.

Distribution and extent of habitats supporting the species.

Breeding Slavonian grebes are dependent on water bodies containing abundant small fish and invertebrates which they feed on. They nest in emergent vegetation including reed beds and sedge beds around the edges of lochs. Loch Vaa and Avie Lochan do not have physical connectivity, but there is exchange of Slavonian grebes between these sites before they settle down to nest, therefore impacts from this development on the distribution and extent of supporting habitats at Avie Lochan should also be considered (Ref: Advice from Alison Philip, RSPB Scotland Conservation Officer- South Highland). While there will be no construction work within Loch Vaa SPA or within Avie Lochan, and therefore no loss of habitats within either site, there may be impacts on water quality, habitats and prey species from construction activity. Loch Vaa and its surroundings are currently used for a variety of recreational activities including swimming, paddle boarding and walking. It's possible that this development could increase levels of recreational activity in the vicinity of Loch Vaa and Avie Lochan, which could result in negative impacts on emergent vegetation and as well as increased disturbance in the operational phase, and therefore measures are required to mitigate these potential impacts on habitats.

Measures discussed above, and detailed in the Mitigation Schedule to mitigate the impacts of this development on the distribution and extent of habitats supporting Slavonian grebes include Measures ACNEMU-E3, E6, E9, E10, E14, E33 and E40.

If these measures are implemented, they should help to mitigate effects on this species to allow this Conservation Objective to be met.

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

As discussed above Slavonian grebes at Loch Vaa SPA (and Avie Lochan) are dependent on sensitive aquatic habitats. The impacts of pollution from construction phase activity on water quality, vegetation structure and composition (via toxins or increased nutrients), and the availability and abundance of prey species (small fish and invertebrates) within both Loch Vaa and Avie Lochan could have a detrimental impact on the structure, function and supporting processes of habitats that support Slavonian grebes. Therefore, measures are required to mitigate impacts on the breeding Slavonian grebes during the construction phase and post-construction phases of this development. If these measures are implemented, they should help to mitigate effects on the species to allow this Conservation Objective to be met.

No significant disturbance of the species.

Without mitigation there is a potential for disturbance from both construction-phase activity and operational- phase recreational disturbance during the Slavonian grebe breeding season (April to end of August). Breeding Slavonian grebes are sensitive to disturbance within 350m of their nests. There is likely to be some increase in noise and visual disturbance as a result of the construction work on the NMU route, however the impact of this disturbance is likely to be fairly minor/negligible, as the construction work will be separated from the loch by the busy A95 road and will be at least partly screened by woodland at the western edge of Loch Vaa SPA. Timing of works to avoid

construction activity during the breeding season would reduce the potential risk of construction-phase disturbance.

Loch Vaa is well used by walkers, swimmers and watersports enthusiasts, particularly during the summer months, which coincides with the Slavonian grebe breeding season. Current access to Loch Vaa for water-sport activities is most likely from the carpark at the Laggantygowan Cemetery. An increase in access to Loch Vaa SPA from users of the NMU route is likely during the operational phase of the development, and therefore measures are required to mitigate disturbance impacts.

Measures discussed above, and detailed in the Mitigation Schedule to mitigate the impacts of this development on the distribution and extent of habitats supporting Slavonian grebes include Measures ACNMU-E1, E3, E6, E7 and E40. Note that in addition to the use of stock fencing to restrict access to sensitive sites, it is proposed that no benches or seats will be installed close to sensitive sites to discourage people from stopping and then going exploring in surrounding habitats. If these measures are implemented, they should help to mitigate the potential effects of disturbance on this species to allow this Conservation Objective to be met.

Population of the species as a viable component of the site.

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

In conclusion, the mitigation measures proposed in the application and discussed above reduces the potential effects to a minimal level, so that all the conservation objectives can be met for the Loch Vaa SPA.

2) 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):

Atlantic Salmon and Freshwater Pearl Mussel.

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

The current and potential distribution of Atlantic Salmon and FWPM within the site would not be directly affected as no development will occur in the River Spey SAC. However, the route will cross at least 3 tributaries of the River Spey which will require works including the extension of culverts, and temporary crossings and temporary watercourse diversions. Therefore pollution from construction activities (e.g. mobilised sediment, fuels or oils) could indirectly cause the distribution to change of Atlantic Salmon and FWPM within the River Spey SAC due to temporary changes in water quality, and, if significant amounts of sediment reach the watercourse, through smothering habitats supporting FWPM, or which are used by Atlantic salmon for spawning. Surveys for fish and FWPM within 5 watercourses along the route did not detect any Atlantic Salmon or FWPM, and habitats were unsuitable for FWPM. However, two watercourses including the Feith Mhor

tributary of the River Spey were considered to have stretches of habitat suitable for salmon parr. While no Atlantic Salmon or FWPM were detected in the watercourses that were surveyed, there is a potential for pollution to extend further downstream into areas that do support Atlantic salmon and FWPM.

The Mitigation Schedule outlines a number of measures (E1, E2, E3, E7, E9, E10, E11, E13, E33) that should, if conditioned and properly implemented reduce the risks of pollution impacting these species. These include:

- Preparation of a Construction Environment Management Plan (CEMP) containing a Habitat Management Plan (HMP) and Species Protection Plan (SPP) detailing methods to be adopted pre-construction, during construction and post-construction to safeguard protected species and habitats and monitoring requirements.
- All culverts and watercourse crossings will be sensitively designed and constructed with reference to SEPA's good practice guides including: Engineering in the Water Environment Good Practice Guide: Bank Protection Rivers and Lochs; • Engineering in the Water Environment: Good Practice Guide - River Crossing; and Position Statement WAT-PS-06-02 - Culverting of Watercourses – Position Statement and Supporting Guidance.
- Restriction on the footprint of construction work to the minimum possible to reduce impacts on habitats and species, and where practicable, plant and personnel will be constrained within a working corridor to minimise damage to habitats and potential direct mortality or disturbance to species within of adjacent to the proposed scheme.
- Measures to reduce impacts of sediment or pollution on watercourses including adhering to the Guidance for Pollution Prevention (GPP) documents ([Guidance for Pollution Prevention \(GPP\) documents | NetRegs | Environmental guidance for your business in Northern Ireland & Scotland](#)) and the Construction Industry Research and Information Association (CIRIA) guidance on the control of water pollution from construction sites in the SUDS Manual: https://www.ciria.org/CIRIA/Memberships/The_SuDS_Manual_C753_Chapters.aspx. These should be detailed in a site-specific Pollution Prevention Plan.

If the measures proposed in the mitigation schedule are 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 site would not be directly affected as no development will occur in the watercourse.

However, pollution from construction activities would affect supporting habitats if significant amounts of sediment reach the watercourse and cause smothering, reducing the distribution and extent of habitat suitable for spawning and juvenile salmon and habitats suitable for supporting FWPM (long term).

However, mitigation measures for 2b above would reduce the risk 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 & sea trout) would not be directly affected as no development will occur within the watercourse.

However as discussed in 2b and 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 these host species. With the implementation of the mitigation measures discussed in 2b the risk of pollution events will be reduced therefore the development would not hinder the distribution or vitality of the host species, and so this conservation objective would be met.

2a. Restore the population of Atlantic Salmon (including range of genetic types) and freshwater pearl mussel as a viable component 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 a viable component of site. However, the proposed works will not influence the range of genetic types of Atlantic Salmon within the SAC. Therefore, this conservation objective would be partially met.

Sea Lamprey

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

The current distribution of sea lamprey would not be directly impacted by the proposed development as no works will take place within the River Spey SAC. However, there is potential for pollution from construction activities which could indirectly impact upon 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 CEMP containing a mitigation measures including a Pollution Prevention Plan detailing 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.

The current suitable habitats for supporting sea lamprey will not be directly impacted upon as no works will take place within the watercourse. However, there is potential for pollution, such as sediment to enter the watercourse and smother the suitable spawning grounds (long term) making it difficult for the sea lamprey to find suitable habitat. Changes to water quality through suspended solids or chemicals (temporary) may lead to a reduction in food availability through negatively impacting the distribution of fish species.

The implementation of pollution prevention measures will reduce the risk of pollution entering the watercourse therefore 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.

Otter

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

Otters can have very large home ranges of around 32km for males and 20km for females ([Otter | NatureScot](#)), and therefore may forage considerable distances along tributaries of the River Spey SAC, including the Feith Mhor, where an otter spraint was recorded during survey work for the development. No construction work is proposed within the Rive Spey SAC however the route will cross at least 3 non-designated, but connected tributaries, which will require works including the extension of culverts, and temporary crossings and temporary watercourse diversions. Therefore, disturbance from construction activity (noise, light or vibration) could lead to a change in otter distribution and foraging behaviour along these tributaries. Pollution from construction activities (e.g. mobilised sediment, fuels or oils) could impact the distribution of otter through impacts on habitat quality, prey species, or direct mortality through the bioaccumulation of toxins through prey items that had been exposed to pollution.

If measures proposed in the mitigation schedule are conditioned and implemented, this conservation objective would be met. These measures include:

- Undertaking pre-construction surveys to confirm and update existing biological baseline data; and where required obtaining and complying with requirements of any protected species mitigation licences, in respect of the works.
- Preparation of a Construction Environment Management Plan (CEMP) containing a Habitat Management Plan (HMP) and Species Protection Plan (SPP) detailing methods to be adopted pre-construction, during construction and post-construction to safeguard protected species and habitats and monitoring requirements.
- All culverts and watercourse crossings will be sensitively designed and constructed with reference to SEPA's good practice guides including: Engineering in the Water Environment Good Practice Guide: Bank Protection Rivers and Lochs; • Engineering in the Water Environment: Good Practice Guide - River Crossing; and Position Statement WAT-PS-06-02 - Culverting of Watercourses – Position Statement and Supporting Guidance.
- Restriction on the footprint of construction work to the minimum possible to reduce impacts on habitats and species, and where practicable, plant and personnel will be constrained within a working corridor to minimise damage to habitats and potential direct mortality or disturbance to species within of adjacent to the proposed scheme.
- Restricting the programming of works to take account of ecologically sensitive time periods including breeding bird season (March-August inclusive).
- Measures to reduce impacts of sediment or pollution on watercourses including adhering to the Guidance for Pollution Prevention (GPP) documents ([Guidance for Pollution Prevention \(GPP\) documents | NetRegs | Environmental guidance for your business in Northern Ireland & Scotland](#)) and the Construction Industry Research and Information Association (CIRIA) guidance on the control of water pollution from construction sites in

the SUDS Manual:

https://www.ciria.org/CIRIA/Memberships/The_SuDS_Manual_C753_Chapters.aspx. These should be detailed in a site-specific Pollution Prevention Plan.

- The construction lighting design will take into account the need to avoid illuminating sensitive wildlife habitats adjacent to watercourses; along woodland edges; and, where there is known activity identified through pre-construction ecological surveys.
- Open trenches, holes and pipes should be covered at night to prevent animals such as otters becoming trapped. Gates to the compound will be closed at night and when there is no construction activity to prevent animals becoming trapped.

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

No construction work is proposed within the River Spey SAC, so no habitats will be directly affected by this development. However, the route will cross at least 3 tributaries of the River Spey which will require construction works including the extension of culverts, and temporary crossings and temporary watercourse diversions. Therefore, pollution from construction activities could affect the quality of habitats and the distribution of prey species within the SAC and connected watercourses.

If the measures proposed 2b. are conditioned and implemented, this 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.

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, the mitigation measures proposed in the Mitigation Schedule reduces the potential effects to a minimal level, so that all the conservation objectives can be met for the River Spey SAC.

3) Kinveachy Forest SPA

To avoid deterioration of the habitats of the qualifying species (**Capercaillie (breeding)** 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:

- Distribution of the species within site

Capercaillie

Capercaillie are highly sensitive to disturbance during the breeding season (1st March to 31st August inclusive), and particularly during lekking (1st March to 31st May). Nesting females may be impacted by disturbance within 150m of nest sites, while lekking birds may be impacted by disturbance within 1km of an active lek (Ref: [Disturbance Distances in selected Scottish Bird Species – NatureScot Guidance | NatureScot](#)). No construction activity will take place within the boundaries of Kinveachy Forest SPA, but NMU route development will be approximately 975m from the SPA (and around 300m from Wood I/Kinveachy Forest), and so a lek at the edge of the SPA could potentially be impacted by construction activity. Therefore, without mitigation measures in place, construction-phase activity could temporarily impact the distribution of lekking capercaillie within the SPA.

The detailed capercaillie assessment (**Ref: Appendix 2**) indicates that without mitigation measures in place there may also be operational-phase impacts on the distribution of capercaillie within the SPA. This is due to increased opportunities for access into the SPA (and the associated capercaillie woodlands) from the NMU route by walkers, dog walkers and cyclists, which could impact the distribution of birds at lek sites and nesting females.

The following measures for capercaillie are proposed in the Mitigation Schedule:

- Pre-construction surveys will be undertaken to update the ecological baseline conditions (Mitigation ACNMU-E1). For capercaillie, no lek surveys will be undertaken by the contractors to avoid potential disturbance during this sensitive time. Existing lek monitoring undertaken by RSPB Scotland and FLS will inform the baseline conditions.
- Pre-construction consultations will be undertaken with RSPB Scotland and FLS (who undertake lek monitoring) to identify the location of capercaillie leks. Capercaillie are sensitive to disturbance within 1km of their lek during the lekking season (1st March to 31st May). No leks are currently known within 1km of the proposed development, but if a new lek site is suspected, an immediate 500m exclusion buffer for all human activities will be implemented, which will be increased to a 1km exclusion buffer within 24h if the lek is confirmed. If a buffer excluding all human activity within 1km of the lek is not practical, then the 1km buffer will exclude all construction activity during the sensitive lekking period (1st March to 31st May inclusive) to reduce the risk of disturbance. (Mitigation ACNMU-E7, E36 and E38)
- Pre-construction capercaillie breeding evidence/productivity surveys will be undertaken (as appropriate, depending on the construction programme) by an experienced ornithologist familiar with the habitat requirements and behaviour of the species to avoid any impacts on breeding capercaillie (Mitigation ACNMU-E37). If a capercaillie nest is identified, then a **150m** exclusion buffer will be implemented around the nest site during the breeding season (1st March to 31st August). The **150m** buffer should be maintained until at least the 15th July, when females may need to closely brood chicks. If a female with a brood of active chicks is encountered during the breeding season, works should cease and a 100m buffer should be implemented for at least 3 hours to allow the brood to re-gather and move away from the disturbance. (Mitigation ACNMU-E38). **Note: a 100m exclusion buffer is proposed in the Mitigation Schedule, but female capercaillies are sensitive to**

disturbance within 150m, so any exclusion buffers around nest sites should be increased to a radius of 150m.

- **Note:** an additional mitigation option is proposed in the Mitigation Schedule suggesting that if the 1km buffer wasn't practical that construction activity could be allowed, but certain activities within 1km of the lek would be prohibited between dusk and 9am, including: Tipping, dumping, transfer and/or movement of aggregate; drilling, hammering, piling, digging or rock breaking/crushing (including the use of machinery that vibrates); and mechanical means of vegetation clearance and tree felling (for example using a chainsaw). **We do not believe this option would be effective in mitigating disturbance to a lek site as birds may remain in the vicinity of a lek at other times of the day.**
- An Ecological Management Plan (EMP) including a Habitat Management Plan (HMP) and Species Protection Plans (SPP) will be prepared for the Proposed Scheme. This will detail methods to be adopted pre-construction, during construction and post-construction, including elements such as habitat reinstatement and creation, species and habitat translocation, mitigation measures to safeguard protected species (including timing of works and exclusion zones) and monitoring requirements. An Ecological Clerk of Works (ECoW) will be appointed to ensure that the EMP, HMP and SSP are implemented and followed during pre-construction phases, during construction and post-construction. (Mitigation ACNMU-E3, E6)
- All site workers will receive a capercaillie specific toolbox talk prior to any works in areas where these species are known to occur during the breeding season or may be present. This will include information on how to identify these species and where they are likely to occur. If a confirmed or suspected capercaillie sighting is made during works at any time, the ECoW should be consulted immediately. The ECoW will determine how to proceed (mitigation ACNMU - E41).
- To minimise impacts on capercaillies, the working area will be kept to the minimum necessary for construction of the Proposed Scheme to reduce habitat loss and impacts to protected and priority species and plant and personnel will be constrained to a prescribed working corridor through the use of temporary barriers to minimise the damage to habitats and potential direct mortality and disturbance to animals located within and adjacent to the Proposed Scheme working corridor. Parking will also be restricted to designated areas. (mitigations ACNMU-E9, E10, E39, and E40)
- To minimise impacts on habitat supporting capercaillies any habitats removed to facilitate temporary works areas will be reinstated on a like-for-like basis or better; this process will aim to provide an enhancement where degraded or ecologically poor habitats are present (e.g., improved grassland enhanced to species-rich grassland), where practicable. Detail will be provided within the EMP/HMP. (Mitigation ACNMU-E20)
- A Compensatory Planting Plan will be designed so that any trees and understorey habitats (supporting capercaillie) that are removed are then replaced. (Mitigation ACNMU-E23)
- Any construction activity in a location that may have a direct line of sight to a known lek site will be screened by a high enough screen to mask the construction machinery from the lek site. The screen will be of a different colour to the surrounding vegetation to ensure that birds can see the screen and do not collide with it. (Mitigation ACNMU-E39)
- No deer fencing will be used, but stock fencing (a combination of post and rail, and post and

wire) with grouse droppers/grouse markers will be installed in areas where capercaillie evidence has been recorded or where the Proposed Scheme runs through suitable habitat for capercaillie. The areas for fence marking have been agreed by the RSPB Scotland capercaillie officer and in consultation with NatureScot. (Mitigation ACNMU-E40). Fencing along NMU route will restrict access to sensitive and protected sites such as Kinveachy Forest SPA from the development and will help reduce the impacts of operational-phase recreational disturbance.

If these measures are implemented, they should help to mitigate effects on the distribution of capercaillie to allow this Conservation Objective to be met.

Scottish Crossbill

No construction activity will take place within Kinveachy Forest SPA, and Scottish Crossbills are considered to have low sensitivity to disturbance – with estimated disturbance distances of up to 200m for breeding and non-breeding birds (Ref: [Disturbance Distances in selected Scottish Bird Species – NatureScot Guidance | NatureScot](#)). As the edge of the SPA is approximately 975m from the development there is unlikely to be significant construction-phase impacts on the distribution of this species within the SPA. However, without proposed mitigation measures there may be operational phase impacts on the distribution of this species within the SPA resulting from increased opportunities to access the SPA from points along the NMU route.

The following measures for Scottish Crossbill are proposed in the Mitigation Schedule:

- Pre-construction surveys will be undertaken to update ecological baseline conditions. For crossbills surveys will commence in the early winter, when birds are likely to be pairing up/setting up territories. Surveys will be undertaken by an experienced ornithologist familiar with the habitat requirements and behaviour of the species. If any crossbill nesting sites are identified during pre-construction walkovers, where a 150m exclusion zone from a nest is not practical, construction within 150m of known nesting sites will have a seasonal working window: no works will be conducted within any potential exclusion zones from 1st January to 31st June (accounting for the typically earlier breeding/fledging season of crossbills as compared to other bird species). Where this is not possible restrictions will be made on the types of activities that can be undertaken, as determined by an ornithologist (Mitigations ACNMU-E1, E7 and E42)
- An Ecological Management Plan (EMP) including a Habitat Management Plan (HMP) and Species Protection Plans (SPP) will be prepared for the Proposed Scheme. This will detail methods to be adopted pre-construction, during construction and post-construction, including elements such as habitat reinstatement and creation, species and habitat translocation, mitigation measures to safeguard protected species (including timing of works and exclusion zones) and monitoring requirements. An Ecological Clerk of Works (ECoW) will be appointed to ensure that the EMP, HMP and SSP are implemented and followed during pre-construction phases, during construction and post-construction. (Mitigation ACNMU-E3, E6)
- All site workers will receive a crossbill specific toolbox talk prior to any works in areas where these species are known to occur during the breeding season or may be present. This will include information on how to identify these species and where they are likely to occur. If a confirmed or suspected crossbill sighting is made during works at any time, the

ECoW should be consulted immediately. The ECoW will determine how to proceed (mitigation ACNEMU - E41).

- To minimise impacts habitats and species, the working area will be kept to the minimum necessary for construction of the Proposed Scheme to reduce habitat loss and impacts to protected and priority species and plant and personnel will be constrained to a prescribed working corridor through the use of temporary barriers to minimise the damage to habitats and potential direct mortality and disturbance to animals located within and adjacent. to the Proposed Scheme working corridor. Parking will also be restricted to designated areas. (mitigations ACNEMU-E9, E10, E39, and E40)
- To minimise impacts on habitat supporting crossbills any habitats removed to facilitate temporary works areas will be reinstated on a like-for-like basis or better; this process will aim to provide an enhancement where degraded or ecologically poor habitats are present (e.g., improved grassland enhanced to species-rich grassland), where practicable. Detail will be provided within the EMP/HMP. (Mitigation ACNEMU-E20)
- A Compensatory Planting Plan will be designed so that any trees and understorey habitats (supporting capercaillie) that are removed are then replaced. (Mitigation ACNEMU-E23)
- Stock fencing (a combination of post and rail, and post and wire) is to be installed along the length of the NMU route. The fencing will restrict access to sensitive and protected sites such as Kinveachy Forest SPA from the development and thus will help reduce impacts of operational-phase recreational disturbance (Mitigation ACNEMU-E40).

- Distribution and extent of habitats supporting Capercaillie and Scottish Crossbill

No construction activity is proposed within the SPA, and therefore there will not be an impact on the distribution and extent of habitats supporting these species within the SPA. However, it's likely that these species will utilise areas of suitable coniferous habitat out-with the SPA boundary. Woodland habitat considered suitable for both capercaillie and Scottish crossbill (including woodland on the Ancient Woodlands register) along the NMU route will be lost due to the proposed development. While the footprint of the NMU route may be relatively narrow, the removal of linear strips of suitable habitat next to this SPA may contribute to increasing habitat fragmentation. Therefore, without mitigation measures there will be an impact on the extent of habitats supporting these species. Implementation of the mitigation measures discussed above (including keeping working areas to a minimum, mechanisms to minimise damage to surrounding habitats during construction, reinstatement of habitats supporting these species on a like-for-like bases or better, and a compensatory planting scheme to replace trees and understorey woodland habitats that are destroyed), should reduce the effects of this development on habitats supporting these species to ensure that this Conservation Objective can be met.

Structure, function and supporting processes of habitats supporting Capercaillie and Scottish Crossbill

No construction activity is proposed within the SPA, and therefore there will be limited impact on the structure, function and supporting processes of habitats supporting capercaillie and Scottish crossbill within the SPA. However coniferous woodland habitat along the length of the ANU route with connectivity to the SPA, will be lost due to this development, including areas of ancient woodland and veteran trees. Loss of ancient woodland is considered permanent and irreplaceable

due to the length of time (i.e. hundreds of years) required to effectively replace these biodiversity-rich habitats, and the impacts on biodiversity. Mitigation measures discussed above including reinstatement and enhancement of supporting habitats (including ground flora), a compensatory planting scheme, and habitat management have been proposed to mitigate the loss of this supporting mature woodland habitat. While this should reduce the impacts on capercaillie and Scottish crossbill to ensure that this Conservation Objective can be met, the proposed measures including replacement tree planting at a 1 to 1 ratio are significantly below what would be expected to mitigate the loss of mature woodland, let alone ancient woodland and veteran trees, and the proposed replacement/reinstated habitats will be ecologically poorer into the long-term as a consequence.

No significant disturbance of the Capercaillie and Scottish Crossbill

As discussed previously, Capercaillie are particularly sensitive to disturbance within 1 km of lek sites, or 150m of nesting sites during the breeding season. Crossbills are less sensitive to disturbance, but may be impacted by disturbance within 200m (Ref: [Disturbance Distances in selected Scottish Bird Species – NatureScot Guidance | NatureScot](#)). Measures discussed above to mitigate disturbance during the construction phase and during the operational phases of this development should ensure that this Conservation Objective can be met for both of these species.

Population of the species as a viable component of the site

As the other conservation objectives can be met for Capercaillie and Scottish Crossbill with the mitigation included in the proposal, the proposed development would not hinder or prevent the maintenance of the population of these species as a viable component of site.

In conclusion, the mitigation measures proposed in the Mitigation Schedule reduces the potential effects to a minimal level, so that all the conservation objectives can be met for the Kinveachy Forest SPA

4) Cairngorms SPA

To avoid deterioration of the habitats of the qualifying species: **Capercaillie and Osprey (other species scoped out in stage 3)**, 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:

Distribution of the species (capercaillie and osprey) within site

The Cairngorms SPA is approximately 3.1 km from the closest section of the NMU route. No construction activity related to the proposed development will take place within the boundaries of the Cairngorms SPA, and therefore there will not be an impact on the distribution of these species within the SPA.

Distribution and extent of habitats supporting the species

Capercaillie

Due to the distance (~3.1 km) between the Cairngorms SPA and the development, there will be no direct impact on the distribution and extent of habitats supporting this species within the

Cairngorms SPA. However as discussed for Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in **Annex I** has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the loss of coniferous woodland habitat (including ancient woodland) along the NMU route were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. These measures will reduce the impacts on the distribution and extent of habitats supporting capercaillie to allow this Conservation Objective to be met.

Osprey

Due to the distance (~3.1km) between the Cairngorms SPA and the development, there will be no direct impact from this development on the distribution and extent of habitats supporting breeding osprey within the Cairngorms SPA. However, osprey have a large home range and males will regularly forage up to 10km (up to 20km occasionally) from a nest to suitable hunting sites to catch fish (Ref: Raptor Monitoring Scheme: Hardey et al (2013) [Advice | Scottish Raptor Monitoring Scheme](#)). It is likely that Osprey from the SPA may forage at Loch Vaa and at Avie Lochan, which are both close to the proposed NMU route. Construction activity for this development will be undertaken close to these water bodies, which could result in temporary disturbance to hunting ospreys using these waterbodies. Ospreys are a mobile species that can forage across a large area and are unlikely to be solely dependent on hunting at either of these sites, therefore temporary disturbance/inhibition from hunting at either site is unlikely to significantly impact this species. However, due to the proximity of the NMU route to these waterbodies, pollution events could result in impacts on water quality, habitat and prey species of osprey.

The following relevant measures are proposed in the Mitigation Schedule:

- Pre-construction surveys will be undertaken to update the ecological baseline conditions (Mitigation ACNMU-E1).
- An Ecological Management Plan (EMP) including a Habitat Management Plan (HMP) and Species Protection Plans (SPP) will be prepared for the Proposed Scheme. This will detail methods to be adopted pre-construction, during construction and post-construction, including elements such as habitat reinstatement and creation, species and habitat translocation, mitigation measures to safeguard protected species (including timing of works and exclusion zones) and monitoring requirements. An Ecological Clerk of Works (ECOW) will be appointed to ensure that the EMP, HMP and SSP are implemented and followed during pre-construction phases, during construction and post-construction. (Mitigation ACNMU-E3, E6)
- To minimise impacts habitats and species, the working area will be kept to the minimum necessary for construction of the Proposed Scheme to reduce habitat loss and impacts to protected and priority species and plant and personnel will be constrained to a prescribed working corridor through the use of temporary barriers to minimise the damage to habitats and potential direct mortality and disturbance to animals located within and adjacent. to the Proposed Scheme working corridor. Parking will also be restricted to designated areas. (mitigations ACNMU-E9, E10, E39, and E40)
- All new or extended watercourse crossings (including culvert inlets and outlets), will be sensitively designed and constructed with reference to SEPA's Good Practice Guides, namely: Engineering in the Water Environment Good Practice Guide: Bank Protection

Rivers and Lochs; Engineering in the Water Environment: Good Practice Guide - River Crossing; and; Position Statement WAT-PS-06-02 - Culverting of Watercourses – Position Statement and Supporting Guidance (Mitigation Measure ACNEMU-E5)

- Mitigation measures to avoid or reduce potential effects on surface waters will be employed, including Guidance for Pollution Prevention (GPPs) and Construction Industry Research and Information Association (CIRIA) guidance on the control of water pollution from construction sites will be adhered to for the duration of the construction phase, and appropriate drainage and runoff treatment (Mitigation measure ACNEMU-E14)
- Noise and vibration will be reduced by working back from the banks of watercourses/waterbodies where possible or working within a dry area to avoid implications to fish, such as behavioural changes, e.g. avoidance of areas or physical damage to hearing. In addition, soft-start techniques will be applied to piling work procedures to enable sensitive species to evacuate the area (Mitigation measure ACNEMU-E15)

If these proposed mitigation measures are implemented, it will reduce the impacts on the distribution and extent of habitats supporting capercaillie to allow this Conservation Objective to be met.

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

As discussed for Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in Annex I has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the loss of coniferous woodland habitat suitable for capercaillie were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. Implementation of these measures will reduce the impacts of this development on the structure, function and supporting processes of supporting habitats for capercaillie to allow this Conservation Objective to be met.

Osprey

As discussed above, Osprey are likely to forage in Loch Vaa and Avie Lochan. Potential impacts on water quality, habitats and prey species from pollution events related to this development are possible. Mitigation measures discussed above to prevent pollution incidents will reduce potential effects from this development on the structure, function and supporting processes of supporting habitats for Osprey to allow this Conservation Objective to be met

No significant disturbance of the species

Capercaillie

As discussed above, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in Annex I has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed to reduce the effects of potential construction-phase and operational-phase disturbance on capercaillie were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. Implementation of these measures will reduce the impacts of this development to allow this Conservation Objective to be met.

Osprey

As discussed above ospreys are a mobile species that will forage across a large area (10-20km) and therefore ospreys from this SPA are unlikely to be solely dependent on hunting at Loch Vaa or Avie Lochan. Therefore, temporary disturbance/inhibition from hunting at either site during the construction phase is unlikely to significantly impact this species. Timing of the construction phase to avoid sensitive ecological periods such as the breeding bird season, should also reduce potential for significant disturbance. Loch Vaa is currently used for recreational water sports (**Ref:** Strava Activity Heatmaps [Strava Maps](#)), however without mitigation there may be an increase in the levels of recreational use of both Loch Vaa and Avie Lochan by users of the NMU route for walking, dog walking and swimming, which could lead to increased disturbance to Osprey and other species using these waterbodies such as Slavonian Grebes. Proposed mitigations including the installation of stock fencing (a combination of post and rail, and post and wire) along the length of the NMU route to restrict access to sensitive and protected sites such as Loch Vaa SPA and Kinveachy Forest SPA from the development and thus will help reduce impacts of operational-phase recreational disturbance (Mitigation ACNMU-E40). Implementation of these measures will reduce the impacts of this development to allow this Conservation Objective to be met.

Population of the species as a viable component of the site

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

In conclusion, the mitigation measures proposed in the Mitigation Schedule reduces the potential effects to a minimal level, so that all the conservation objectives can be met for the Cairngorms SPA.

5) Abernethy Forest SPA

-To avoid deterioration of the habitats of the qualifying species: **Capercaillie** and **Osprey (other species scoped out in stage 3)**, 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:

Distribution of the species within site

The Abernethy Forest SPA is approximately 3.8km from the closest section of the NMU route. No construction activity related to the proposed development will take place within the boundaries of the Abernethy Forest SPA, and therefore there will not be an impact on the distribution of these species within the SPA.

Distribution and extent of habitats supporting the species

Capercaillie

Due to the distance (~3.8km) between the Abernethy Forest SPA and the development, there will be no direct impact on the distribution and extent of habitats supporting this species within the Abernethy Forest SPA. However as discussed in the Appropriate Assessment of Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in **Annex I** has the

potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the loss of coniferous woodland habitat (including ancient woodland) along the NMU route were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. These measures will reduce the impacts on the distribution and extent of habitats supporting capercaillie to allow this Conservation Objective to be met.

Osprey

As discussed under the Appropriate Assessment of Cairngorm SPA. If these proposed mitigation measures are implemented to prevent pollution impacts on water quality, habitats and prey species, it will reduce the impacts on the distribution and extent of habitats supporting osprey to allow this Conservation Objective to be met.

Structure, function and supporting processes of habitats supporting the species

Capercaillie

As discussed for Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in Annex I has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the loss of coniferous woodland habitat suitable for capercaillie were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. Implementation of these measures will reduce the impacts of this development on the structure, function and supporting processes of supporting habitats for capercaillie to allow this Conservation Objective to be met.

Osprey

As discussed above, Osprey are likely to forage in Loch Vaa and Avie Lochan. Potential impacts on water quality, habitats and prey species from pollution events related to this development are possible. Mitigation measures discussed above will reduce the impacts of this development on the structure, function and supporting processes of supporting habitats for Osprey to allow this Conservation Objective to be met

No significant disturbance of the species

Capercaillie

As discussed for Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in Annex I has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the impact of construction phase and operational phase disturbance on capercaillie were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. Implementation of these measures will reduce the impacts of this development to allow this Conservation Objective to be met.

Osprey

As discussed for Cairngorm SPA, ospreys are a mobile species that will forage across a large area (10-20km) and therefore ospreys from this SPA are unlikely to be solely dependent on hunting at Loch Vaa or Avie Lochan. Therefore, temporary disturbance/inhibition from hunting at either site during the construction phase is unlikely to significantly impact this species. Timing of the construction phase to avoid sensitive ecological periods such as the breeding bird season, will also reduce potential for significant disturbance. Loch Vaa is currently used for recreational water

sports (**Ref:** Strava Activity Heatmaps [Strava Maps](#)), however without mitigation there may be an increase in the levels of recreational use of both Loch Vaa and Avie Lochan by users of the NMU route for walking, dog walking and swimming, which could lead to increased disturbance to Osprey and other species using these waterbodies, such as Slavonian Grebes. Proposed mitigations including the installation of stock fencing (a combination of post and rail, and post and wire) along the length of the NMU route to restrict access to sensitive and protected sites such as Loch Vaa SPA and Kinveachy Forest SPA from the development and thus will reduce impacts of operational-phase recreational disturbance (Mitigation ACNMU-E40). Implementation of these measures will reduce the impacts of this development to allow this Conservation Objective to be met.

Population of the species (Capercaillie and Osprey) as a viable component of the site

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

In conclusion, the mitigation measures proposed in the Mitigation Schedule reduces the potential effects to a minimal level, so that all the conservation objectives can be met for the Abernethy Forest SPA.

6) Craigmore Wood SPA

To avoid deterioration of the habitats of the qualifying species: **Capercaillie (breeding)** 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:

Distribution of the species within site

Craigmore Wood SPA is approximately 10km from the closest section of the NMU route. No construction activity related to the proposed development will take place within the boundaries of the Craigmore Wood SPA, and therefore there will not be an impact on the distribution of capercaillie within the SPA.

Distribution and extent of habitats supporting the species

Due to the distance (~10km) between the Craigmore Wood SPA and the development, there will be no direct impact on the distribution and extent of habitats supporting this species within the Craigmore Wood SPA. However as discussed in the Appropriate Assessment of Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in **Annex I** has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the loss of coniferous woodland habitat (including ancient woodland) along the NMU route were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. These measures will reduce the impacts on the distribution and extent of habitats supporting capercaillie to allow this Conservation Objective to be met.

Structure, function and supporting processes of habitats supporting the species

As discussed for Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in Annex I has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the loss of coniferous woodland habitat suitable for capercaillie were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. Implementation of these measures will reduce the impacts of this development on the structure, function and supporting processes of supporting habitats for capercaillie to allow this Conservation Objective to be met.

No significant disturbance of the species

As discussed for Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in Annex I has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the impact of construction phase and operational phase disturbance on capercaillie were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. Implementation of these measures will reduce the impacts of this development to allow this Conservation Objective to be met.

Population of the species as a viable component of the site

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

In conclusion, the mitigation measures proposed in the Mitigation Schedule reduces the potential effects to a minimal level, so that all the conservation objectives can be met for the Craigmore Wood SPA.

7) Anagach Woods SPA

To avoid deterioration of the habitats of the qualifying species: **Capercaillie (breeding)**, 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:

Distribution of the species within site

Anagach Woods SPA is approximately 10km from the closest section of the NMU route. No construction activity related to the proposed development will take place within the boundaries of the Anagach Woods SPA, and therefore there will not be an impact on the distribution of these capercaillie within the SPA.

Distribution and extent of habitats supporting the species

Due to the distance (13.8km) between the Anagach Woods SPA and the development, there will

be no direct impact on the distribution and extent of habitats supporting this species within the Anagach Woods SPA. However as discussed in the Appropriate Assessment of Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in **Annex I** has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the loss of coniferous woodland habitat (including ancient woodland) along the NMU route were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. These measures will reduce the impacts on the distribution and extent of habitats supporting capercaillie to allow this Conservation Objective to be met.

Structure, function and supporting processes of habitats supporting the species

As discussed for Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in Annex I has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the loss of coniferous woodland habitat suitable for capercaillie were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. Implementation of these measures will reduce the impacts of this development on the structure, function and supporting processes of supporting habitats for capercaillie to allow this Conservation Objective to be met.

No significant disturbance of the species

As discussed for Kinveachy Forest SPA, it is recognised that effects on capercaillie at any one of the Badenoch and Strathspey capercaillie SPAs or associated capercaillie woodlands shown on the map in Annex I has the potential to affect the wider capercaillie metapopulation of Badenoch and Strathspey. Mitigation measures proposed for the impact of construction phase and operational phase disturbance on capercaillie were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA. Implementation of these measures will reduce the impacts of this development to allow this Conservation Objective to be met.

Population of the species as a viable component of the site

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

In conclusion, the mitigation measures proposed in the Mitigation Schedule reduces the potential effects to a minimal level, so that all the conservation objectives can be met for the Anagach Woods SPA.

STAGE 5:

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

1) Loch Vaa SPA

Yes, provided the mitigation measures included in the planning application are secured by condition and implemented, then the conservation objectives will be met and therefore there will

not be an adverse effect on site integrity for the Loch Vaa SPA. The mitigation measures that require to be secured by condition are:

- Pre-construction surveys will be undertaken to verify and, where required, update the baseline ecological conditions.
- An Ecological Management Plan (EMP) including a Habitat Management Plan (HMP) and Species Protection Plans (SPP) will be prepared for the Proposed Scheme. This will detail methods to be adopted pre-construction, during construction and post-construction, including elements such as habitat reinstatement and creation, species and habitat translocation, mitigation measures to safeguard protected species (including timing of works and exclusion zones) and monitoring requirements (Mitigation ACNEMU-E3).
- An Ecological Clerk of Works (ECoW) will be appointed to ensure that the EMP, HMP and SSP are implemented and followed during pre-construction phases, during construction and post-construction. (Mitigation ACNEMU-E6)
- Construction works will take account of sensitive ecological seasons (e.g. breeding seasons) and the potential impact that the type of construction work could have on any protected or priority habitat or species within that season (ACNEMU-E7).
- To minimise impacts habitats and species, the working area will be kept to the minimum necessary for construction of the Proposed Scheme to reduce habitat loss and impacts to protected and priority species and plant and personnel will be constrained to a prescribed working corridor through the use of temporary barriers to minimise the damage to habitats and potential direct mortality and disturbance to animals located within and adjacent to the Proposed Scheme working corridor. Parking will also be restricted to designated areas. (mitigations ACNEMU-E9, E10, E39, and E40)
- The use of construction lighting will be in accordance with BS5489-1:2020 Code of Practice for the Design of Road Lighting and follow best available guidance on lighting with regards to protected species (e.g. Institute of Lighting Professionals (2018)). The construction lighting design will take account of the need to avoid illuminating sensitive wildlife habitats in locations such as adjacent to watercourses; along woodland edges; and, where there is known activity identified through pre-construction ecological surveys. Where this is not possible the Contractor will agree any exceptions with NatureScot (ACNEMU-E11).
- Mitigation measures to avoid or reduce potential effects on surface waters will be employed, including Guidance for Pollution Prevention (GPPs) and Construction Industry Research and Information Association (CIRIA) guidance on the control of water pollution from construction sites will be adhered to for the duration of the construction phase, and appropriate drainage and runoff treatment (ACNEMU-E14).
- No working or artificial lighting within 50m of watercourses/waterbodies will be undertaken during the hours of darkness, taken to be 30 minutes before sunset to 30 minutes after sunrise, unless specifically agreed with NatureScot. Should this be unavoidable, lighting must be positioned to minimise light spill onto watercourses/waterbodies and will be subject to ECoW approval. The ECoW will monitor relevant species activity upstream and downstream of the works and may stop site activities at any time should they consider that the works are having an impact on a protected species (ACNEMU-E33).
- Stock fencing (a combination of post and rail, and post and wire) is to be installed along the length of the NMU route. The fencing will restrict access to sensitive and protected sites

such as Loch Vaa SPA from the development and thus will help reduce impacts of operational-phase recreational disturbance (Mitigation ACNMU-E40).

2) River Spey SAC

Yes, Provided the mitigation measures included in the planning application are secured by condition and implemented, then the conservation objectives will be met and therefore there will not be an adverse effect on site integrity for the River Spey SAC. The mitigation measures that require to be secured by condition are:

- All conditions previously described for Loch Vaa SPA, plus:
- Open trenches, holes and pipes should be covered at night to prevent animals such as otters becoming trapped. Gates to the compound will be closed at night and when there is no construction activity to prevent animals becoming trapped.

3) Kinveachy Forest SPA

Yes, provided the mitigation measures included in the planning application are secured by condition and implemented, then the conservation objectives will be met and therefore there will not be an adverse effect on site integrity for the Kinveachy Forest SPA. The mitigation measures that require to be secured by condition are:

- Pre-construction surveys will be undertaken to update the ecological baseline conditions (Mitigation ACNMU-E1). For capercaillie, no lek surveys will be undertaken by the contractors to avoid potential disturbance during this sensitive time. Existing lek monitoring undertaken by RSPB Scotland and FLS will inform the baseline conditions.
- Pre-construction consultations will be undertaken with RSPB Scotland and FLS (who undertake lek monitoring) to identify the location of capercaillie leks. Capercaillie are sensitive to disturbance within 1km of their lek during the lekking season (1st March to 31st May). No leks are currently known within 1km of the proposed development, but if a new lek site is suspected, an immediate 500m exclusion buffer for all human activities will be implemented, which will be increased to a 1km exclusion buffer within 24h if the lek is confirmed. If a buffer excluding all human activity within 1km of the lek is not practical, then the 1km buffer will exclude all construction activity during the sensitive lekking period (1st March to 31st May inclusive) to reduce the risk of disturbance. **(Note Mitigation is modified from ACNMU-E38 to remove option of selected construction work continuing within 1km of a lek)**
- Pre-construction capercaillie breeding evidence/productivity surveys will be undertaken (as appropriate, depending on the construction programme) by an experienced ornithologist familiar with the habitat requirements and behaviour of the species to avoid any impacts on breeding capercaillie (ACNMU-E37). If a capercaillie nest is identified, then a **150m** exclusion buffer will be implemented around the nest site during the breeding season (1st March to 31st August). The **150m** buffer should be maintained until at least the 15th July, when females may need to closely brood chicks. If a female with a brood of active chicks is encountered during the breeding season, works should cease and a 100m buffer should be implemented for at least 3 hours to allow the brood to re-gather and move away from the disturbance. **(Note: Mitigation is modified from that proposed as ACNMU- E38 in the Mitigation Schedule with enlarged 150m , rather than 100m.).**

- An Ecological Management Plan (EMP) including a Habitat Management Plan (HMP) and Species Protection Plans (SPP) will be prepared for the Proposed Scheme. This will detail methods to be adopted pre-construction, during construction and post-construction, including elements such as habitat reinstatement and creation, species and habitat translocation, mitigation measures to safeguard protected species (including timing of works and exclusion zones) and monitoring requirements. An Ecological Clerk of Works (ECoW) will be appointed to ensure that the EMP, HMP and SSP are implemented and followed during pre-construction phases, during construction and post-construction. (Mitigation ACNEMU-E3, E6)
- All site workers will receive a capercaillie and crossbill specific toolbox talk prior to any works in areas where these species are known to occur during the breeding season or may be present. This will include information on how to identify these species and where they are likely to occur. If a confirmed or suspected capercaillie sighting is made during works at any time, the ECoW should be consulted immediately. The ECoW will determine how to proceed (mitigation ACNEMU - E41).
- To minimise impacts on species and habitats the working area will be kept to the minimum necessary for construction of the Proposed Scheme to reduce habitat loss and impacts to protected and priority species and plant and personnel will be constrained to a prescribed working corridor through the use of temporary barriers to minimise the damage to habitats and potential direct mortality and disturbance to animals located within and adjacent to the Proposed Scheme working corridor. Parking will also be restricted to designated areas. (mitigations ACNEMU-E9, E10, E39, and E40)
- To minimise impacts on habitat supporting capercaillie and Scottish crossbill any habitats removed to facilitate temporary works areas will be reinstated on a like-for-like basis or better; this process will aim to provide an enhancement where degraded or ecologically poor habitats are present (e.g., improved grassland enhanced to species-rich grassland), where practicable. Detail will be provided within the EMP/HMP. (Mitigation ACNEMU-E20)
- A Compensatory Planting Plan will be designed so that any trees and understorey habitats (supporting capercaillie) that are removed are then replaced. (Mitigation ACNEMU-E23)
- Any construction activity in a location that may have a direct line of sight to a known lek site will be screened by a high enough screen to mask the construction machinery from the lek site. The screen will be of a different colour to the surrounding vegetation to ensure that birds can see the screen and do not collide with it. (Mitigation ACNEMU-E39)
- No deer fencing will be used, but stock fencing (a combination of post and rail, and post and wire) with grouse droppers/grouse markers will be installed in areas where capercaillie evidence has been recorded or where the Proposed Scheme runs through suitable habitat for capercaillie. The areas for fence marking have been agreed by the RSPB Scotland capercaillie officer and in consultation with NatureScot. (Mitigation ACNEMU-E40). Fencing along NMU route will restrict access to sensitive and protected sites such as Kinveachy Forest SPA from the development and will help reduce the impacts of operational-phase recreational disturbance.

4) Cairngorms SPA

Yes, provided the mitigation measures included in the planning application are secured by

condition and implemented, then the conservation objectives will be met and therefore there will not be an adverse effect on site integrity for the Cairngorms SPA. The mitigation measures that require to be secured by condition are:

- All conditions previously described for Loch Vaa SPA,
- All conditions previously described for the Kinveachy Forest SPA

5) Abernethy Forest SPA

Yes, provided the mitigation measures included in the planning application are secured by condition and implemented, then the conservation objectives will be met and therefore there will not be an adverse effect on site integrity for the Abernethy Forest SPA. The mitigation measures that require to be secured by condition are:

- All conditions previously described for Loch Vaa SPA,
- All conditions previously described for the Kinveachy Forest SPA

6) Craigmore Wood SPA

Yes, provided the mitigation measures included in the planning application are secured by condition and implemented, then the conservation objectives will be met and therefore there will not be an adverse effect on site integrity for the Craigmore Wood SPA. The mitigation measures that require to be secured by condition are:

- All conditions previously described for the Kinveachy Forest SPA

7) Anagach Woods SPA

Yes, provided the mitigation measures included in the planning application are secured by condition and implemented, then the conservation objectives will be met and therefore there will not be an adverse effect on site integrity for the Anagach Woods SPA. The mitigation measures that require to be secured by condition are:

- All conditions previously described for the Kinveachy Forest SPA

Annex I: Badenoch and Strathspey capercaillie woods map

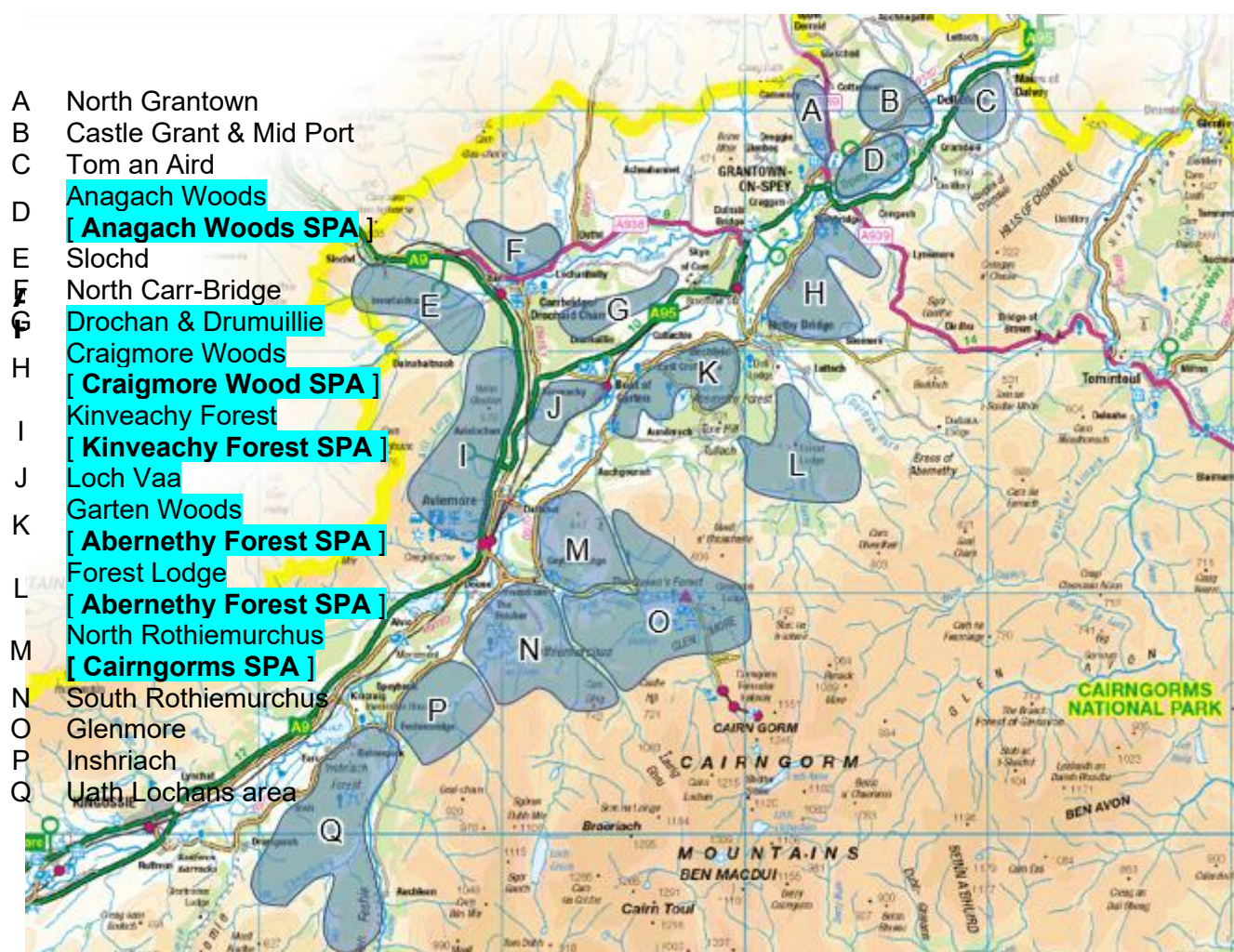


Figure 2 Capercaillie woodland in Badenoch and Strathspey.
 Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2018. All rights reserved. Ordnance Survey Licence number 100040965 Cairngorms National Park Authority © Nature Scot