



Agenda item 5

Appendix 2

2026/0160/DET

Habitats regulations appraisal

HABITATS REGULATIONS APPRAISAL

Planning reference and proposal information	2026/0160/DET Slugain Burn Restoration Project: River channel realignment, habitat restoration, road realignment, revised river crossing and installation of culvert Land 1.4km South-west of Inverlaidnan Station Road, Dalnahaitnach, Carrbridge, Highland
Appraised by	Scott Shanks, Ecological Advice Officer
Date	06 July 2026
Checked by	Kirsty North NatureScot Operations Officer
Date	15 July 2026

INFORMATION
European site details
Name of European site(s) potentially affected
1) River Spey SAC (proposal is partly within site) 2) Kinveachy Forest SPA¹ (proposal is partly within site) 3) Kinveachy Forest SAC (proposal is partly within site) 4) Abernethy Forest SPA^{1, 2} 5) Anagach Woods SPA^{1, 2} 6) Cairngorms SPA^{1, 2} 7) Craigmore Wood SPA^{1, 2} 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). ²Consideration of indirect effects on the qualifying interests of these European sites has been focused on capercaillie.
Qualifying interest(s)
1) River Spey SAC Otter Atlantic salmon Sea lamprey Freshwater pearl mussel (FWPM) 2) Kinveachy Forest SPA Capercaillie (breeding) Scottish crossbill 3) Kinveachy Forest SAC Caledonian forest Bog woodland 4) Abernethy Forest SPA Capercaillie (breeding) Scottish crossbill Osprey

5) Anagach Woods SPA

Capercaillie (breeding)

6) Cairngorms SPA

Capercaillie (breeding)

Golden eagle

Dotterel

Merlin

Peregrine

Scottish crossbill

Osprey

7) Craigmore Wood SPA

Capercaillie (breeding)

Conservation objectives for qualifying interests

1) River Spey SAC

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2) 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

3) Kinveachy Forest SAC

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

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

2a. Maintain the extent and distribution of **Caledonian forest** within the site

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

2c. Maintain the distribution and viability of typical species of **Caledonian forest**

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

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

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

4) Abernethy Forest SPA

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

5) 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

6) Cairngorms SPA

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

APPRAISAL

STAGE 1:

What is the plan or project?

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

The Slugain Burn restoration project aims to restore natural river processes, improve and create habitats and create a low-maintenance and resilient watercourse. The proposal will also replace an old bridge with a new crossing able to withstand future flooding and climate change impacts. The proposed site is within the River Spey SAC and the Kinveachy Forest SPA and SAC. The proposal aims to improve and lengthen the Slugain Burn where it crosses the Dalnahaitnach floodplain from approximately 200 m of canalised, perched and embanked watercourse to approximately 1.5km long channel with natural geomorphic processes allowed to evolve. This will create a diversity of habitats within the channel and deliver better floodplain connectivity. This will be achieved by diverting the Slugain Burn into a new channel to connect with an existing ditch that then connects to the River Dulnain. The current road will be realigned with a new crossing, which is required to facilitate the burn's new course. The diverted burn will be allowed to evolve naturally across the floodplain and therefore is likely to be more preferential to juvenile salmon than the current canalized section and will create more suitable habitat for foraging otters.

The proposed construction timings will be to avoid the breeding bird season (February to end of August) and key Atlantic salmon spawning season (Mid-October to end of February).

STAGE 2:

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

1) River Spey SAC

Yes, the Slugain Burn is a designated tributary of the River Spey SAC. Therefore, realignment works along this historically straightened section of the Slugain Burn will directly impact the River Spey SAC. The proposal aims to reinstate natural dynamic processes along the watercourse, enhance habitat provision and diversity both in the river and the floodplain, as well as contributing to natural flood risk management and improving climate change resilience. Therefore, it could be argued that this river realignment work is necessary for nature conservation and should improve suitable habitat diversity and potentially increase the distribution of qualifying interests (Atlantic salmon, freshwater pearl mussel, sea lamprey and otter) within the site.

i) Has the effect on all qualifying interests been considered?

Yes, effects on Atlantic salmon, freshwater pearl mussel (FWPM), sea lamprey and otter, the qualifying interests (QIs) of the River Spey SAC, have been considered during the development of this river restoration and habitat improvement proposal. Existing habitat condition and the extent of the QIs, as well as their conservation objectives were used to inform the restoration design and proposed construction

works (i.e. methodology and timing) to mitigate against impacts on these species. The potential impacts, design measures and mitigation measures undertaken and residual impacts on the QIs are further discussed in Stage 4.

ii) Is the proposal part of a fully assessed and agreed management plan

Yes. This proposal forms part of the Cairngorms 2030 programme of long-term projects lead by the CNPA working with over 80 partners which aims to deliver transformational change to tackle the twin nature and climate emergencies. The project will support delivery of objectives of the River Spey Catchment Management Plan 2023-2030 ([Spey-Catchment-Management-Plan.pdf](#)) and will also deliver key freshwater objectives of the Cairngorms National Park Partnership Plan (Ref: [A9. Freshwater systems – Cairngorms National Park Partnership Plan](#)). The proposal aims to reinstate natural dynamic processes along the watercourse, enhance habitat provision and diversity both in the river and the floodplain, as well as contributing to natural flood risk management and improving climate change resilience. This will help to achieve the Conservation Objectives of the SAC's qualifying interests i.e. to improve the habitat provision and restore/ expand the distribution of these species within the River Spey. The proposal will also deliver

iii) Is there a clear rationale to justify the connection with the Conservation Objectives?

Yes. The Conservation Objectives for all QIs seek to improve the population, distribution, and availability of supporting habitats for these species. The channel realignment and supporting design features are proposed primarily to restore natural river processes and to improve and diversify the existing in-channel habitat present along the canalised lower section of the Slugain Burn, which is largely homogenous. Increasing in-channel morphological diversity has the potential to increase the availability of habitat suited to different stages of the Atlantic salmon life cycle, helping to expand the area of suitable habitat throughout this section of the watercourse. While FWPM are not currently present in either the Slugain Burn or the ditch that become it's new confluence with the River Dulnain, improving habitat for Atlantic salmon (one of the host species for FWPM glochidia), may help with the population expansion/colonisation of the FWPM into the Slugain Burn. Improved morphological diversity and sediment sorting across the channel caused by the inclusion of large woody structures in the design may also benefit FWPM directly by encouraging the deposition of sand between existing cobbles and boulders, expanding suitable habitat for this species. Sea lamprey are not considered to be present in this area of the catchment, however, the proposed river restoration works will result in a significant increase in length and habitat diversity within the watercourse which may provide more opportunities for breeding sea lamprey than the current canalised lower section of the Slugain Burn. Otter are likely to benefit from the improved and diversified in-channel habitat and better connection of the watercourse with it's flood plain which will provide increased opportunities for foraging and through the provision of large woody structures, this may increase shelter opportunities.

iv) If there is a clear rationale to justify the connection with the Conservation Objectives, will any benefits arising from the proposal outweigh any negative impacts?

Yes, steps have been taken during the scoping and design development to mitigate against impacts on the SAC's qualifying interests. As noted in the response at 2iii) the proposed river restoration works on the Slugain Burn have the potential to improve habitat provision and diversity for QIs, contributing towards improving the condition of the designated site. The final design and construction methodology have been developed with mitigation measures in place to limit negative impacts on the QI. However, during the construction process residual risks remain, such as best practice construction methodologies being ignored or implemented incorrectly, or disturbance of a previously unknown population of FWPM. These mitigation measures and residual risk will be discussed further in Stage 4. An experienced aquatic Ecological Clerk of Works will be on site during construction to ensure that the construction is undertaken with sensitivity to the QIs.

v) Have any alternative methods of implementing the proposal been explored, including building in any relevant mitigation, to demonstrate that this is a the least damaging option?

Yes. Cairngorms National Park Authority previously commissioned CBEC Eco-engineering UK Ltd with input from McGowan Environmental Engineering to undertake a feasibility study and options appraisal for the restoration of the Slugain Burn, and commissioned Moxon Architects to develop a conceptual design of a replacement bridge. The project team selected an option to be taken forward to Outline and Detailed Design stages. This option involved the following actions:

- Realign a section of the Slugain Burn upstream of the existing vehicle bridge, along a new channel to the east, to eventually converge with an existing drainage ditch
- Relocate the vehicle bridge to span the new channel
- Naturalise the new channel and the existing ditch that will convey the Slugain Burn
- Remove embankments, the existing highway bridge and infill the existing channel, downstream of the diversion point
- Enhance habitats in the channel and floodplain

JBA were commissioned by The Highland Council to develop an outline design and detailed design for the chosen option.

The relocation of the crossing aims to avoid the current situation where a build-up of deposited sediment at the current bridge requires regular dredging/interventions to avoid flooding of the road and damage to infrastructure. The gradient and design of the watercourse has been designed to follow the

Out-of-channel modelling indicated that flood waters would follow what was likely the original course of the lower Slugain before it was straightened. Therefore, the design realigned the river along these flow pathways to be based on the natural processes of water and sediment movement.

The 'Species Protection Plan for the Slugain Burn Restoration Project' document (uploaded to CNPA Planning Portal 22 May 2026) outlines site-specific mitigation measures that are to be included in a Construction Environmental Management Plan (CEMP) required to ensure that all Conservation Objectives of connected European Sites can be met.

- vi) **Give a Yes/No conclusion in terms of whether the plan or project is considered to directly connect with or necessary to site management for nature conservation.**

Yes. The Slugain Burn and river corridor are covered by the River Spey SAC designation. Therefore, realignment of the lower section of the Slugain Burn will directly impact the SAC. However, the proposal aims to reinstate natural geomorphic processes, enhance habitat provision and diversity as well as contributing to natural flood risk management and improving climate change resilience. Therefore, it is deemed that this river restoration work is necessary for nature conservation and should improve suitable habitat diversity and potentially increase distribution for all QIs.

2) Kinveachy Forest SPA

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

3) Kinveachy Forest SAC

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

4) Abernethy Forest SPA

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

5) Anagach Woods SPA

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

6) Cairngorms SPA

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

7) Craigmore Wood 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) River Spey SAC (Proposed development directly impacts a tributary of the River Spey SAC)

Otter: Yes, LSE from short term effects arising during construction activity including disturbance and pollution impacts, and from permanent loss of approximately 325m of the existing lower Slugain Burn (including approximately 200m canalised section) where it joins the River Dulnain. However, the realignment of the lower section of the burn to connect with an existing drainage channel will result a new channel of approximately 1.48km length. increase in the extent of the lower section of the Slugain Burn with more natural riparian and riverine habitat, and improved connectivity with the flood plain. There could be long term positive impacts through this improved naturalisation of the watercourse channel, riverbanks and the flood plain which may provide increased habitat for otters and their prey.

Freshwater pearl mussel: No LSE. The applicant has sought advice from NatureScot and CNPA's Freshwater Restoration Manager, who have confirmed that the highly mobile gravels present in the Dulnain close to the current confluence of the Slugain Burn and the proposed new confluence of the Slugain Burn are considered unsuitable for FWPM. An eDNA survey undertaken in 2024 confirmed that FWPM were not present within the current lower section of the Slugain Burn or the ditch that will become the future confluence of the Slugain Burn with the Dulnain. Therefore, there is unlikely to be a significant impact on this species. While FWPM are considered unlikely to be present it should be noted that mitigation measures to protect other River Spey SAC Qualifying Interests such as Atlantic salmon from potential pollution events or mobilised sediment would also protect potential FWPM populations downstream of the project site if they were present. The proposed naturalisation of the lower section of the Slugain Burn could result in the creation/expansion of suitable FWPM habitat, and host species habitats with the potential to increase FWPM abundance and improve distribution and encourage colonisation of the restoration site.

Sea lamprey: No LSE. The applicant has sought advice from NatureScot and CNPA's Freshwater Restoration Manager regarding impacts on sea lamprey. While sea lamprey have been recorded within the main channel of the River Spey, they are mainly found downstream of the Cairngorms National Park, and it is considered unlikely that they would be present this far up the catchment. The Slugain Burn was surveyed by electrofishing in the summer of 2023, 2024 and 2025 by the Spey Fisheries Board (Ref: Salmonid Surveys of the Slugain Burn document uploaded to CNPA planning portal 22 May 2026), but no sea lamprey were recorded. Environmental DNA (eDNA) sampling was also undertaken within the Slugain Burn and the Slugain ditch (the ditch which will become the new confluence with the River Dulnain), and no signals were detected for sea lamprey. This provides further evidence that sea lamprey are not present within the project area. While sea lamprey are considered unlikely to be present it should be noted that mitigation measures to protect other River Spey SAC Qualifying Interests (e.g Atlantic salmon) from potential pollution events or mobilised sediment, would also protect potential sea lamprey populations downstream of the project site if they were present. The proposed naturalisation of the lower section of the Slugain Burn could result in the creation/expansion of suitable habitat for breeding lamprey, and improved habitat for prey species with the potential to increase sea lamprey abundance and improve distribution and encourage colonisation of the Slugain Burn.

Atlantic salmon: Yes, LSE from short term effects arising during construction activity including disturbance of existing habitat within the Slugain Burn through release of sediment mobilised from banks and riverbed during construction works that could smother Atlantic salmon spawning gravels downstream of the site, pollution from construction activity such as fuel spills and disturbance during spawning periods. There could be post-construction impacts from improved natural dynamism of the Slugain Burn and improved habitat for Atlantic salmon.

2) Kinveachy Forest SPA (part of the proposed development is within the SPA)

Capercaillie (breeding): Yes, there will be an LSE due to loss of supporting habitat, disturbance during the construction phase and potentially increased disturbance during the operational phase. The capercaillie population within this SPA is part of the wider Strathspey metapopulation that has connectivity with neighbouring capercaillie SPAs (Abernethy Forest SPA, Anagach Woods SPA, Cairngorms SPA and Craigmore Wood SPA) and associated capercaillie woodlands (see Annex 1) and therefore impacts on capercaillie within Kinveachy Forest SPA can impact the wider metapopulation.

Scottish crossbill: Yes, there will be an LSE. While the proposed development will not result in loss of woodland habitat, there may be disturbance to breeding Scottish crossbill during the construction phase.

2) Kinveachy Forest SAC (Part of the proposed development is within the SAC)

Caledonian Forest: Yes, LSE. Part of the proposed development falls within the boundary of the Kinveachy Forest SAC, the Preliminary Ecological Appraisal Report (JBA Consulting, July 2025) and the Species Protection Plan (Ref: CNPA, uploaded 22 May 2026) submitted in support of the application notes that a single mature Scots pine is present on the eastern bank of the Slugain Burn, upstream of the proposed branch point for the new channel. It has been confirmed that no trees are to be removed, felled or pruned to deliver the proposed works, and woodland habitats will not be directly impacted by the installation of the new channel (which passes through neutral semi-improved grassland before connecting with an existing ditch). Scattered juniper scrub is present on the banks to the south of the proposed new channel, but this habitat will not be significantly impacted by construction activity. However, the proposed re-routing of the access road will result in a small net increase in road surface area (estimated to be approximately 80m²) within the SAC – which may reduce potential area within the SAC for future Caledonian forest expansion.

Bog Woodland: No LSE. While part of the proposed development falls within the boundary of the Kinveachy Forest SAC, the Preliminary Ecological Appraisal Report (JBA Consulting, July 2025) and Ground Investigation report (JBA Consulting, March 2026) submitted in support of the application confirm that no peatland habitats (including bog woodland) are present the site where the new river channel will be excavated. While bog woodland may be present further up the Slugain Burn catchment, the proposed works will not indirectly result in increased drainage of peatland habitats or impacts on trees growing on bogs.

Therefore, this qualifying interest has been removed from further consideration.

4) Abernethy Forest SPA (approx. 9.5km)

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 9km from nest sites within this SPA.

Osprey: Yes, there will be an LSE. The core foraging range for breeding osprey is 10km, but regular foraging within 20km of a nest site is known (Ref: [Assessing connectivity with special protection areas.pdf](#)). It's possible that osprey from the Abernethy Forest SPA may forage within the River Dulnain adjacent to the proposed development. While it is considered unlikely that breeding osprey will be solely dependent on foraging from this site, there may be short-term disturbance from construction activity, and potential impacts on prey species from construction phase pollution events.

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 (Anagach Woods SPA, Cairngorms SPA, Craigmore Wood SPA and Kinveachy Forest SPA) and capercaillie woodlands (see Annex1). Therefore, impacts on capercaillie within Kinveachy Forest SPA can have indirect effects on capercaillie within the Abernethy SPA.

5) Anagach Woods SPA (approximately 19km from proposed development)

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, Cairngorms SPA, Craigmore Wood SPA and Kinveachy Forest SPA) and capercaillie woodlands (see Annex1). Therefore, impacts on capercaillie within Kinveachy Forest SPA can have indirect effects on capercaillie within the Anagach Woods SPA.

6) Cairngorms SPA (approximately 10km from proposed development site)

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, Craigmore Wood SPA and Kinveachy Forest SPA) and capercaillie woodlands (see Annex1). Therefore, impacts on capercaillie within Kinveachy Forest SPA can have indirect effects on capercaillie within the Cairngorms SPA.

Golden eagle: No LSE, the proposed development is approximately 10 km from the SPA. The core range of breeding Golden Eagle is 6km, up to a maximum of 9km (Ref: [Assessing connectivity with special protection areas.pdf](#)), and therefore the development site is unlikely to be used by foraging golden eagle breeding within the Cairngorms SPA.

Therefore, this qualifying interest has been removed from further consideration.

Dotterel: No LSE, the proposed development is approximately 10km from the SPA and the habitats involved are not suitable for Dotterel, and so **this qualifying interest has been removed from further consideration.**

Merlin: No LSE, the proposed development is approximately 10km from the SPA. Merlin generally forage within 5km of nest sites (Ref: [Assessing connectivity with special protection](#)

[areas.pdf](#)), and therefore the development site is unlikely to be used by foraging Merlin from the Cairngorms SPA. **Therefore, this qualifying interest has been removed from further consideration.**

Peregrine: No LSE, the proposed development is approximately 10km from the SPA. Merlin generally forage within 5km of nest sites (Ref: [Assessing connectivity with special protection areas.pdf](#)), and therefore the development site is unlikely to be used by foraging Merlin from the Cairngorms SPA. **Therefore, this qualifying interest has been removed from further consideration.**

Scottish crossbill: No, LSE. While the Scottish Crossbill population within this SPA is likely part of a wider metapopulation with connectivity to populations in neighbouring SPAs, it is considered unlikely that breeding crossbills within the Cairngorms SPA would be dependent on foraging habitats more than 10 km from their nest sites. **Therefore, this qualifying interest has been removed from further consideration.**

Osprey: Yes, there will be an LSE. The core foraging range for breeding osprey is 10km, but regular foraging within 20km of a nest site is known (Ref: [Assessing connectivity with special protection areas.pdf](#)). It's possible that osprey from the Cairngorms SPA may forage within the River Dulnain adjacent to the proposed development While it is considered unlikely that breeding osprey will be solely dependent on foraging from this site, there may be short-term disturbance from construction activity, and potential impacts on prey species from construction phase pollution events.

7) Craigmore Wood SPA (approximately 15km)

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 Annex1). Therefore, impacts on capercaillie within Kinveachy Forest SPA can have indirect effects on capercaillie within the Craigmore Woods SPA.

STAGE 4:

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

1) River Spey SAC

Conservation Objective 2. To ensure that the integrity of the River Spey SAC is restored by meeting objectives 2a, 2b, 2c for each qualifying feature (Atlantic salmon and otter considered here, as FWPM and sea lamprey removed from consideration at Stage 3):

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

The proposed river realignment works will contribute towards achieving this Conservation

Objective. The works have been designed with a key aim of improving in-channel and riparian habitat quality and diversity to benefit Atlantic salmon. Surveys for Atlantic salmon within the lower stretches of the Slugain Burn (Ref: Salmonid Surveys of the Slugain Burn 2023-2025 report, uploaded to CNPA Planning Portal 22 May 2026) found both Atlantic salmon and sea trout were present within the Slugain Burn, with redds present upstream, and at least one downstream of the proposed realignment point. Atlantic salmon fry numbers were regarded as being very low/low in the existing channel, while Atlantic salmon parr numbers were variable with low numbers within the straightened channel and higher numbers upstream of the realignment point. Discussion with NatureScot Operations Officer Anne Elliott (02 July 2026) indicated that while the River Dulnain is considered to be an important watercourse for Atlantic salmon, the Slugain Burn is not considered to be a high-quality Atlantic salmon river due to the steep, rocky nature of the watercourse above the proposed diversion point.

From the proposed diversion point downstream to the current confluence with the River Dulnain, the existing Slugain Burn channel is approximately 325m, which includes an embanked area of approximately 30m upstream of the current bridge, followed by approximately 200m of straightened canalised channel, followed by approximately 95m of more natural meander before the confluence. The proposed realignment will see the original channel infilled apart from the final section which will be left unfilled as a back water from the River Dulnain. Therefore, approximately 230m of salmon habitat within the River Spey SAC will be permanently lost. At an average of 2m wide, this equates to a permanent loss of approximately 0.046 ha of habitat within the River Spey SAC. The River Spey SAC is 5759.72ha, and therefore the loss of 0.046ha would equate to approximately 0.00008% of the River Spey SAC.

From the proposed diversion point the proposed realigned channel will connect with an existing ditch that will become the new confluence of the Slugain Burn with the River Dulnain. From the diversion point to the new confluence, the realigned and naturalised watercourse will be approximately 1,480m. Therefore, the Slugain Burn will gain approximately 1,250m of potential Salmon habitat.

The ditch that will become the new confluence with the River Dulnain is currently small, silty and heavily vegetated. Analysis of eDNA sampled from 5 locations along the ditch confirmed a weak signal for Atlantic salmon at the confluence to the River Dulnain, but no other signal for Salmon further upstream of that point.

Habitats suitable for all life stages of Atlantic salmon are predicted to be enhanced in the new channel, and passage will be maintained to the habitats upstream.

Therefore, realignment of the lower Slugain Burn will provide a net increase in habitat availability and diversity for Atlantic salmon associated with the River Spey SAC. The increase in habitats suitable for salmon may facilitate an increase in the distribution of Atlantic Salmon within the SAC.

Mitigation Measures included in the proposal include:

- Timing of works to avoid the key Atlantic salmon spawning season (Mid-October to end of February). This is required to avoid silty sediment washing out from the ditch into the

River Dulnain at this critical time, which might smother salmon redds and developing eggs downstream of the confluence.

- Pollution prevention and sediment control protocols to avoid the mobilisation of sediments that could smother redds, and the release of pollution (e.g. oil spills or fuel) or spread of disease that could impact Atlantic salmon within the River Spey SAC.
- Employment of an experienced aquatic Ecological Clerk of Works to oversee the construction phase of the project.

If these mitigation measures were conditioned and fully implemented, this Conservation Objective would be met.

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

The proposed river realignment works to reinstate a more natural confluence with the River Dulnain will contribute towards achieving this Conservation Objective. As discussed above, the current canalised lower section of the Slugain Burn has low habitat diversity but is currently used by Atlantic salmon fry and parr (Ref: Salmonid Surveys of the Slugain Burn 2023-2025 report, uploaded to CNPA Planning Portal 22 May 2026). Therefore, the proposed works will result in the permanent loss of some habitat for Atlantic salmon within approximately 230m canalised section below the realignment point. However, the realignment will significantly increase the length and morphological diversity within the realigned section, creating a diversity of habitats that will be suitable for a range of life stages of Atlantic Salmon. While the current straightened lower stretch of the Slugain Burn has embankments that limit connectivity with the surrounding floodplain. The proposed realignment work will improve connectivity between the river and the surrounding floodplain which should also provide a source of nutrients and food for salmon.

The project design intends that the new channel will be dynamic and there may be post-construction changes. Natural processes would operate, including transport of sediment from the Slugain through the new channel, and deposition and erosion of sediment. The design of the upper section of the new channel includes a series of step pools to provide resting places for salmon moving upstream. The design of the replacement box culvert road crossing will feature naturalised bed and banks that will continue the step-pool morphology and will allow the passage of sediment to avoid the current situation where the existing crossing holds back gravels which contribute to regular flooding events. Where the channel reaches the southern edge of the river Dulnain flood plain the design of the channel will encourage pool-riffle morphology before it connects with the existing drainage ditch.

While it is proposed that natural dynamic processes will operate following construction, If salmon passage is compromised, for example with gravel deposition leading to very shallow flows, and this is persistent, for example over six months, it will be important to take remedial action to ensure that there is no net loss of usable salmon habitat. Therefore, monitoring of sediment deposition and water levels and flow will be required following realignment of the new channel.

Mitigation Measures included in the proposal (described above) will minimise the construction phase risks of disturbance during spawning time, mobilisation of sediments

that could smother spawning sites, and release of pollution or spread of disease that could impact Atlantic salmon within the River Spey SAC.

An additional measure may also be required:

- Monitoring of sediment erosion/deposition within the new channel should be undertaken post-construction to ensure that flow depths are sufficient for fish passage through the realigned channel. If monitoring identifies restricted fish-passage (both up and down the watercourse) in average flows for a period lasting more than 6 months that results in a net loss of salmon habitat, then adjustments should be undertaken in consultation with a geomorphologist to restore fish passage.

If these mitigation measures are implemented this Conservation Objective would be met.

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

The proposed river realignment works will partly contribute towards achieving this Conservation Objective. The restoration of this stretch of the Sluagin Burn will increase habitat diversity suitable for Atlantic salmon. This increase in suitable habitat may in turn promote an increase in the population of Atlantic salmon within this stretch of the River Spey SAC. However, the proposed works will not influence the range of genetic types within the SAC.

Mitigation Measures included in the proposal will minimise the construction phase risks of disturbance during spawning time, mobilisation of sediments that could smother spawning sites, disturbance and temporary loss of parr habitat, and release of pollution or spread of disease that could impact Atlantic salmon within the River Spey SAC. **Therefore, this Conservation Objective would be met.**

2b. Maintain the distribution of otter throughout the site

The proposed river realignment works will contribute towards achieving this Conservation Objective. During an Preliminary Ecological Appraisal undertaken in July 2025 found no evidence of otter. Analysis of eDNA sampling of the existing Sluagin Burn and the Sluagin ditch (the proposed new confluence of the Sluagin Burn with the River Dulnain) in October 2024 also found no evidence of otter along multiple sampling points within the existing Sluagin Burn and ditch. While it appears that otter rarely use these watercourses, there are records of otter on the River Dulnain ([Lutra lutra : Otter | NBN Atlas](#)) and it's possible that otter may commute through the work area.

During the construction phase, otter may temporarily be inhibited from foraging across the site, however otters can have very large home ranges of around 32km for males and 20km for females ([Otter | NatureScot](#)), and therefore temporary construction work at this location is unlikely to result in significant impact on foraging otter. Pre-construction surveys for protected species including otter are proposed to ensure that any otters that move into the development site, or close to it, are appropriately considered and protected.

While there will be a permanent loss of an approximately 230m section of the Sluagin Burn (River Spey SAC), the proposed works will replace the straightened section Sluagin Burn

with a significantly longer and more diverse channel. The design of the new channel has been modelled to increase habitat diversity within the channel and improve connections with the floodplain. The proposed works will likely increase the extent and diversity of wetland habitats within and surrounding the project site that would be suitable for otter and will therefore help maintain the distribution of otter within the River Spey SAC.

Therefore, this Conservation Objective would be met.

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

The proposed river realignment works will contribute towards achieving this Conservation Objective. The proposed river restoration works should improve the diversity of habitats within the Slugain Burn that support prey species such as Atlantic salmon, and the improved connectivity of the Slugain Burn with its floodplain should benefit a wide range of otter prey species.

Mitigation measures included in the proposal will minimise the construction phase risks of disturbance to spawning Atlantic salmon (otter prey species), and the mobilisation of sediment and pollution, and the spread of disease that could impact otter prey species close to the application site. **Therefore, this Conservation Objective would be met.**

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

The proposed river realignment works will contribute towards achieving this Conservation Objective. As the other conservation objectives can be met for otter with the mitigation included in the proposal, the proposed development would not hinder or prevent the maintenance of the population of otter as a viable component of site. **Therefore, this Conservation Objective would be met.**

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

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

In conclusion, the proposed mitigation measures including: timing of the works to avoid the key Atlantic salmon spawning season (Mid-October to end of February), the inclusion of sediment and pollution management measures, pre-construction checks for protected species, and post-construction monitoring to ensure that fish passage is maintained will reduce the potential effects to a minimal level, so that all Conservation Objectives can be met for the River Spey SAC.

2) 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 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](#)). Capercaillie broods (i.e. hens with chicks) are found in forests between mid-May and late August. They are particularly vulnerable to disturbance during May and June when the chicks are small and dependent on the hen for warmth. If a brood is split up during this stage, the chicks are likely to die if the weather is cool and wet. Broods are most often found in Scots pine woodland with blaeberry (e.g. Caledonian forest) or in boggy areas within or on the edge of woods (e.g. bog woodland). Construction activity will take place within the boundaries of Kinveachy Forest SPA and therefore it's possible that construction activity during the breeding season could lead to disturbance.

There are no known capercaillie leks within 1km of the development site (Ref: RSPB/CNPA capercaillie lek data 2014-2024), and current recreational use of the existing car park by walkers and dog walkers is likely to inhibit female capercaillie from nesting within 150m of the proposed development site. Therefore, the proposed construction activity within the development site will not significantly increase the risk of disturbance to breeding capercaillie that could result in a change in the distribution of capercaillie within the SPA.

[REDACTED]

The impacts of the project on capercaillie are further considered in the Detailed Capercaillie Assessment (See Annex I and II).

The following mitigation measures for capercaillie are proposed:

[REDACTED]

If these mitigation measures are conditioned and implemented, then this Conservation Objective would be met.

Scottish Crossbill No loss of trees or coniferous woodland habitat is proposed that would be suitable for Scottish crossbill, however, part of the proposed development will be within the SPA boundary, and there is potential woodland habitat within 200m. Scottish crossbill are considered to have low sensitivity to disturbance, but breeding birds (1st February to mid-July) may be sensitive to disturbance with 200m of nest sites. (Ref: [Disturbance Distances in selected Scottish Bird Species – NatureScot Guidance | NatureScot](#)). However, as there is an existing level of human activity and disturbance [REDACTED] [REDACTED] the proposed temporary construction activity associated with digging the new

channel, installing the new watercourse crossing and track is unlikely to significantly increase the risk of disturbance to breeding Scottish crossbill that could lead to a change in the distribution of this species within the SPA. **Therefore, this Conservation Objective would be met.**

- Distribution and extent of habitats supporting the Capercaillie and Scottish crossbill

The Slugain Burn Restoration Project Preliminary Ecological Appraisal Report (JBA Consulting, February 2026) and other supporting information submitted with the application confirm that no trees are to be removed and no Caledonian forest habitat (or other woodland habitat) or peatland habitats will be impacted by this development. The realigned channel will pass through an area of semi-improved neutral grassland before connecting with an existing drainage ditch. The grassland habitat, while within the Kinveachy Forest SPA (and Kinveachy Forest SAC) is not regarded as suitable supporting habitat for either capercaillie or Scottish crossbill, and is a non-designated habitat within the Kinveachy Forest SAC, therefore there will not be a significant change in the distribution and extent of habitats supporting these QI within the SPA.

There are blocks of dense scrub on the slope directly south of the development site which includes juniper. There are no plans to remove or to clear this scrub to deliver the Slugain channel realignment or installation of the re-routed road, however it is possible that breeding female capercaillie may choose to nest or forage within areas of juniper scrub connected to Caledonian forest within the SPA. The scrub habitat adjacent to the road realignment [REDACTED] and so there is an existing level of activity and recreational disturbance which is likely to inhibit use of these habitats by breeding capercaillie. Therefore it is considered unlikely that breeding capercaillie would regularly nest or forage in proximity to development site, at this location [REDACTED]. Therefore, there will not be a loss or significant change in the distribution or extent of habitats supporting capercaillie or Scottish crossbill because of this development. **Therefore, this Conservation Objective would be met.**

- Structure, function and supporting processes of habitats supporting Capercaillie and Scottish crossbill

Capercaillie and Scottish crossbill are both closely associated with Caledonian forest and coniferous woodland habitat, while nesting female capercaillie may use more open bog/peatland habitats when rearing chicks. As discussed above, there will be no changes in the distribution and extent of habitats supporting capercaillie and Scottish crossbill because of the proposed development, and therefore there will not be an impact on the structure, function and supporting processes of habitats supporting capercaillie and Scottish crossbill. **Therefore, this Conservation Objective would be met.**

- No significant disturbance of Capercaillie and Scottish Crossbill

As discussed previously, capercaillie are particularly sensitive to disturbance within 1km of lek sites, or 150m of nesting sites during the breeding season. Scottish crossbills are considered to be less sensitive to disturbance, but may potentially be impacted by disturbance within 200m of nest sites (Ref: [Disturbance Distances in selected Scottish Bird Species – NatureScot Guidance | NatureScot](#)). There will not be a loss of supporting habitats

for capercaillie or Scottish crossbill, and there are no known capercaillie leks within 1km of the development site (Ref CNPA/RSPB capercaillie lek data 2014-2024). There is an existing level of human activity [REDACTED] as well as for agricultural access. Therefore there is likely to be an existing level of disturbance, and the proposed works will not result in a significant increase in disturbance to breeding capercaillie or Scottish crossbill during the construction phase. The potential impact on capercaillie has been further considered in the Detailed Capercaillie Assessment (See Annex I and II).

The proposed Slugain Burn realignment works will require [REDACTED] the re-routing of the access road over a new watercourse crossing [REDACTED]

[REDACTED] The potential impacts of the proposal on capercaillie have been further considered in the Detailed Capercaillie Assessment (see Annex I and II).

Measures discussed above to mitigate disturbance during the operational [REDACTED] of this development **should ensure that this Conservation Objective can be met for both species.**

- Population of the Capercaillie and Scottish Crossbill as a viable components 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. **Therefore, this Conservation Objective for both species can be met.**

In conclusion, the proposed mitigation measures including: [REDACTED] will reduce the potential effects to a minimal level so that all Conservation Objectives can be met for the Kinveachy Forest SPA.

3) Kinveachy Forest SAC

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

2a. Maintain the extent and distribution of Caledonian forest within the site

The proposal will not result in the direct loss of existing Caledonian forest habitat within or surrounding the development site, as there are no trees or woodland present within or adjacent to the site boundary (a lone Scots pine is present outside the development boundary on the east bank of the Slugain Burn, approximately 20m upstream of the diversion point, but this tree will not be removed or impacted by the proposed development). However, the existing road [REDACTED] within the boundary of Kinveachy Forest SAC. The surface area of the existing road is approximately 350m² and the area of new realigned road will be 430m² (not including verges). Therefore, there would be a permanent loss of approximately 80m² (0.008ha) of potential woodland expansion habitat. However, the area

to be lost is currently non-qualifying semi-improved neutral grassland. There is no tree regeneration on this area. While there would be a permanent loss of 0.008ha non-qualifying habitat within the SAC, the current extent of Caledonian forest within the SAC, and the Conservation Objective target of maintaining a minimum area of 1310.21ha of Caledonian Forest habitat within the SAC would not be impacted. **Therefore, this Conservation Objective will be met.**

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

As discussed above, there are no trees or woodland habitat within the development site, and there will not be direct impacts on Caledonian forest habitat as a consequence of the proposed development. No Scots pines, broadleaf trees, juniper or ericaceous shrubs forming a woodland understorey that are typical of Caledonian forest will be removed or impacted. Therefore, there will not be direct effects on the structure, function and supporting processes of Caledonian forest habitat at this site. **Therefore, this Conservation Objective will be met.**

2c. Maintain the distribution and viability of typical species of Caledonian forest

As discussed above, there are no trees or woodland habitat within the development site, and there will not be direct impacts on Caledonian forest habitat as a consequence of the proposed development. There will be no planting of coniferous trees or sowing of seed is proposed, which will reduce the risk of introducing plant pathogens that may have impacts on key species or inappropriate sub-species that may impact the specific genetic make-up of the Caledonian forest at this location. Materials to be used in the Slugain Burn realignment and the construction of the road will be won from the site, which will reduce the risk of bringing in invasive non-native species or plant pathogens which may have an impact on the distribution and viability of typical species of Caledonian forest habitats.

The following mitigation measures for Caledonian forest are proposed:

- No introduction of trees, shrubs, seeds or turves which could bring plant pathogens or non-appropriate sub-species into the SAC.

If these mitigation measures are conditioned and implemented, then this Conservation Objective would be met.

Conservation Objective 1. To ensure that the qualifying features of Kinveachy Forest 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 proposed mitigation measures including: No introduction of trees, shrubs, seeds or turves which could bring plant pathogens or non-appropriate sub-species into the SPA, will reduce the potential effects to a minimal level so that all Conservation Objectives can be met for the Kinveachy Forest SAC.

4) Abernethy Forest SPA

-To avoid deterioration of the habitats of the qualifying species: Capercaillie and Osprey, 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 capercaillie and osprey within site

The Abernethy Forest SPA is approximately 9.5km from the development site, and so there will be no development within this SPA, therefore there will not be direct impacts on the distribution of osprey or capercaillie within the Abernethy Forest SPA because of the proposed development. **Therefore, this Conservation Objective will be met.**

- Distribution and extent of habitats supporting Capercaillie and Osprey

As stated above, the Abernethy Forest SPA is approximately 9.5km from the development site, and there will be no development within this SPA. Therefore, there will not be direct impacts on the distribution and extent of habitats supporting capercaillie and osprey within the Abernethy Forest SPA as a result of this proposal. **Therefore, this Conservation Objective will be met.**

- Structure, function and supporting processes of habitats supporting Capercaillie and Osprey

As stated above, the Abernethy Forest SPA is approximately 9.5km from the development site, and so there will be no development within this SPA. Therefore, there will not be direct impacts on the structure, function and supporting processes of habitats supporting capercaillie and osprey within the Abernethy Forest SPA as a result of this. **Therefore, this Conservation Objective will be met.**

- No significant disturbance of the species

Osprey

As stated above, the Abernethy Forest SPA is approximately 9.5km from the development site. The core foraging range for breeding osprey is 10km, but regular foraging within 20km of a nest site is known (Ref: [Assessing connectivity with special protection areas.pdf](#)). Therefore, it's possible that osprey from the Abernethy Forest SPA may forage within the River Dulnain (or potentially in the Slugain Burn) adjacent to the proposed development. While there may be short-term disturbance from construction activity that could result in a temporary restriction of hunting range close to the project site during the construction phase it is considered unlikely that breeding osprey will be solely dependent on foraging from this site, and so it is considered that there will be negligible impact from the temporary restriction of hunting range close to the project site during the construction phase.

In addition, it is noted that measures proposed for the River Spey SAC to mitigate potential construction phase impacts on Atlantic salmon would also protect osprey prey species so that **this Conservation Objective will be met.**

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. Measures were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA to mitigate potential operational phase impacts on capercaillie. 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 and osprey with the mitigation measures previously discussed, the proposed development would not hinder or prevent the maintenance of the population of capercaillie or osprey as a viable component of site. **Therefore, this Conservation Objective would be met.**

In conclusion, the mitigation measures discussed under the Kinveachy Forest SPA appropriate assessment including:

[REDACTED] will reduce the potential effects to a minimal level so that all Conservation Objectives can be met for the Abernethy Forest SPA.

5) Anagach Woods SPA (approximately 19km from proposed development)

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 19km from the proposed development. 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 capercaillie within the site. **Therefore, this Conservation Objective will be met.**

- Distribution and extent of habitats supporting the species

As stated above, the Anagach Woods SPA is approximately 19km from the development site, and there will be no development within this SPA. Therefore, there will not be direct impacts on the distribution and extent of habitats supporting capercaillie within the Anagach Woods SPA as a result of this proposal. **Therefore, this Conservation Objective will be met.**

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

As stated above, the Anagach Woods SPA is approximately 19km from the development site, and so there will be no development within this SPA. Therefore, there will not be direct impacts on the structure, function and supporting processes of habitats supporting the species distribution and extent of habitats supporting capercaillie within the Anagach Woods SPA as a result of the proposed development. **Therefore, this Conservation Objective will 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. Measures were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA to mitigate potential construction phase impacts and operational phase impacts on capercaillie. 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 measures previously discussed, the proposed development would not hinder or prevent the maintenance of the population of capercaillie as a viable component of site. **Therefore, this Conservation Objective would be met.**

In conclusion, the mitigation measures discussed under the Kinveachy Forest SPA appropriate assessment including

will reduce the potential effects to a minimal level so that all Conservation Objectives can be met for the Anagach Woods SPA.

6) Cairngorms SPA (approximately 10km from proposed development)

To avoid deterioration of the habitats of the qualifying species: Capercaillie and Osprey, 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 capercaillie and osprey within site

The Cairngorms SPA is approximately 10km from the proposed development. 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 capercaillie or osprey within the site. **Therefore, this Conservation Objective will be met.**

- Distribution and extent of habitats supporting the capercaillie and osprey

As stated above, the Cairngorms SPA is approximately 10km from the development site, and there will be no development within this SPA. Therefore, there will not be direct impacts on the distribution and extent of habitats supporting capercaillie and osprey within the Cairngorms SPA as a result of this proposal. **Therefore, this Conservation Objective will be met.**

- Structure, function and supporting processes of habitats supporting the capercaillie and osprey

As stated above, the Cairngorms SPA is approximately 10km from the development site, and so there will be no development within this SPA. Therefore, there will not be direct impacts on the structure, function and supporting processes of habitats supporting the species distribution and extent of habitats supporting capercaillie and osprey within the

Cairngorms SPA as a result of the proposed development. **Therefore, this Conservation Objective will 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. Measures were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA to mitigate potential construction phase impacts and operational phase impacts on capercaillie. Implementation of these measures will reduce the impacts of this development **to allow this Conservation Objective to be met.**

Osprey

As stated above, the Cairngorms SPA is approximately 10km from the development site. The core foraging range for breeding osprey is 10km, but regular foraging within 20km of a nest site is known (Ref: [Assessing connectivity with special protection areas.pdf](#)). Therefore, it's possible that osprey from the Cairngorms SPA may forage within the River Dulnain (or potentially in the Slugain Burn) adjacent to the proposed development. While there may be short-term disturbance from construction activity that could result in a temporary restriction of hunting range close to the project site during the construction phase it is considered unlikely that breeding osprey will be solely dependent on foraging from this site, and so it is considered that there will be negligible impact from the temporary restriction of hunting range close to the project site during the construction phase.

In addition, it is noted that measures proposed for the River Spey SAC to mitigate potential construction phase impacts on Atlantic salmon would also protect osprey prey species.

Therefore, this Conservation Objective will be met.

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

As the other Conservation Objectives can be met for capercaillie and osprey with the mitigation measures previously discussed, the proposed development would not hinder or prevent the maintenance of the population of capercaillie and osprey as a viable component of site. **Therefore, this Conservation Objective would be met.**

In conclusion, the mitigation measures discussed under the Kinveachy Forest SPA appropriate assessment including

will reduce the potential effects to a minimal level so that all Conservation Objectives can be met for the Cairngorms SPA.

7) Craigmore Wood SPA (approximately 15km)

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

Cairngorms SPA is approximately 15km from the proposed development. No construction activity related to the proposed development will take place within the boundaries of the Craigmore Woods SPA and therefore there will not be an impact on the distribution of capercaillie within the site. **Therefore, this Conservation Objective will be met.**

- Distribution and extent of habitats supporting the species

As stated above, the Craigmore Woods SPA is approximately 15km from the development site, and there will be no development within this SPA. Therefore, there will not be direct impacts on the distribution and extent of habitats supporting capercaillie within the Craigmore Woods SPA as a result of this proposal. **Therefore, this Conservation Objective will be met.**

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

As stated above, the Craigmore Woods SPA is approximately 15km from the development site, and so there will be no development within this SPA. Therefore, there will not be direct impacts on the structure, function and supporting processes of habitats supporting the species distribution and extent of habitats supporting capercaillie within the Craigmore Woods SPA as a result of the proposed development. **Therefore, this Conservation Objective will 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. Measures were discussed previously under the Appropriate Assessment of Kinveachy Forest SPA to mitigate potential construction phase impacts and operational phase impacts on capercaillie. 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 measures previously discussed, the proposed development would not hinder or prevent the maintenance of the population of capercaillie as a viable component of site. **Therefore, this Conservation Objective would be met.**

In conclusion, the mitigation measures discussed under the Kinveachy Forest SPA appropriate assessment including:

will reduce the potential effects to a minimal level so that all Conservation Objectives can be met for the Craigmore Woods SPA.

STAGE 5:

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

1) River Spey SAC

Yes, provided the mitigation measures below are 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.

2) Kinveachy Forest SPA

Yes, provided the mitigation measures below 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.

3) Kinveachy Forest SAC

Yes, provided the mitigation measures below 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 SAC.

4) Abernethy Forest SPA

Yes, provided the mitigation measures below 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.

5) Anagach Woods SPA

Yes, provided the mitigation measures below 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.

6) Cairngorms SPA

Yes, provided the mitigation measures below 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.

7) Craigmore Wood SPA

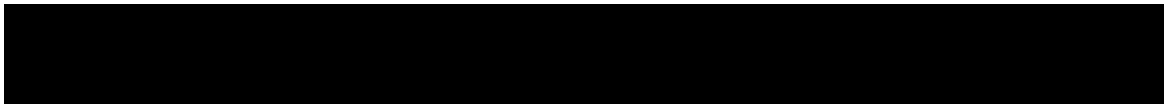
Yes, provided the mitigation measures below are secured by condition and implemented, then the Conservation Objectives will be met and therefore there will not be an adverse effect on site integrity for the Craigmore Wood SPA.

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

- Prior to ground preparation or construction works, a pre-construction protected species survey of the proposed development site and surrounding area should be carried out by a suitably experienced ecologist following NatureScot guidance ([Planning and development: standing advice and guidance documents | NatureScot](#)). If evidence of any protected species (but particularly otter associated with the River Spey SAC) is found, a

species protection plan identifying appropriate mitigation measures based on the survey results should be submitted to CNPA for agreement in writing prior to works commencing. The reason for this measure is to minimise the risk of construction phase impacts on protected species.

- Timing of the works to avoid the Atlantic salmon spawning season (mid-October to end of February). The reason for this condition is to minimise potential construction phase impacts on qualifying interests of the River Spey SAC.
- No introduction of trees, seeds or turves from beyond the site to re-vegetate road edges that could introduce invasive non-native species, plant pathogens or inappropriate sub-species that could impact the qualifying interests of the Kinveachy Forest SAC.



- Monitoring of sediment erosion/ deposition within the new channel should be undertaken for at least 5 years post-construction to ensure that flow depths are sufficient for fish passage through the realigned channel. If monitoring identifies restricted fish-passage (both up and down the watercourse) in average flows for a period lasting more than 6 months, then adjustments should be undertaken in consultation with a geomorphologist to restore fish passage.

Annex I Capercaillie Assessment: 2026/0160/DET – Slugain Burn Restoration Project

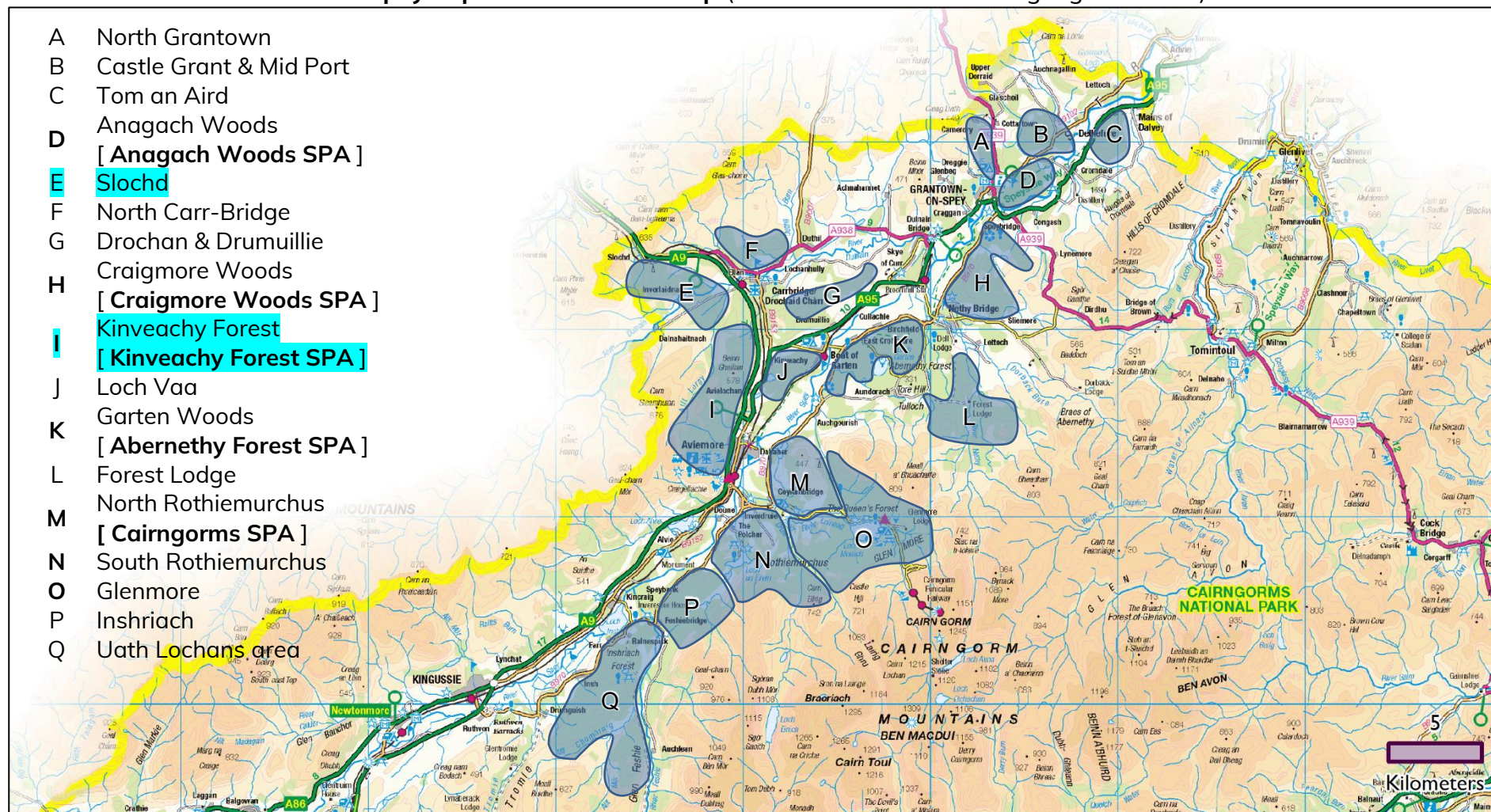
Q1. Is the proposed development likely to change levels of human activity or patterns of recreation around the proposed development/associated settlement? <i>Q1: This and Q2 are included as screening questions to filter out any developments that aren't likely to have changed levels or patterns of recreation.</i>	No. The Slugain Burn restoration project will involve the replacement of a bridge, realignment of an access road. [REDACTED] Therefore, the project should not result in any change to the level of human activity using the site, or the patterns of recreation around the proposed development.
Q2. Are capercaillie woods significantly more accessible from this development site than from other parts of the associated settlement? <i>Q2: This is included to ensure the effect of otherwise small-scale development sites particularly close to capercaillie woods are adequately considered. Evidence from settlements in Strathspey where houses are adjacent to woodlands indicates that networks of informal paths and trails have developed within the woods linking back gardens with formal path networks and other popular local destinations (eg primary schools). Such paths are likely to be used by visitors.</i>	Yes. the development site is partly within the Kinveachy Forest SPA. [REDACTED] Therefore, there should be no significant change in accessibility to the Kinveachy Forest SPA as a result of the proposed development. From the proposed development site, the closest capercaillie woodlands are Wood E/ Slochd (approximately 1.5km) and Wood I/ Kinveachy Forest (approximately 2.7km) which are shown on the Badenoch and Strathspey capercaillie woodlands map in Annex II. Wood E (Slochd) is within 900m of parts of Carrbridge and Wood I (Kinveachy Forest) is within 200m of parts of Aviemore. Therefore, these capercaillie woodlands are closer to large settlements than they are to the development site.
If Q1 & Q2 = No, conclusion is no significant disturbance to capercaillie and assessment ends here If Q1 or Q2 = Yes, continue to Q3	
Q3. Which capercaillie woods are likely to be used regularly for recreation by users of the	The development site is partly within the Kinveachy Forest SPA. [REDACTED]

development site at detectable levels? (list all) Q3: This is included to identify which capercaillie woods are likely to be used for recreation by users of non-housing development sites at levels that would be detectable. The answer will be assessed using professional judgement based on knowledge of existing patterns of recreation around settlements and in the local area, the relative appeal of the capercaillie woods concerned compared to other recreational opportunities in the area, the volume of recreational visits likely to be generated by the development site, and informed by national survey data (eg on the distances people travel for recreational visits).	[REDACTED] [REDACTED] Wood E/ Slochd (approximately 1.5km) and Wood I/ Kinveachy Forest (approximately 2.7km) which are shown on the Badenoch and Strathspey capercaillie woodlands map in Annex II. [REDACTED] proposed development (river restoration project) will not provide increased opportunities for recreation and is unlikely to significantly increase recreational use by locals or visitors to the area.
Continue to Q4	
Q4. Are residents / users of this development site predicted to undertake any off path recreational activities in any of the woods identified at Q3 at detectable levels? Q4: This is included because any off path recreational use in capercaillie woods will result in significant disturbance and require mitigation.	No. The river restoration project will maintain existing access for agricultural and recreational use of the land, but there is no reason to believe that existing users of the proposed development would undertake any additional off-path recreational activities following delivery of the river restoration project compared to existing patterns of behaviour and use.
If Q4 = No for any woods, continue to Q5 If Q4 = Yes for any woods, mitigation is needed. Note and continue to Q5.	
Q5: Are each of the woods identified at Q3 already established locations for recreation? Q5: This is included because if users of the development site are likely to access previously infrequently-visited capercaillie woods, or parts of these woods, for recreation, significant disturbance is likely and mitigation is needed. This	Yes. These woods are already established locations for recreational activity. [REDACTED] [REDACTED]

will be answered on the basis of professional knowledge.	
If Q5 = No for any woods, mitigation is needed. Note and continue to Q6. If Q5 = Yes for any woods, continue to Q6	
Q6: For each of the woods identified at Q3, are users of the development site predicted to have different temporal patterns of recreational use to any existing visitors, or to undertake a different profile of activities? (eg. more dog walking, or early morning use) Q6: This is included because some types of recreation are particularly disturbing to capercaillie; and increased levels of these types of recreation will cause significant disturbance and require mitigation. This will be answered on the basis of professional knowledge on existing patterns of recreational use and whether each location is sufficiently close and/or convenient in relation to the development site and patterns of travel from there, to be used by users of the development for different recreational activities or at different times of day. For example, capercaillie woods with safe routes for dogs that are located close to development sites are likely to be used for early morning &/or after work dog walking.	No, the current level of use of the surrounding capercaillie woodlands and the temporal patterns of use are not predicted to change as a result of the development.
If Q6 = yes for any woods, mitigation is needed. Note and continue to Q7 If Q6 = No for any woods, continue to Q7	
Q7: For each of the woods identified at Q3, could the predicted level of use by residents / users of the development site significantly increase overall levels of recreational use? Q7: This is included because a significant increase	No. There would not be a detectable or significant increase in human activity within Kinveachy Forest SPA, or Wood E (Slochd) or Wood I (Kinveachy Forest) by users of the development. The development will require re-positioning of the watercourse crossing and the installation of slightly longer access track, but there should not be a significant increase in the overall

in recreational use could result in significant disturbance to capercaillie, even in situations where the capercaillie wood is already popular for recreation, and no changes to current recreational patterns / activities or off path activities are predicted. The answer was assessed on the basis of professional judgement of current levels of use and whether the increase is likely to be more than approximately 10%.	recreational use of any of these capercaillie woodlands.
If Q4-7 = No for all woods, conclusion is no significant disturbance to capercaillie and assessment ends here If Q4, 5, 6 and/or 7 = Yes for any woods, mitigation is needed	
Conclusion: Is mitigation needed as a consequence of this development site in relation to each wood listed at Q3?	Yes, mitigation is required to reduce impacts on capercaillie as a consequence of this development site. [REDACTED] [REDACTED]
Reasons mitigation needed:	[REDACTED] which will help reduce the risk of recreational disturbance that may have negative impacts on breeding capercaillie.

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



Capercaillie woodland in Badenoch and Strathspey.

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