Agenda item 6

Appendix 2

2026/0122/DET

Habitats regulations appraisal

HABITATS REGULATIONS APPRAISAL

Planning reference and proposal information	**2026/0122/DET** Erection of 12 serviced apartments and a managers apartment (13 apartments in total), installation of associated infrastructure. Braemar Lodge, 6 Glenshee Road, Braemar, Aberdeenshire
Appraised by	Scott Shanks, Ecological Advice Officer (Planning)
Date	11 May 2026 **Updated 29 October 2026**
Checked by	Alan Monk NatureScot Operations Officer
Date	29 October 2026

INFORMATION

European site details

Name of European site(s) potentially affected

1) **River Dee SAC (approximately 150 m from proposed development)**

2) **Ballochbuie SPA (approximately 1.2 km from proposed development)**

Elements of the proposed development are within 1.25 km of the **Cairngorms Massif SPA**, which is designated for golden eagle. However, the habitats present within the development site are unsuitable for golden eagle, and **so this site has been removed from further consideration.**

Elements of the proposed development are within 1.2 km of **Ballochbuie SAC** which is designated for Blanket bog, Bog woodland, Plants in crevices on base-rich rocks, Caledonian forest, Dry heaths, Otter, Wet heathland with cross-leaved heath and Plants in crevices on acid rocks. However, it is considered that there is no connectivity between the qualifying habitat features of the SAC and the project site, and **so this site has been removed from further consideration.** Otter is considered in the River Dee SAC appraisal.

Elements of the proposed development are within 660m of **Morrone Birkwood SAC** which is designated for base-rich fens, alpine and subalpine heaths, high-altitude plant communities associated with areas of water seepage, juniper on heaths or calcareous grasslands, hard-water springs depositing lime, dry grasslands and scrublands on chalk or limestone, and Greyer's whorl snail. However, it is considered that there is no connectivity between the qualifying features of the SAC and the project site, and **so this site has been removed from further consideration.**

Qualifying interest(s)

1) **River Dee SAC**

   Otter

   Freshwater pearl mussel

   Atlantic salmon

2) **Ballochbuie SPA**

   Capercaillie

   Scottish Crossbill (Breeding)

Conservation objectives for qualifying interests

1) River Dee SAC

Conservation Objective 2. To ensure that the integrity of River Dee SAC is restored by meeting objectives 2a, 2b and 2c for each qualifying features (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. 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 Dee SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status

2) Ballochbuie SPA

To avoid deterioration of the habitats of the **qualifying species (capercaillie** 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

APPRAISAL

STAGE 1:

What is the plan or project?

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

The proposal is for the erection of a block of 13 apartments (including a manager's apartment) and associated infrastructure on the site of the former Braemar Lodge Hotel, on Glenshee Road, Braemar.

The apartments are to be built on brownfield land (former site of the hotel) surrounded by residential streets and properties. Part of the site is hard standing (where development will occur), and part of the site is a garden with amenity grass, exotic conifers and mature native broadleaf trees.

The site is approximately 150m north of a tributary of the Clunie Water/River Dee SAC. The topology of the site gradually slopes down southwards, so potential construction phase pollution or mobilised sediment could move towards the tributary.

STAGE 2:

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

1) **River Dee SAC**

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

2) **Ballochbuie 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 Dee SAC**

Freshwater pearl mussel and Atlantic salmon: YES, there will be a LSE from temporary effects arising during construction activity.

Otter: Yes, there will be a LSE from temporary effects arising during construction activity.

2) **Ballochbuie SPA**

Capercaillie: Yes, LSE. While the habitats present within the proposed development site are unsuitable for capercaillie, the development will increase capacity for visitors to the area. There is potential for increased disturbance from use of the existing path network to access the western edge of Ballochbuie SPA for recreation (see Annex 1: Detailed Capercaillie

Assesssment).

Scottish crossbill (breeding): No LSE. Two red fir (*Abies magnifica*) are present within the development site, which may provide a seed resource for foraging Scottish crossbill from Ballochbuie SPA. These trees are to be retained and so there will be no loss of forage, and therefore no LSE on the population of Scottish crossbill within the SPA. **This qualifying interest has been removed from further consideration.**

STAGE 4:

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

1) River Dee SAC

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

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

No works are proposed within the channel of the Clunie Water or its tributaries (part of the River Dee SAC), so there will be no direct loss of suitable habitat for these species within the River Dee SAC. Therefore, the current and potential distribution of these species would not be directly impacted upon.

However, construction activity is proposed within 150m of a designated tributary of the Clunie Water. Therefore, there is potential for indirect impacts from construction activities, e.g., sediment or fuels entering the watercourse. These potential pollution events could cause a change in the distribution of these species due to changes in water quality (temporary) and, if significant amounts of sediment reach the watercourse, through smothering of habitats which are used by Atlantic salmon for spawning/juveniles and habitats suitable for supporting FWPM (long term).

A Silt Protection Plan has been provided which details measures to prevent mobilised sediment entering the watercourse, and to mitigate potential pollution impacts from concrete mixing during the construction phase. A drainage layout and drainage impact assessment document states that during the operational phase surface water will be directed to underground soakaway and infiltration system, reducing risks of pollution from the site entering the watercourse. A pollution prevention plan is recommended through condition. The pollution prevention plan should include standard good practice, such as maintaining a minimum 30 m buffer for storing chemicals/wash out or any other potential polluting activity (SEPA WAT-SG-75). Other relevant Guidance for Pollution Documents should also be referred to and implemented on site (i.e. GPP1, GPP5, GPP8, GPP21, GPP22[1]) If the silt protection plan and pollution prevention plan are conditioned and implemented - this conservation objective would be met.

[1] Guidance for Pollution Prevention (GPP) documents | NetRegs | Environmental guidance for your business in Northern Ireland & Scotland

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

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

The current distribution of habitats supporting Atlantic salmon and FWPM within the SAC would not be directly affected as no development will occur within the watercourse. The potential for restoring habitats supporting Atlantic salmon and freshwater pearl mussel would not be directly affected by this development. However, pollution from construction activities close to the Clunie Water could potentially affect supporting habitats if significant amounts of sediment are mobilised and cause smothering of habitats, reducing the distribution and extent of habitat suitable for salmon spawning and juvenile salmon, and habitats suitable for FWPM (long term).

However, mitigation measures identified for 2b above would reduce the risk of pollution reaching the watercourse to a minimal level and so this conservation objective would be met.

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

The distribution and viability of FWPM host species (Atlantic salmon and other salmonids) would not be directly affected, as no work will be undertaken within the channel of the Clunie Water and it's tributaries. However, as discussed in 2b & 2c, there is potential for pollution from construction activities to indirectly affect the habitats supporting these species which may in turn lead to a change in distribution or in change in health of FWPM host species. However, with the implementation of the mitigation measures mentioned in 2b the risk of pollution events therefore the development would not hinder the distribution or vitality of the host species.

2a. Restore the population of Atlantic salmon 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 viable components of site. However, the proposed development will not have an impact on the genetic types of salmon. Therefore, this conservation objective would be met.

2b. Maintain the distribution of otter throughout the site

No works are proposed within the River Dee SAC, and therefore there will be no direct loss of habitat for these species within the River Dee SAC. The development site is within 150m of a tributary of the Clunie Water (part of the River Dee SAC), however no evidence of otter was detected during a Preliminary Ecological Appraisal of the site in February 2026 (Ref: Preliminary Ecological Appraisal, Amstell Associates, March 2026). No habitat suitable for otter is present

within the proposed development site, which is surrounded by residential properties and streets. Due to the distance from the nearest watercourse, the screening of the development site by residential properties, and the lack of otter habitat within the site it is considered that construction activity within the development site will not result in disturbance to otter. Therefore this conservation objective would be met.

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

No construction activities are proposed within the designated tributary of the Clunie Water/River Dee SAC, so there will be no direct loss of habitats supporting otter within the site. No habitat suitable for otter is present within the development site.

However, there is a potential for construction phase pollution/sediment to enter the watercourse, which could have an impact on water quality and prey species.

Implementation of mitigation measures discussed for Atlantic salmon and freshwater pearl mussel to 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 will ensure that 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 Dee 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 inclusion of sediment and pollution management measures in a Pollution Prevention Plan (PPP) as part of a Construction Environment Management Plan (CEMP)should reduce the potential effects to a minimal level, so that all the conservation objectives can be met for the River Dee SAC.

2) Ballochbuie SPA

To avoid deterioration of the habitats of the **capercaillie** (Note: Scottish crossbill was scoped out of further consideration at Stage 3) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained;

AND

Distribution of the species within site

The proposed development is not expected to increase any off-path activity throughout the site, therefore the distribution of the species is not expected to be impacted upon. It is considered that this conservation objective will be met. **See Annex 1 for full assessment.**

Distribution and extent of habitats supporting the species

There will be no development within the SPA. The proposed development is approximately 1.25 km from the western edge of the SPA, and does not contain habitat suitable for capercaillie. Therefore, there will be no direct impacts from this development on the distribution and extent of habitats supporting Capercaillie within and surrounding the SPA. Therefore, it is considered that this conservation objective will be met.

Structure, function and supporting processes of habitats supporting the species

There will be no development within the SPA. The proposed development is approximately 1.25 km from the western edge of the SPA, there will be no impacts on the structure, function and supporting processes of habitats supporting capercaillie within the SAC as a result of this development. Therefore, it is considered that this conservation objective will be met.

No significant disturbance of the species

The proposed development is unlikely to lead to a significant increase in disturbance of capercaillie within Ballochbuie SPA. **See assessment in Annex I.** Therefore, it is considered likely that this conservation objective will be met.

Population of the species as a viable component of the site

As the other conservation objectives will be met, the population of capercaillie should not be adversely affected therefore this conservation objective will be met.

In conclusion, all conservation objectives can be met for Ballochbuie SPA.

STAGE 5:

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

1) River Dee SAC

Yes, provided that pollution prevention mitigation measures are secured by condition and implemented, then the conservation objectives will be met and there will not be an adverse effect on site integrity for the River Dee SAC. The mitigation measures that require to be secured by condition are:

- A Construction Method Statement/ Construction Management Plan which includes site-specific pollution-prevention measures and references the submitted Silt Protection Plan should be produced and agreed with the CNPA prior to any works commencing on site

and then fully implemented during construction. The reason for this condition is to protect the water environment and River Spey SAC from pollution events, sediment mobilisation or disease caused during construction. The reason for this condition is to avoid pollution or mobilised sediments negatively impacting Atlantic salmon and the population of FWPM downstream of the site, within the River Dee SAC.

2) Ballochbuie SPA

Yes, it can be ascertained that there wil not be an adverse effect on the integrity of this site as a result of the development. No additional mitigation measures are required in relation to this site.

Annex 1 Capercaillie Assessment: 2025/0242/DET – Invercauld Caravan Park Extension, Braemar

Q1. Is the proposed development	**Yes, there may be a small increase in the levels of**

likely to change levels of human activity or patterns of recreation around the proposed development/associated settlement? *Q1: This and Q2 are included as screening questions to filter out any developments that aren't likely to have changed levels or patterns of recreation.*	**human activity on footpaths and routes closest to the development.** The western edge of Ballochbuie SPA is located approximately 1.2 km east of the proposed serviced apartments at Braemar Lodge. It is approximately 2.3km by foot or bike from the development to the western edge of the SPA. There are a number of paths from Braemar up Corrie Feragie to Creag Choinnch on the western edge of Ballochbuie SPA, but there is limited connectivity with the rest of Ballochbuie Forest/Ballochbuie SPA via this route. The Cairngorms National Park Local Development Plan (2021) states that in 2020 Braemar had a population of 536. The LDP projected a -5% population decrease for Braemar by the end of 2029, down 25 people to 511. The proposal is to 13 apartments with 16 bedrooms Assuming that the proposed site is at full occupancy all year round with 2 people in each bedroom that could be an additional 32 people in the area. This would equate to an approximate increase of 6% on the 2020 population, however taking account of the projected population declines, this development would effectively result in an increase of 7 people (1.3%) in population by 2029. The development is approximately 2.3km/ 30 minutes by foot from the SPA. It is considered unlikely that all visitors to the development would undertake regular recreational activity within Ballochbuie Forest/ Ballochbuie SPA, and therefore it is considered unlikely that there will be a detectable change in levels or patterns of recreation in the woodland as a result of the development.
Q2. Are capercaillie woods significantly more accessible from this development site than from other parts of the associated settlement? *Q2: This is included to ensure the effect of otherwise small-scale development sites particularly close to capercaillie woods are adequately*	**No,** Ballochbuie Forest/ Ballochbuie SPA is not significantly more accessible from this development site than from other parts of Braemar.

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.	
If Q1 & Q2 = No, conclusion is no significant disturbance to capercaillie and assessment ends here If Q1 or Q2 = Yes, continue to Q3	
Q3. Which capercaillie woods are likely to be used regularly for recreation by users of the development site at detectable levels? (list all) *Q3: This is included to identify which capercaillie woods are likely to be used for recreation by users of non-housing development sites at levels that would be detectable. The answer will be assessed using professional judgement based on knowledge of existing patterns of recreation around settlements and in the local area, the relative appeal of the capercaillie woods concerned compared to other recreational opportunities in the area, the volume of recreational visits likely to be generated by the development site, and informed by national survey data (eg on the distances people travel for recreational visits).*	Ballochbuie Forest/ Ballochbuie SPA is considered the closest woodland with capercaillie likely to be used for recreation by users of this development. However, **it is considered unlikely that this would result in a detectable change in levels of use.**
Continue to Q4	
Q4. Are residents / users of this development site predicted to undertake any off path recreational activities in any of the woods	**No off path recreational activities are expected**. Visitors to the area are considered more likely to stick to established paths/ tracks.

identified at Q3 at detectable levels? *Q4: This is included because any off path recreational use in capercaillie woods will result in significant disturbance and require mitigation.*	
If Q4 = No for any woods, continue to Q5 If Q4 = Yes for any woods, mitigation is needed. Note and continue to Q5.	
Q5: Are each of the woods identified at Q3 already established locations for recreation? *Q5: This is included because if users of the development site are likely to access previously infrequently-visited capercaillie woods, or parts of these woods, for recreation, significant disturbance is likely and mitigation is needed. This will be answered on the basis of professional knowledge.*	**Yes.** The footpaths from Braemar to the western edge of Ballochbuie SPA have an existing level of walking and cycling activity as evidenced by usage shown on Strava Maps Strava Maps (accessed 11/05/2026).
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*	**No**. It is considered likely that people staying in the apartments will undertake similar activities to existing residents and visitors to Braemar. There is no reason to assume that visitors will recreate at earlier or later times than current users of the woodland. It is unknown whether the apartments will allow dogs.

patterns of recreational use and whether each location is sufficiently close and/or convenient in relation to the development site and patterns of travel from there, to be used by users of the development for different recreational activities or at different times of day. For example, capercaillie woods with safe routes for dogs that are located close to development sites are likely to be used for early morning &/or after work dog walking.	
If Q6 = yes for any woods, mitigation is needed. Note and continue to Q7 If Q6 = No for any woods, continue to Q7	
Q7: For each of the woods identified at Q3, could the predicted level of use by residents / users of the development site significantly increase overall levels of recreational use? *Q7: This is included because a significant increase in recreational use could result in significant disturbance to capercaillie, even in situations where the capercaillie wood is already popular for recreation, and no changes to current recreational patterns / activities or off path activities are predicted. The answer was assessed on the basis of professional judgement of current levels of use and whether the increase is likely to be more than approximately 10%.*	**No the potential level of use would not significantly increase (>10%) the overall levels of recreation within the woodland/SPA.** Based on the HRA for the LDP in 2020 the population of Braemar was estimated at 536 people with the population projected to decrease to 521 in 2024 and with a further decline to 511 in 2029 (based on the number of housing sites allocated within the LDP and predicted population changes). LDP 2020 Habitats regulation Appraisal report Assuming that the 16 bedrooms within the apartments are occupied by 2 people all year round there would be an additional 32 people in the local area. This equates to 5.97% of the 2020 population. Taking consideration of the projected population decline, an additional 32 people would result in a net increase in the population of approximately 7 people by 2029. This equates to a population increase of approximately 1.3% in relation to the 2020 population. Given that the holiday properties are likely to be skewed to the associated tourist seasons, there are likely to be periods when they are not fully occupied.
If Q4-7 = No for al l woods, conclusion is no significant disturbance to capercaillie and assessment ends here	

If Q4, 5, 6 and/or 7 = Yes for any woods, mitigation is needed	
Conclusion: Is mitigation needed as a consequence of this development site in relation to each wood listed at Q3?	**No. No mitigation is required.**
Reasons mitigation needed:	N/A