Agenda item 8

Appendix 2

2026/0060/DET

Habitats regulations appraisal

HABITATS REGULATIONS APPRAISAL

Planning reference and proposal information	**2026/0060/DET** **Install additional mountain biking downhill run on the existing buzzard lift** **The Lecht Ski Centre, Corgarff, Strathdon Aberdeenshire, AB36 8YP**
Appraised by	Scott Shanks, Ecological Advice Officer
Date	19 May 2026
Checked by	Fiona Mutch NatureScot Operation's Officer – North
Date	29 May 2026

INFORMATION

European site details

Name of European site(s) potentially affected

1) Ladder Hills SAC (approximately 20m from development boundary)

2) River Spey SAC (approximately 2.4km from development boundary)

3) Cairngorms Massif SPA (approximately 5.6km from development boundary)

Qualifying interest(s)

1) Ladder Hills SAC

European dry heath

Alpine and subalpine heath

Blanket bog

2) River Spey SAC

Otter

Freshwater pearl mussel (FWPM)

Sea lamprey

Atlantic salmon

3) Cairngorms Massif SPA

Golden eagle

1) Ladder Hills SAC

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

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

2b. Restore the structure, function and supporting processes of **European dry heath**

2c. Restore the distribution and viability of typical species of **European dry heath**

2a. Maintain the extent and distribution of **alpine and subalpine heaths** within the site

2b. Restore the structure, function and supporting processes of **alpine and subalpine heaths**

2c. Restore the distribution and viability of typical species of **alpine and subalpine heaths**

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

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

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

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

2) River Spey SAC

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

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

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

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

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

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

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

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

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

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

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

viable component of the site

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

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

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

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

3) Cairngorms Massif SPA

To avoid deterioration of the habitats of **golden eagle** or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and

To ensure for the qualifying species that the following are maintained in the long term:

- Population of the species as a viable component of the site
- Distribution of the species within site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species
- No significant disturbance of the species

APPRAISAL

STAGE 1:

What is the plan or project?

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

The proposal is for installation of an additional mountain bike downhill track at the existing Buzzard ski-tow lift at the Lecht Ski Centre, Corgarff, Strathdon, Aberdeenshire, AB36 8YP.

The proposed track will be 1.5m wide and 1,030m in length down a steep slope. It will cross through upland habitats between the infrastructure of existing ski runs serviced by the buzzard ski tow. A 'Trail Construction Zone' has been indicated to allow for micro-siting of the route to avoid priority peatland habitats and deep peat.

The Lecht Ski Centre is surrounded by the Ladder Hills SAC/SSSI. Part of the trail construction zone appears to approach within 20m of the edge of the Ladder Hills SAC.

A Preliminary Ecological Appraisal report and a Peat Depth Survey report (Ref: Tetra Ecology, May 2026) have been prepared in support of the application. Most of the trail construction zone consists of dry heath and blanket bog, with some upland acid grassland close to the road.

There are no watercourses on the site, but a tributary of the Conglass Water is within 100m of the bottom of the site boundary.

The proposed construction time was initially spring 2026.

STAGE 2:

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

1) Ladder Hills SAC

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

2) River Spey SAC

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

3) Cairngorms Massif SPA

No, this development is not directly connected with or necessary for the management

of the European site for nature conservation.

STAGE 3:

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

1) Ladder Hills SAC

European dry heath: No LSE. There will not be development within the boundary of this SAC, and so there will not be significant effects on this Qualifying Interest.

Alpine and subalpine heath: No LSE. There will not be development within the boundary of this SAC, and so there will not be significant effects on this Qualifying Interest.

Blanket bog: Yes, LSE. From long-term hydrological impacts on peat deposits and peatland vegetation communities through drainage of hydrologically connected peatland close to the edge of the SAC.

2) River Spey SAC

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

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

NOTE: FWPM distribution data provided by NatureScot indicates that FWPM are unlikely to be present in the Conglass Water, but have been considered here as a precautionary measure.

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

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

3) Cairngorms Massif SPA

Golden eagle: Yes, LSE from potential disturbance to foraging golden eagle during construction phase and operational phase.

STAGE 4:

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

1) Ladder Hills SAC

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

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

No construction activity will occur within the SAC, and so there will not be direct impacts on the extent and distribution of blanket bog within the SAC due to this development. However, data presented in the Preliminary Ecology Appraisal report (Ref: Tetra Ecology, May 2026) and Peat Survey report (Ref: Tetra Ecology, May 2026) indicate that parts of the 'Trail Construction Zone' -particularly in the east of the site come close to the edge of the SAC. The habitat in this area is noted to be blanket bog with peat over 80cm recorded on the proposed route of the track and multiple peat depth readings over 1m deep recorded within 30m buffer around the proposed track route – including within the SAC close to the development boundary. The habitat close to peat depth readings 68 (120cm) and 69 (115cm) within the SAC appear to be degraded blanket bog as peat haggs with poor coverage of Sphagnum moss were noted. This indicates that there are existing negative impacts on the blanket bog habitat within the SAC at this location.

The peat depth survey was undertaken within a broad 'trail construction zone' to enable micro-siting of the track route to avoid priority peatland habitats such as blanket bog and deep peat deposits (over 50cm).

NatureScot guidance on peatland habitats and carbon rich soils in development (Ref:Advising on peatland habitats and carbon-rich soils in development management | NatureScot) indicates that drainage of blanket bog habitat can have indirect impacts on hydrologically connected blanket bog within 30m of the drainage feature.

The detailed track design document submitted with the application indicates that the proposed track will use turf-lined drainage ditches and twin-walled drainage pipes to keep water off the track. Therefore, where the track passes through blanket bog there will be a negative impact on hydrologically connected blanket bog within 30m. Where the track comes within 30m of the Ladder Hills SAC this could result in drainage of blanket bog within the SAC, which will have a negative impact on the extent and

distribution of this habitat.

A development buffer of at least 30m from the Ladder Hills SAC boundary is recommended through condition to ensure that the extent and distribution of blanket bog habitat within the SAC is maintained.

If a minimum development buffer of 30m from the edge of the Ladder Hills SAC is conditioned and implemented this conservation objective would be met.

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

No development is proposed within the boundary of the SAC, however drainage of hydrologically connected peatland habitats within 30m of the SAC boundary (particularly down-slope of the SAC) could result in drainage of the blanket bog and changes to typical vegetation. Typically, drainage will result in a lower water table within the peat and a subsequent drying-out of the surface acrotelm layer of the bog. This can result in the loss (or replacement) of peat-forming *Sphagnum* mosses and blanket bog vegetation, and a shift to more acrocarpous and peurocarpus mosses and a dominance of heather. The loss of active peat-forming vegetation can result in formation of bare peat and increased release of sequestered carbon.

A development buffer of at least 30m from the Ladder Hills SAC boundary is recommended through condition to ensure that structure, function and supporting processes of blanket bog habitat within the SAC is maintained. If a buffer was conditioned it would not inhibit future restoration of the structure, function and supporting processes of degraded blanket bog that currently might be present.

If a minimum development buffer of 30m from the edge of the Ladder Hills SAC is conditioned and implemented this conservation objective would be met.

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

No development is proposed within the boundary of the SAC, however drainage of hydrologically connected peatland habitats within 30m of the SAC boundary (particularly down-slope of the SAC) could result in drainage of the blanket bog and changes to typical blanket bog vegetation. All characteristic blanket bog species such as *Sphagnum* mosses, cotton-grasses, sundews, and ericaceous shrubs rely on a high water-table, and are likely to benefit from measures to improve the bog's hydrological integrity, principally by preventing drainage, and trampling which could impact peat-forming vegetation, and damming of any artificial drainage.

A development buffer of at least 30m from the Ladder Hills SAC boundary is recommended through condition to ensure that distribution and viability of typical species of blanket bog within the SAC is maintained and any degraded habitat can be

restored in the future.

If a minimum development buffer of 30m from the edge of the Ladder Hills SAC is conditioned and implemented this conservation objective would be met.

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

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

In conclusion, if a minimum development buffer of 30m from the edge of the Ladder Hills SAC is conditioned and implemented this will reduce the potential effects to a minimal level, so that all the conservation objectives can be met for the Ladder Hills SAC.

2) River Spey SAC

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

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

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

However, there is potential for indirect impacts from construction activities, e.g., mobilised sediments, oils or fuel entering the Alt na Lice watercourse (approximately 100m from the development site. The development is approximately 2.6km upstream of the Alt na Lice confluence with the Conglass Water. Pollution events could indirectly cause the distribution of Atlantic salmon and freshwater pearl mussel to change due to changes in water quality (temporary) and, if significant amounts of sediment reach the watercourse, through smothering of habitats which are used by salmon for spawning/juveniles and habitats suitable for supporting FWPM (long term).

Timing of works to avoid the key Atlantic salmon spawning period (mid-October to end of February) would reduce the risk of pollution or mobilised sediment impacting breeding Atlantic salmon during this sensitive time.

A Pollution Prevention Plan (PPP) is recommended through condition. The PPP should

include standard good practice, such as not storing oil within 10m of a watercourse. Guidance for Pollution Documents should also be referred to and implemented on site (i.e. GPP2, GPP5, GPP8, GPP21, GPP22[1]) If a pollution prevention plan is conditioned and implemented - this conservation objective would be met.

If the timing of works to avoid the key Atlantic spawning period (mid-October to end of February), and a pollution prevention plan is conditioned and implemented this conservation objective would be met.

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

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

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

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

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

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

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

Therefore, this conservation objective would be met.

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

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

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

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

Habitats supporting sea lamprey will not be directly impacted as no works will take place within the watercourse. However, there is potential for indirect effects from pollution or sediment entering the watercourse that could smoother potential sea lamprey spawning grounds (long term). Changes to water quality through suspended solids or chemicals (temporary) may lead to a reduction in food availability through negatively impacting the distribution of prey fish species.

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

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

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

2b. Maintain the distribution of otter throughout the site

Otter have been recorded within the Conglass Water (Lutra lutra : Otter | NBN Atlas), which is a designated tributary of the River Spey SAC. The Conglass Water is approximately 2.4km from the development site. Therefore, there will not be a direct impact on habitats supporting otter, or otter prey species within the SAC. The Alt na Lice tributary of the Conglass Water may potentially be used by foraging otter from the River Spey SAC. The closest stretch of the Alt na Lice is approximately 100m from the

development site, across the A939 road. The development site is within the boundary of the Lecht Ski Centre and next to existing ski-tow infrastructure.

Due to the distance from the watercourse, and the steep heather-dominated habitats within the development it is unlikely that otter from the River Spey SAC would regularly forage within the development site, and therefore the proposed development at this location is unlikely to result in a significant impact on foraging otter from the SAC.

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

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

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

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

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

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

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

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

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

In conclusion, If the timing of works to avoid the key Atlantic spawning period (mid-October to end of February), and a Pollution Prevention Plan is conditioned and implemented this will reduce the potential effects to a minimal level, so that all the conservation objectives can be met for the River Spey SAC.

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

Cairngorms Massif SPA

To avoid deterioration of the habitats of the qualifying species (Golden Eagle) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and

To ensure for the qualifying species that the following are maintained in the long term:

Distribution of the species within site

The development site is approximately 5.6km from the Cairngorms Massif SPA, so there will not be a direct impact on habitats supporting the golden eagle within the SPA. The core foraging distance for breeding Golden Eagle is 6km (up to 9km) (Ref: Assessing connectivity with special protection areas.pdf), therefore, the development is just within the core foraging range of breeding Golden Eagle from the SPA. Habitat within the development site is suitable for prey species including Mountain Hare, however similar habitat is widespread within the Ladder Hills SAC which surrounds the development site and so breeding Golden Eagle from the Cairngorms Massif SPA are unlikely to be solely dependent upon the development site.

The development will result in the loss of approximately 0.2ha of moorland habitat and an increase in human activity within the development site during the summer and autumn, however the development site is between 70m and 550m from the A939 road and next to existing ski-tow infrastructure within the footprint of the Lecht Ski Centre, so there is an existing level of human activity and recreational disturbance associated with the development site. Due to the proximity to existing infrastructure and human activity, the development site is unlikely to be an important foraging site used by Golden Eagle and therefore the proposed development will not result in significant long-term impacts on the distribution of Golden Eagle within the Cairngorms Massif SPA. **Therefore, this Conservation Objective will be met.**

Distribution and extent of habitats supporting the species

No construction activity will occur within the Cairngorms Massif SPA, and therefore there will not be an impact on the distribution of extent of habitats supporting the Golden Eagle within the SPA. **Therefore, this Conservation Objective will be met.**

Structure, function and supporting processes of habitats supporting the species

No construction activity will occur within the Cairngorms Massif SPA, and therefore

there will not be an impact on the structure, function and supporting processes of habitats supporting the Golden Eagle within the SPA. **Therefore, this Conservation Objective will be met.**

No significant disturbance of the species

As discussed above, the development site is approximately 5.6km from the Cairngorms Massif SPA, so the development will not result in direct impacts on habitats within the SPA that support breeding Golden Eagle. The core foraging range of breeding Golden Eagle is 6km (up to a max of 9km) and so habitats within the development site could be used by foraging Golden Eagle from the SPA, however similar moorland habitats are widespread within the surrounding Ladder Hills SAC, and therefore it is considered unlikely that any Golden Eagle would be solely dependent on foraging within the development site. The proposed development is within the boundaries of the existing Lecht Ski Centre, and within 550m of the A939 road (closest edge of development is approximately 70m from the road), so there is an existing level of human activity in the vicinity of the development site. which is likely to inhibit frequent use of the site by Golden Eagle.

Golden Eagle are particularly sensitive to disturbance within 1km of their nests. As this development is more than 5km from the SPA there will not be significant disturbance to breeding Golden Eagle within SPA. **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 otter with the mitigation included in the proposal, the proposed development would not hinder or prevent the maintenance of the population of Golden Eagle as a viable component of site, **therefore this conservation objective would be**

In conclusion, the development will not result in direct effects or significant indirect effects on breeding Golden Eagle within the Cairngorms Massif SPA, so that all the conservation objectives can be met.

STAGE 5:

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

1) Ladder Hills SAC

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

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

- A minimum development buffer of 30m from the edge of the Ladder Hills SAC

should be maintained. Within this buffer zone there should be no development, removal of surface vegetation, storage of excavated peat, turves or construction materials, or trampling/ tracking over blanket bog vegetation within this area. These activities can result in loss of, or changes to typical blanket bog vegetation, increased erosion of peat deposits, and subsequent drainage of connected peatland habitats. The reason for this measure is to minimise the risk of construction phase impacts on hydrologically connected peatland habitats within the SAC.

2) River Spey SAC

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

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

- 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.

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

2) Cairngorms Massif SPA

Yes, all conservation objectives will be met and therefore there will not be an adverse effect on site integrity.