Agenda item 5

Appendix 2

2025/0010/DET

Habitats regulations appraisal

HABITATS REGULATIONS APPRAISAL

Planning reference and proposal information	**2025/0010/DET** Upper Dee River and floodplain restoration.
Appraised by	Scott Shanks, Ecological Advice Officer (Planning)
Date	27/05/2025
Checked by	Gavin Shaw, NatureScot Operations Officer (North)
Date	04 June 2025

INFORMATION

European site details

Name of European site(s) potentially affected

1) **River Dee SAC**
2) **Ballochbuie SAC**
3) **Cairngorms SAC**
4) **Cairngorms SPA**

Elements of the proposed development are within 150m of the **Cairngorms Massif SPA**, which is designated for golden eagle. However, the habitats present within the development site are unsuitable for golden eagle (advice from Raptor Conservation Officer, Isla Graham), and **so this site has been scoped out.**

Elements of the proposed development are within 150m 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 scoped out**.

Elements of the proposed development are within 3.8km of the **Ballochbuie SPA**, which is designated for capercaillie and common crossbill. However, it is considered that there is no connectivity between the qualifying features of this SAC and the project site, and **so this site has been scoped out**.

Qualifying interest(s)

1) **River Dee SAC**

   Otter

   [redacted]

   Atlantic salmon

2) **Ballochbuie SAC**

   Blanket bog

   Bog woodland

   Plants in crevices on base-rich rocks

   Caledonian forest

   Dry heaths

   Otter

   Wet heathland with cross-leaved heath

Plants in crevices on acid rocks

3) Cairngorms SAC

Alpine and subalpine heaths

High-altitude plant communities associated with areas of water seepage

Blanket bog

Bog woodland

Green shield-moss

Plants in crevices on base-rich rocks

Caledonian forest

Dry heaths

Tall herb communities

Juniper on heaths of calcareous grasslands

Otter

Acid peat-stained lakes and ponds

Wet heathland with cross-leaved heath

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

Hard-water springs depositing lime

Dry grasslands and scrublands on chalk or limestone

Montane acid grasslands

Plants in crevices on acid rocks

Acidic scree

Species-rich grasslands with mat-grass in upland areas

Mountain willow scrub

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

4) Cairngorms SPA

Capercaillie

Dotterel

Golden eagle

Merlin

Osprey

Peregrine

Scottish crossbill

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 [redacted])

[redacted]

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 SAC

Conservation Objectives for Ballochbuie Special Area of Conservation

To avoid deterioration of the **qualifying habitats** (see above) thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and

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

-Extent of the habitat on site

-Distribution of the habitat within site

-Structure and function of the habitat

-Processes supporting the habitat

-Distribution of typical species of the habitat

-Viability of typical species as components of the habitat

-No significant disturbance of typical species of the habitat

AND

To avoid deterioration of the habitats of the **qualifying species (otter**) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and

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

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

-Distribution of the species within site

-Distribution and extent of habitats supporting the species

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

-No significant disturbance of the species

3) Cairngorms SAC

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

rocks

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4) Cairngorms SPA

To avoid deterioration of the habitats of the **qualifying species (capercaillie, dotterel, golden eagle, merlin, osprey, peregrine,** and **Scottish crossbill)** or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained;

AND

To ensure for the qualifying species that the following are maintained in the long term: -Population of the species as a viable component of the site -Distribution of the species within site -Distribution and extent of habitats supporting the species -Structure, function and supporting processes of habitats supporting the species -No significant disturbance of the species

APPRAISAL

STAGE 1:

What is the plan or project?

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

Proposed Upper Dee and floodplain restoration at the River Dee from NO 1446 9203 up to the confluence with the Quoich Water at NO 1226 9068, and part of its associated north bank floodplain, the Allan floodplain. The proposals covering approximately 10.5 hectares, include removal of embankment and hard bank protection, wetland enhancement, riparian tree planting and addition of wood in the river and on the floodplain. These measures will aim to restore natural river processes, reinstate channel/floodplain connectivity and improve the quality of riverine and floodplain habitat at the landscape scale.

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

Yes,

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

Yes. Atlantic salmon, [redacted] and otter, the qualifying interests (QIs) of the River Dee SAC, have been considered during the development of this river restoration and habitat improvement proposal. Existing habitat condition, and the distribution and extents 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 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 led by the Cairngorms National Park Authority, and helping to deliver the objectives of the Cairngorms National Park Partnership Plan 2022-2027 actions for freshwater systems, ecological restoration and species recovery (Cairngorms National Park Partnership Plan 2022-27 - Cairngorms National Park Authority). The programme aims to restore functioning floodplains and enhanced wetlands that will assist flood management and deliver habitat improvements, as well as targeting action for the recovery of CNPA priority species.

iii) Is there a clear rationale to justify the connection with the conservation objectives?

Yes. The conservation objectives for Atlantic salmon, [redacted] and otter seek to improve the population, distribution, and availability of supporting habitats for these protected

species. The project design features are proposed primarily to remove historic embankments and bank armour protection (installed from the 1700s onwards) and will restore natural dynamism of the river system, which will help to improve and diversify habitats present for salmon and other species along this stretch of the River Dee. The proposal aims to better connect the river to its floodplain which will improve the quality of habitats within the river and on the floodplain. Improving in-river habitat for Atlantic salmon, which is a host species for the [redacted] floodplain wetland habitats will benefit foraging otter as well as waders and other species. [redacted]

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 to either of this SAC's qualifying interests. As noted in the response at 2ii) the proposed river and floodplain restoration works along the Upper Dee River have the potential to improve habitat provision and diversity for all QIs, contributing towards improving the condition of the designated site. The design and construction methodology have been developed with mitigation measures in place (see Design Method Statement and Species Protection Plan) to limit negative impacts on the QIs. [redacted] These mitigation measures and residual risk will be discussed further in Stage 4. Construction supervision is to be undertaken by a member of the river restoration design team and 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. During both the design development and construction planning stages. The Planning Design and Access Statement outlines two design options that were assessed. Mitigation measures including silt and fine sediment management measures have been considered in Design Construction Statement. These mitigation measures must be employed during construction to prevent this material from being mobilised into the channel.

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 project site is covered by the River Dee SAC designation. Therefore, river

restoration work along this section of the River Dee will directly impact the SAC. However, 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 is deemed that this river restoration work is necessary for nature conservation and should improve suitable habitat diversity and potentially increase distribution of Atlantic salmon, [redacted] and otter within the site.

2) Ballochbuie SAC

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

3) Cairngorms SAC

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

4) Cairngorms SPA

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

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

[redacted]

Atlantic salmon: Yes, there will be a LSE from short term effects arising during construction activity including disturbance of existing habitat within the River Dee through release of sediment mobilised from banks and riverbed during installation of large woody structures 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 river system and improved habitat for Atlantic salmon.

Otter: Yes, there will be a LSE from short term effects arising during construction activity. There could be long term impacts through improved naturalisation of the riverbanks and wetland

improvement works which could provide increased habitat for otters and their prey.

2) <u>Ballochbuie SAC</u>

Blanket bog: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Bog woodland: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project sites, and so **this qualifying interest has been scoped out from further consideration**.

Plants in crevices on base-rich rocks: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Caledonian forest: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Dry heaths: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Otter: Yes, there will be a LSE. There is potential connectivity between the otter qualifying interest of the Ballochbuie SAC, and the development site (which is within the River Dee SAC, which is also designated for otter). The distance between the Ballochbuie SAC and the project site is approximately 3.8km, which is well within the foraging and home range of otter. There will be a LSE from short term effects arising during construction activity. There could be long term impacts through improved naturalisation of the riverbanks and wetland improvement works which could provide increased habitat for otters and their prey.

Wet heathland with cross-leaved heath: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Plants in crevices on acid rocks: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

3) <u>Cairngorms SAC</u>

Alpine and subalpine heaths: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

High-altitude plant communities associated with areas of water seepage: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Blanket bog: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further**

consideration.

Bog woodland: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Green shield-moss: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Plants in crevices on base-rich rocks: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Caledonian forest: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Dry heaths: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Tall herb communities: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Juniper on heaths of calcareous grasslands: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Otter: Yes, there will be a LSE. There is potential connectivity between otter qualifying interest of the Caringorms SAC, and the development site (which is within the River Dee SAC, which is also designated for otter). The distance between the Cairngorms SAC and elements of the project site is approximately 600, which is well within the foraging range of otter. There will be a LSE from short term effects arising during construction activity. There could be long term impacts through improved naturalisation of the riverbanks and wetland improvement works which could provide increased habitat for otters and their prey.

Acid peat-stained lakes and ponds: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Wet heathland with cross-leaved heath: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Hard-water springs depositing lime: No LSE, as there is no potential connectivity of this

qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Dry grasslands and scrublands on chalk or limestone: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Montane acid grasslands: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Plants in crevices on acid rocks: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration.**

Acidic scree: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration**.

Species-rich grasslands with mat-grass in upland areas: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration.**

Mountain willow scrub: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration.**

Very wet mires often identified by an unstable 'quaking' surface: No LSE, as there is no potential connectivity of this qualifying habitat interest with the project site, and so **this qualifying interest has been scoped out from further consideration.**

4) Cairngorms SPA

Capercaillie: No LSE, as the habitats present within the development site are unsuitable for capercaillie there is no connectivity between this qualifying feature and the project site, and so **this qualifying interest has been scoped out from further consideration.**

Dotterel: No LSE, as the habitats present within the development site are unsuitable for capercaillie there is no connectivity between this qualifying feature and the project site, and so **this qualifying interest has been scoped out from further consideration.**

Golden eagle: No LSE, advice from Isla Graham, Raptor Conservation Officer, CNPA (Ref: Ecology File Note for River Dee Restoration 2025/0010/DET). Habitats present within the development site are unsuitable for golden eagle there is no connectivity between this qualifying feature and the project site, and so **this qualifying interest has been scoped out from further consideration.**

Merlin: No LSE, advice from Isla Graham, Raptor Conservation Officer, CNPA (Ref: Ecology File Note for River Dee Restoration 2025/0010/DET). Habitats present within the development site are not used by foraging Merlin, there is no connectivity between this qualifying feature and the project

site, and so **this qualifying interest has been scoped out from further consideration.**

Osprey: Yes, there is a LSE. advice from Isla Graham, Raptor Conservation Officer, CNPA (Ref: Ecology File Note for River Dee Restoration 2025/0010/DET). Habitats within the project site could potentially be used by foraging Osprey from the Cairngorms SPA, and there may be a short-term disturbance effect from construction activity, and long-term effects arising from the river restoration which could improve habitat for Osprey prey species.

Peregrine: Yes, there is a LSE. advice from Isla Graham, Raptor Conservation Officer, CNPA (Ref: Ecology File Note for River Dee Restoration 2025/0010/DET). Habitats within the project site could potentially be used by foraging Peregrine from the Cairngorms SPA, and there may be a short-term disturbance effect from construction activity, and long-term effects arising from the river restoration which could improve habitat for Peregrine prey species.

Scottish crossbill: No LSE, as the habitats present within the development site are unsuitable for capercaillie there is no connectivity between this qualifying feature and the project site, and so **this qualifying interest has been scoped out 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 [redacted]

2b. Restore the distribution of [redacted] throughout the site

[redacted]

[redacted]

[redacted]

2c. Restore the habitats supporting [redacted] within the site and availability of food

[redacted]

2d. Restore the distribution and viability of [redacted] and their supporting habitats

[redacted]

2a. Restore the population of [redacted] as a viable component of the site

[redacted]

[redacted]

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

The proposed works will contribute towards achieving this Conservation Objective. The works have been designed in partnership with the Dee Rivers Trust and the Dee District Salmon Fishery Board with a key aim of the project to improve Atlantic salmon habitats. In 2024, a salmon redd survey undertaken along a 2.2km stretch of the River Dee next to the project site identified a maximum of 164 redds clustered in 4 sections of the channel (Ref: Salmon Redd Survey, September 2024). This relatively high number of salmon redds within the main river channel was thought to relate to 7 weeks of low rainfall reducing access to tributaries. The restoration of the Upper River Dee will increase habitat availability and diversity for Atlantic salmon within this section of the SAC. This increase in suitable habitat should in turn promote an increase in the population of Atlantic Salmon within the SAC.

Mitigation Measures included in the proposal (Refs: Design Method Statement; Species Protection Plan) will minimise the construction phase risks of disturbance during spawning time, mobilisation of sediments that could smother redds, and release of pollution or spread of disease that could impact Atlantic salmon within the River Dee SAC.

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

The prosed works will contribute towards achieving this Conservation Objective. The works have been designed in partnership with the Dee Rivers Trust and the Dee District Salmon Fishery Board with a key aim of the project to improve Atlantic salmon habitats. The proposed works will increase morphological diversity within this section of the SAC, promoting the development of habitats suitable for Atlantic Salmon. The addition of large woody structures in the channel should also provide localised shading and shelter for salmon. The proposed wetland enhancement works and improved connections with the floodplain should also provide a source of nutrients and food for salmon.

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, temporary loss of parr habitat, and release of pollution or spread of disease that could impact Atlantic salmon within the River Dee SAC.

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

The proposed works will partly contribute towards achieving this Conservation Objective. The restoration of this stretch of the River Dee will increase habitat diversity suitable for Atlantic salmon. This increase in suitable habitat should in turn promote an increase in the population of Atlantic salmon within this stretch of the River Dee 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 Rive Dee SAC.

2b. Maintain the distribution of otter throughout the site

The proposed works will contribute towards achieving this Conservation Objective. A protected species survey (Ref: Protected Species Survey, September 2024) of the application site plus a 500m buffer zone found four otter sprainting sites, and a single otter spraint next to a predated mallard, However, no holts (enclosed otter dens) or couches (open otter resting sites) where found across the survey area. This was a single survey, but it suggests that there is low otter activity across the application site, which is part of the River Dee SAC. A further pre-construction survey is proposed to check for otter and other protected species. This will be undertaken no more than 3 months prior to starting works.

As no holts or resting areas were detected within 500m of the project site, it appears that the site is primarily used for foraging. During the construction phase, otter may be a temporary inhibited from foraging across the site. 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.

The proposed river restoration work will seek to restore natural geomorphological processes within this stretch of the River Dee, enhance wetland habitats within the floodplain and improve connectivity between the channel and its floodplain. The works should increase the quality and extent of wetland habitats suitable for foraging otter, and the installation of large woody structures may provide suitable sites for otter holts or resting areas. Therefore, this application will contribute towards maintaining and potentially expanding the distribution of otter within the River Dee SAC.

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

The proposed works will contribute towards achieving this Conservation Objective. The application site is used by foraging otter. No holts or resting areas were detected during a protected species survey in September 2024 (Ref: Protected Species Survey, September 2024). The proposed river restoration works including the installation of large woody structures should improve the dynamism of the river system, which should improve the diversity of habitats within the River Dee that support prey species such as Atlantic salmon. The proposed wetland enhancement work including wader scrapes, installation of large woody structures on the flood plain, and the retention of more water on the flood plain, should help maintain and improve the quality of habitats supporting otter and otter prey species, and improve the climate reliance of these resources.

Mitigation Measures included in the proposal (Species Protection Plan dated 27/05/2025, and Design Method Statement dated 19/05/2025) 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.

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 proposed mitigation measures (timing of the works to avoid the Atlantic salmon spawning season, and the main breeding bird season, the inclusion of sediment and pollution management measures, pre-construction checks for protected species and the presence of an experienced Ecological Clerk of Works on site during construction activities) reduce the potential effects to a minimal level, so that all the conservation objectives can be met for the River Dee SAC.

2) Ballochbuie SAC

To avoid deterioration of the habitats of the qualifying species (otter) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; 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.

No development will take place within the Ballochbuie SAC (the project site is approximately 3.8km upstream of the Ballochbuie SAC), and so there will not be a direct impact on habitats supporting otter within the Ballochbuie SAC. However, otter from the Ballochbuie SAC may forage within the project site, and therefore there may be a temporary disturbance effect preventing use of the site during construction work, however following construction the proposed works should significantly improve suitable otter habitat within the project site, that will help support otter within the Ballochbuie SAC as a viable component of the site.

-Distribution of the species within site

No development will take place within the Ballochbuie SAC, and therefore there will not be a direct impact on the distribution of otter within the Ballochbuie SAC.

-Distribution and extent of habitats supporting the species

No development will take place within the Ballochbuie SAC (the project site is approximately 3.8km upstream of the Ballochbuie SAC), and so there will not be a direct impact on the distribution and extent of habitats supporting otter within the Ballochbuie SAC. As the project site is within foraging distance of otter from the Ballochbuie SAC, there may be a short-term disturbance of potential foraging sites used by otter from the Ballochbuie SAC, preventing it being used during the construction work. Following construction, the wetland habitat improvements within the project site will significantly increase the distribution and extent of supporting habitat for otter outside the Ballochbuie SAC.

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

No development will take place within the Ballochbuie SAC (the project site is approximately 3.8km upstream of the Ballochbuie SAC), and so there will not be a direct impact on the structure, function and supporting processes of habitats supporting otter within the Ballochbuie SAC.

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 within/ close to the application site.

-No significant disturbance of the species

No development will take place within the Ballochbuie SAC (the project site is approximately 3.8km upstream of the Ballochbuie SAC), and so there will not be a direct disturbance of otter within the Ballochbuie SAC. Otter have been considered during the development of the plan and the proposed mitigation measures (Species Protection Plan dated 27/05/2025, and Design Method Statement dated 19/05/2025). During construction, the potential use of the project site by foraging otters from the Ballochbuie SAC will be temporary disturbed or prevented. As otters have very large home ranges of around 32km for males and 20km for females (Otter | NatureScot), the temporary construction work at this location will not result in significant disturbance of otters from the Ballochbuie SAC.

In conclusion, the mitigation measures proposed for the application (timing of the works to avoid both the Atlantic salmon spawning season, and the main breeding bird season; the inclusion of sediment and pollution management measures, and the presence of an experienced Ecological Clerk of Works on site during construction activities) reduces the potential effects to a minimal level, so that all the conservation objectives can be met for the Ballochbuie SAC.

3) Cairngorms SAC

2b. Maintain the distribution of otter throughout the site

No development will take place within the Cairngorms SAC (construction elements of the project site are approximately 600m from the boundary Cairngorms SAC), and so there will not be a direct impact on the distribution of otter throughout the Cairngorms SAC.

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

No development will take place within the Cairngorms SAC (construction elements of the project site are approximately 600m from the boundary of the Cairngorms SAC), and so there will not be a direct impact on habitats supporting otter or the availability of food for otter within the Cairngorms SAC. However, otter from the Cairngorms SAC may forage within the project site, and therefore there may be a temporary disturbance effect preventing use of the site during

construction work. However, following construction the proposed works should significantly improve suitable the extent and quality of otter habitat within the project site, that will help support otter within the Cairngorms SAC. This river and floodplain restoration project will increase the diversity of habitats within the River Dee and on the floodplain which should benefit otter prey species such as Atlantic salmon.

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 within/ close to the application site.

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

No development associated with this proposal will take place within the Cairngorms SAC, however the proposal will improve the diversity of habitats within the site (part of the River Dee SAC) and on the floodplain, which could support otter populations within the Cairngorms SAC, and could facilitate population connectivity with other otter populations using the River Dee SAC and Ballochbuie SAC. This could help restore and support otter as a viable component of the Cairngorms SAC.

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

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

In conclusion, the mitigation measures proposed in the application (timing of the works to avoid the disturbance to spawning salmon (potential prey species of otter), and the main breeding bird season (potential prey species), the inclusion of sediment and pollution management measures, pre-construction checks for protected species, and the presence of an experienced Ecological Clerk of Works on site during construction activities) reduces the potential effects on otter to a minimal level, so that all the conservation objectives can be met for the Cairngorm SAC.

5) Cairngorms SPA

To avoid deterioration of the habitats of the qualifying species (only osprey and peregrine are considered here, as other species were scoped out in Section 3) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained;

AND

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

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

There will be no construction associated with the proposal within the Cairngorms SPA, therefore there will be no direct impact on osprey and peregrine as a viable component of the Cairngorms

SPA.

-Distribution of the species within site

There will be no construction associated with the proposal within the Cairngorms SPA, therefore there will be no direct impact on any of the distribution of any of the assessed QIs (osprey and peregrine) within the Cairngorms SPA.

-Distribution and extent of habitats supporting the species

There will be no construction associated with the proposal within the Cairngorms SPA, therefore there will be no direct impact on any of the distribution of osprey and peregrine within the Cairngorms SPA. The project site is within potential foraging range of both osprey and peregrine (the project sites is approximately 600m from the boundary of the Cairngorms SPA), and habitats present within the project site are suitable for hunting osprey and peregrine. Both of these mobile species have large hunting ranges (Ref: Raptor Monitoring Scheme: Hardey *et al* (2013) Advice | Scottish Raptor Monitoring Scheme), and are unlikely to be solely dependent on the application site, and so it is considered that there will be negligible impact from the temporary restriction of hunting range within the project site during the construction phase. The watercourse and floodplain habitat improvements proposed in the application could improve habitats supporting prey of both osprey and peregrine, and therefore there may be a long-term positive impact on the distribution and extent of habitats supporting these species

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

No development will take place within the Cairngorms SPA, and so there will not be a direct impact on the structure, function and supporting processes of habitats for osprey and peregrine within the Cairngorms SPA. The project site is within potential foraging range of both osprey and peregrine (the project sites is approximately 600m from the boundary of the Cairngorms SPA), and habitats present within the project site are suitable for hunting osprey and peregrine. Both of these mobile species have large hunting ranges (Raptor Monitoring Scheme: Hardey et al (2013) Advice | Scottish Raptor Monitoring Scheme), and are unlikely to be solely dependent on the application site, and so it is considered that there will be negligible impact from the temporary restriction of hunting range within the project site during the construction phase. The watercourse and floodplain habitat improvements proposed in the application could improve habitats supporting prey of both osprey and peregrine, and therefore there may be a long-term positive impact on the structure, function and supporting processes of habitats supporting these species.

-No significant disturbance of the species

No development will take place within the Cairngorms SPA (the project site is approximately 600m from the boundary of the Cairngorms SPA), and so there will not be a direct disturbance of any of the QIs within the Cairngorms SPA. However, during construction, the potential use of the application site by foraging osprey and peregrine from the Cairngorms SPA may be temporary disturbed or inhibited. Both of these mobile species have large hunting ranges (Raptor Monitoring Scheme: Hardey et al (2013) Advice | Scottish Raptor Monitoring Scheme), and are unlikely to be solely dependent on the application site, and so it is considered that there will be negligible impact from the temporary restriction of hunting range within the project site during the construction

phase.

In conclusion, it is considered that due to the large foraging ranges of both osprey and peregrine, the availability of other foraging sites for these species, and the temporary nature of the potential disturbance to foraging range during the construction phase, this reduces the potential effects to a minimal level, so that all the conservation objectives can be met for the Cairngorm SPA.

STAGE 5:

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

1) River Dee SAC

Yes, provided the mitigation measures included in the planning application are secured by condition and implemented, then the conservation objectives will be met and therefore there will not be an adverse effect on site integrity for the River Dee SAC. 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 February)- to minimise impacts on qualifying interests of the River Dee SAC.
- Mitigation measures detailed in the Design Method Statement (dated 19th May 2025) and the Species Protection Plan (dated 27th May 2025) should be implemented in full. In particular, the pollution prevention and control measures to prevent excess silt and sediment entering the River Dee during construction. The reason for this condition is to avoid pollution or mobilised sediments negatively impacting Atlantic salmon and the population of [redacted]

2) Ballochbuie SAC

Yes, provided the mitigation measures included in the planning application are secured by condition and implemented, then the conservation objectives will be met and therefore there will not be an adverse effect on site integrity for the Ballochbuie SAC.

Cairngorms SAC

Yes, provided the mitigation measures included in the planning application are secured by condition and implemented, then the conservation objectives will be met and therefore there will not be an adverse effect on site integrity for the Cairngorms SAC.

4) Cairngorms SPA

Yes, due to the large foraging ranges of osprey and peregrine, the availability of alternative foraging sites, and the temporary nature of the potential disturbance to access to foraging habitats within the application site during the construction phase, it is considered that the conservation objectives will be met and therefore there will not be an adverse effect on site integrity for the Cairngorms SPA.