AGENDA ITEM 5

APPENDIX 2

2016/0224/DET

HABITAT REGULATIONS APPRAISAL

Habitats Regulations Assessment Report

2016/0224/DET Proposal for 24 flats, 8 terrace unit and 10 affordable units at land 30m west of 31 Allt Mor, Aviemore

Introduction

This is a record of the assessment under regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) for the planning applications for 24 flats, 8 terrace unit and 10 affordable units at land 30m west of 31 Allt Mor, Aviemore The northern section of the site is allocated for housing within the Cairngorms National Park Local Development Plan 2015-2020 and has previously been granted consent for a nursing home.

Background to the assessment

The principal documents which have been taken into account for this assessment are:

- 2016/0224/DET – Design, Access & Sustainability Statement in support of application
- 2016/0224/DET – Site Plan Ecos Design (15/01/2016)

Table 1. Stages of Assessment

Stages of Assessment	
Stage 1	Decide whether proposal is subject to HRA
Stage 2	Identify Natura Sites that should be considered and gather information about the Natura Sites
Stage 3	Consultation on the method and scope of the appraisal with SNH and others. Request additional information from applicant if required.
Stage 4	Screening the proposal for likely significant effects on Natura sites including mitigation measures included within the proposal
Stage 5	Screen for "in combination effects" with other plans or projects
Stage 6	Appropriate Assessment to determine effect upon conservation objectives. Preliminary conclusion about adverse effect upon the integrity of any site.
Stage 7	Consultation with SNH (and others if considered appropriate)
Stage 8	Apply additional mitigation measures, if required, via conditions or agreements to ensure that there is no adverse effect on site integrity
Stage 9	Conclusion on Integrity test
Stage 10	Regulation 49 derogation procedures. This only applies if adverse effects remain and Competent Authority still wishes to approve the application

Stages 1-5 describing the Natura sites and Screening

The proposed development is not wholly concerned with the necessary management of a European site for nature conservation and requires planning permission and so the plans must be subject to assessment under the terms of Directive 92/43/EEC.

Stages 2: Identification of Natura Sites and gathering their details

The list below is those sites that have been taken forward to screening for likely significant effects. See Appendix 1 for details on each site and its qualifying features.

Special Area of Conservation (SAC)

River Spey SAC

Special Protection Area (SPA)

Kinveachy Forest SPA

Stage 3: Discussions on the method and scope of the appraisal and requests for additional information

Advice has been sought from SNH as to the methodology and scope of the appraisal. Advice was provided by SNH on 16th September 2016 on the potential impacts that could occur through the development.

Stage 4: Screening the proposal for likely significant effects

The effects identified were, in summary, as follows:

- Likely Significant Effect on Kinveachy SPA
- Likely Significant Effect on River Spey SAC

Screening of this application considers these and any additional possible effects that would arise from the granting of planning permission for housing development at Land 30m west of 31 Allt Mor, Aviemore

Table 3. Screening for LSE from land 30m west of 31 Allt Mor, Aviemore development

Kinveachy Forest SPA					
Qualifying Feature Affected	**Possible effect of development**	**Likely significant effect**	**Duration**	**Screening assessment**	**Screening outcome**
Capercaillie	Increase in recreational use of the SPA which supports capercaillie. This is a **direct effect** upon the SPA.	Disturbance to lekking, brood rearing and feeding habitats from recreational activity.	Permanent	Kinveachy Forest (2km away) has a well-developed estate path and track network which is used by walkers. Cyclists are largely kept away from the SPA by a deer fence that is crossed by stiles rather than gates. The size of the development is very small in relation to the population of Aviemore and between this housing proposal and Kinveachy SPA is the High Burnside housing Development. Alternative routes which are close to the development include the Aviemore Orbital Path and slightly further away is the Craigellachie NNR both are well promoted and may present a more attractive location to potential walkers from the proposal.	**Likely Significant Effect**
Capercaillie (all sites)	Increase in recreation in Kinveachy SPA, increased disturbance reducing productivity and subsequently a reduction in dispersal rate to nearby SPAs including	A reduced dispersal of birds from Kinveachy SPA into these SPAs, thus reducing the viability and productivity in these SPAs.	Permanent	Above screening for the Kinveachy woods SPA shows Likely Significant Effect, therefore there could be an indirect effect on these SPAs from the development.	**Likely Significant effect**

	Abernethy, Anagach and Cairngorm. **This is an indirect effect on these SPAs.**				
Scottish crossbill (Kinveachy SPA)	Increase in recreational activity from residents of new development within the SPA	Disturbance to nesting sites and foraging habitat	Permanent	There is no evidence that this species is affected by disturbance; species does not nest on the ground. Therefore birds within SPA are not likely to be affected.	**No Effect**

River Spey SAC

Qualifying Feature Affected	Possible effect of development	Likely significant effect	Duration	Screening assessment	Screening outcome
Otter	Pollution of watercourses through run – off during construction: siltation during ground excavation work, fuel or other chemical run-off,	Pollution from chemical leakage and siltation clouding water	Temporary during construction, permanent during operation	There is a small potential for run-off into the Aviemore burn during construction. There is potential for pollution to reach the Aviemore burn from surface water run-off when the site is operational. A pollution event in the burn could impact on otter feeding capability in the River Spey SAC.	**Likely Significant Effect**

Sea Lamprey	Pollution of watercourses through run – off during construction: siltation during ground excavation work, fuel or other chemical run-off,	Pollution from chemical leakage and siltation clouding water	Temporary during construction, permanent during operation	There is a small potential for run-off into the Aviemore burn during construction. There is potential for pollution to reach the Aviemore burn from surface water run-off when the site is operational. A pollution event in the burn could impact on the Sea Lamprey in the River Spey SAC.	**Likely Significant Effect**
Fresh water pearl mussel	Pollution of watercourses through run – off during construction: siltation during ground excavation work, fuel or other chemical run-off,	Pollution from chemical leakage and siltation clouding water	Temporary during construction, permanent during operation	There is a small potential for run-off into the Aviemore burn during construction. There is potential for pollution to reach the Aviemore burn from surface water run-off when the site is operational. A pollution event in the burn could impact on the fresh water pearl mussel in the River Spey SAC.	**Likely Significant Effect**
Atlantic Salmon	Pollution of watercourses through run – off during construction: siltation during ground excavation work, fuel or other chemical run-off,	Pollution from chemical leakage and siltation clouding water	Temporary during construction, permanent during operation	There is potential for run-off into the Aviemore burn during construction. There is potential for pollution to reach the Aviemore burn from surface water run-off when the site is operational. A pollution event in the Aviemore burn could impact on the Atlantic salmon population of the River Spey SAC.	**Likely Significant Effect**

Stage 5: In-combination effects

As part of the assessment, any Likely Insignificant Effects (Minor Residual Effects) identified must be tested for in-combination effects with Minor Residual Effects from other projects.

A Minor Residual Effect was identified during the Appropriate Assessment of this proposal which identified that there would be an increase in recreational use of Kinveachy SPA..

A Minor Residual Effects was identified during the Appropriate Assessment of another project:

2015/0375/DET Badaguish Outdoor Centre Erection of 35 holiday wigwams

- MRE on the conservation objective "No significant disturbance to capercaillie" for the Cairngorms SPA. This occurred both directly, and indirectly, through disturbance in surrounding non-SPA woodland.

The disturbance in this project was assessed to be most attributable to early morning dog walkers in the Cairngorms SPA, it is very unlikely that this group would increase likely disturbance in Kinveachy SPA therefore it is concluded there are no in-combination effects.

Stages 6–10 Assessment and Conclusions

Stage 6: Appropriate Assessment

The proposals have been screened in Stages 4 and 5. It was found that for some Natura sites there were likely significant effects upon the qualifying interests. As such an Appropriate Assessment was deemed necessary. The affected sites identified are:

- Kinveachy Forest SPA
- Anagach SPA
- Abernethy Forest SPA
- Cairngorms SPA
- Craigmore SPA
- River Spey SAC

Kinveachy SPA
Qualifying species and conservation status Capercaillie. SNH SCM report (SNH Site Link as of 29/04/2015) favourable, maintained Scottish crossbill -Screened out at Stage 5 above
Conservation objectives To avoid deterioration of the habitats of the qualifying species (listed above) 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 the site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting process of habitats supporting the species
- No significant disturbance of the species
- Population of the species as a viable component of the site

Will the development adversely affect the site's conservation objectives?

Capercaillie: Likely Significant Effect

In this assessment, the implications of the planning application for the site's conservation objectives are assessed in order to answer the question: "Can it be ascertained that the proposal will not adversely affect the integrity of the site?"

The over-arching conservation objective of SPAs is to avoid deterioration of the habitats of the qualifying species, or significant disturbance to the qualifying species, thus ensuring that the integrity of the sites is maintained. This over-arching conservation objective can be broken down into the following detailed elements:

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

1. No significant disturbance of the species

2. Distribution and extent of habitats supporting the species

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

3. Population of the species as a viable component of the sites

    - Distribution of the species within sites

In-combination effects

No in-combination effects have been identified at State 5 (screening).

Assessment against the Conservation Objectives

A Likely Significant Effect on the SPA was identified due to the predicted increase in recreational use of the woods. Lek and brood rearing habitat exists within the SPA. Additional use of the woods for recreation could increase recreational disturbance to habitat used by capercaillie for breeding and rearing young.

Capercaillie (direct effect)

1. No significant disturbance of capercaillie

The proposal will not disturb capercaillie during construction or create disturbance directly from the site once the houses are occupied. The distance of 2km from the site and woods used by capercaillie is too far to cause direct disturbance.

The development is predicted to increase the levels of recreation in the local area:

a) Increase the recreational use of the Aviemore Orbital path. This is most likely to be used by residents of the development for day to day short to medium routes and dog walking. Capercaillie do not use this area, therefore there is no effect on capercaillie.

b) Increase in the use of Kinveachy SPA for dog walking and mountain biking. Capercaillie breeding is focused in the older established woodland area of Kinveachy and use the newer area of plantation in the winter months for foraging. These two areas are separated by a deer fence which has stiles for access but acts to reduce disturbance during the breeding season.

c) Increase in the use of paths in Craigellachie NNR which is adjacent to Kinveachy, Capercaillie do not use this area, therefore there are no effects on capercaillie.

It is anticipated that most residents from the development will use the Aviemore Orbital footpath primarily, as this is directly adjacent to the development and provide a range of short and medium walks.

Even so, an increase in use of Kinveachy is predicted. Recreation is likely to occur along promoted tracks which are already popular and avoided by capercaillie (Moss et al, 2014). Lek sites are concentrated on the other side of the deer fence which will further reduce use of tracks in sensitive areas.

The proposal is not predicted to change existing spatial and temporal recreational patterns in Kinveachy. It is therefore concluded that an increase in recreation from the proposal will not have an adverse effect on capercaillie.

Conclusion

It is concluded that there will be no increased disturbance to capercaillie from the proposal, therefore no adverse impact on capercaillie and this conservation objective will be met.

2. Population of the capercaillie as a viable component of the sites and distribution of the capercaillie within the Special Protection Areas

Capercaillie exist as a meta-population and move from site to site, often covering large distances. The Strathspey metapopulation consists of designated sites (Abernethy Forest, Kinveachy Forest, Anagach Woods, Craigmore Woods and Cairngorms) and non-designated woodland. The distance between Kinveachy and the other designated sites is within the normal dispersal distance of capercaillie. Kinveachy has potential to provide a population of birds if the population of another wood nearby was lost. It is important to maintain populations at each site in order to create a more robust meta-population.

Conclusion

There is potential for an effect on the population of capercaillie as a viable component

of the SPAs, and distribution of capercaillie within the SPAs, if the Kinveachy population were to be adversely affected by the proposal. If the Kinveachy population can continue to live and breed, the wider SPA population would be unaffected. The assessment above considers that there will be no increase in disturbance to capercaillie from the proposal and there conservation objective "no disturbance on capercaillie" will be met. Therefore, with no adverse impact on capercaillie in Kinveachy SPA, an effect on the population as a viable component of the neighbouring SPAs is not possible.

It is concluded that there will be no adverse effect upon this conservation objective.

3. Distribution and extent of habitats supporting capercaillie and structure, function and supporting processes of habitat supporting capercaillie

The proposal area lies out with the SPA and comprises an area of disturbed land between two existing housing developments and close to the A9 and is not suitable for capercaillie. Therefore there is no loss of supporting habitat through the proposal.

We conclude that there will be no adverse effect upon this conservation objective.

Additional mitigation

None required

Likely insignificant effects

The level of anticipated increased disturbance to Kinveachy resulting from this application has been assessed as not causing a Likely Significant Effect. However there will be some increase in recreational use at the most sensitive northern side of Aviemore and therefore we conclude that there is a minor residual effect arising from this project.

Conclusion on site integrity

There will not be an adverse effect upon the integrity of Kinveachy SPA resulting from this development.

Anagach SPA, Abernethy Forest SPA, Cairngorms SPA, Craigmore SPA

Qualifying species and conservation status

Capercaillie (all sites): Likely Significant Effect
SNH SCM report (SNH Site Link as of 30/05/2016) Unfavourable, Declining

Scottish crossbill (Abernethy only): Screened out at Stage 5 above
Osprey (Abernethy only): Screened out at Stage 5 above
Golden eagle, merlin, peregrine (Cairngorms only): Screened out at Stage 5 above

Conservation objectives

To avoid deterioration of the habitats of the qualifying species (listed above) 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 the site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting process of habitats supporting the species
- No significant disturbance of the species
- Population of the species as a viable component of the site

Will the development adversely affect the site's conservation objectives?

In this assessment, the implications of the planning application for the site's conservation objectives are assessed in order to answer the question: "Can it be ascertained that the proposal will not adversely affect the integrity of the site?"

The over-arching conservation objective of SPAs is to avoid deterioration of the habitats of the qualifying species, or significant disturbance to the qualifying species, thus ensuring that the integrity of the sites is maintained. This over-arching conservation objective can be broken down into the following detailed elements:

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

1. Population of the species as a viable component of the sites

Distribution of the species within sites

2. Distribution and extent of habitats supporting the species

Structure, function and supporting processes of habitats supporting the species

3. No significant disturbance of the species

In-combination effects

No in-combination effects have been identified at State 5 (screening).

Assessment against the Conservation Objectives

The proposal was assessed as having an **indirect** LSE on the SPA's resulting from a **direct** LSE on Kinveachy SPA

Capercaillie (direct effect)

1. Population of the capercaillie as a viable component of the sites and distribution of

the capercaillie within the Special Protection Areas

Capercaillie exist as a meta-population and birds frequently move from site to site. A Likely Significant Effect was identified on Kinveachy SPA at screening (stage 5). However when considered within the appropriate assessment above it was concluded that there was no LSE at this SPA. Consequently an indirect effect on the other SPAs cannot happen.

Conclusion

2. Distribution and extent of habitats supporting capercaillie and structure, function and supporting processes of habitat supporting capercaillie

The proposal area lies out with the SPA and comprises disturbed ground bounded by two existing housing developments and the A9 and is not suitable for capercaillie. Therefore there is no loss of supporting habitat through the proposal.

We conclude that there will be no adverse effect upon this conservation objective.

3. No significant disturbance of capercaillie

It is likely that new residents of this development may visit nearby SPA for recreation but the increase in visitation would be considered to be insignificant.

Conclusion

We conclude that there will be no adverse effect upon this conservation objective.

Additional mitigation

None required.

Likely insignificant effects

No effect

Conclusion on site integrity

There will not be an adverse effect upon the integrity of Anagach Woods SPA, Cairngorms SPA, Abernethy SPA and Craigmore Woods SPA.

River Spey SAC

Qualifying species and conservation status

Sea lamprey (*Petromyzon marinus*) Favourable Maintained

Otter (*Lutra lutra*) Favourable Maintained

Atlantic salmon (*Salmo salar*) Unfavourable Recovering

Freshwater pearl mussel (*Margaritifera margaritifera*) Unfavourable Declining

Conservation objectives

To avoid deterioration of the habitats of the qualifying species (listed above) 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 the site
- Distribution and extent of habitats supporting the species
- Structure, function and supporting processes of habitats supporting the species and their hosts where relevant
- No significant disturbance of the species

Is the operation likely to have a significant effect on the qualifying interest? Consider each qualifying interest in relation to the conservation objectives

Sea lamprey: Likely Significant Effect (pollution)
Otter: Likely Significant Effect (pollution)
Atlantic salmon: Likely Significant Effect (pollution)
Freshwater pearl mussel: Likely Significant Effect (pollution)

Will the development adversely affect the site's conservation objectives?

In this assessment, the implications of the planning application for the site's conservation objectives are assessed in order to answer the question: "Can it be ascertained that the proposal will not adversely affect the integrity of the site?"

The over-arching conservation objective of SACs is to avoid deterioration of the habitats of the qualifying species, or significant disturbance to the qualifying species, thus ensuring that the integrity of the sites is maintained. This over-arching conservation objective can be broken down into the following detailed elements:

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

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

In-combination effects

As described at Stage 5 (screening); no in-combination effects have been identified for this Natura site.

Assessment against the Conservation Objectives

1. **Population of the species as a viable component of the sites**

Atlantic salmon, otter, Atlantic salmon, freshwater pearl mussel –Accidental chemical pollution or sedimentation arising during construction or from surface water run-off when the development is occupied may affect the population of the species locally due to toxic effects on individuals. These affects can be fully mitigated for through appropriate preventative measures.taken during construction and an appropriately designed Suds scheme.

2. **Distribution of the species within sites**

Atlantic salmon, otter, sea lamprey, freshwater pearl mussel - Accidental chemical pollution or sedimentation arising during construction or from surface water run-off when the development is occupied may affect the distribution of the species through effects upon food source and supporting habitats. These affects can be fully mitigated for through appropriate preventative measures taken during construction and from an appropriately designed Suds scheme.

3. **Distribution and extent of habitats supporting the species**

Atlantic salmon, otter, sea lamprey, freshwater pearl mussel - Accidental chemical pollution or sedimentation arising during construction or from surface water run-off when the development is occupied may affect the distribution of the species through effects upon food source and supporting habitats. These affects can be fully mitigated for through appropriate preventative measures taken during construction and from an appropriately designed Suds scheme.

Structure, function and supporting processes of habitats supporting the species
Atlantic salmon, otter, sea lamprey, freshwater pearl mussel - Accidental chemical pollution or sedimentation arising during construction or from surface water run-off when the development is occupied may affect the distribution of the species through effects upon food source and supporting habitats. These affects can be fully mitigated for through appropriate preventative measures taken during construction and from an appropriately designed Suds scheme.

4. **No significant disturbance of the species**

There will be no disturbance to these species as part of the construction or operational phases

It is concluded that there could be an effect upon these conservation objectives (1-4) and therefore additional mitigation needs to be considered.

Additional mitigation

Mitigation is required for the above effects.

1. Construction method statement

   A condition must be applied to a permission that requires a site specific construction method statement (CMS) to be agreed with the CNPA prior to the starting construction on the site. The CMS must clearly demonstrate that risks to watercourses are eliminated through application of good site management in accordance with accepted best practice guidelines. This must be in accordance with SEPA PPG 5 "Working on or near a watercourse". This is a well-practised approach that is applied to many construction projects and it will effectively manage

these risks.

A Suds scheme must be produced which meets the requirements of UK CIRIA Guidance 753

This would resolve the following likely significant effects:

- Pollution and siltation of Aviemore burn and ultimately the River Spey during construction and operation through site run-off, affecting the following qualifying features as detailed above: Atlantic salmon, otter, sea lamprey and freshwater pearl mussel, and conservation objectives for the River Spey SAC 1-4 above.

Likely insignificant effects

No residual effects.

Conclusion on site integrity

If the mitigation stated above is followed, there will not be an adverse effect upon the integrity of the River Spey SAC.

Stage 7: Consultation

Regulation 48(3) requires the authority to consult with the appropriate conservation body and to have regard to their representations. This is in such cases where a LSE is identified and an appropriate assessment is undertaken. In Scotland SNH is the appropriate conservation body.

Wider consultation of the draft report is at the discretion of the competent authority. In this case a detailed consultation with SNH was made to determine the possible effects from the development.

Stage 8: Additional mitigation

The Appropriate Assessment details a number of mitigation measures which are summarised below:

- Production of a Construction Method Statement for the development construction and a Suds scheme proposal

Stage 9: Conclusion on the integrity test

This assessment based upon the best available scientific evidence and advice offered from SNH and others has shown that, with the mitigation measures provided, that there are no adverse impacts on the conservation objectives from the proposed development upon the qualifying features or the conservation objectives for the following Natura sites:

- Kinveachy Forest SPA

- Anagach Woods SPA
- Abernethy Forest SPA
- Craigmore Wood SPA
- Cairngorms SPA
- River Spey SAC

We therefore conclude that the proposed development, subject to the mitigation measures identified in this appropriate assessment and applied to any consent, will not adversely affect the integrity of any of these sites.

Stage 10: Section 49 (derogation)

The conclusion that there is no adverse effect upon the integrity of any of the Natura sites covered in this report means that regulation 49 is not relevant.

Summary of residual effects

A Minor Residual Effects has been identified there are no in-combination effects arising from this.

References

Research papers

Marshall, K. (2005) Capercaillie and recreational disturbance study. Unpublished report for CNPA, FCS and SNH

Moss, R., Lekie, F., Biggins, A., Poole, T., Baines, D. & Kortland, K. (2014) Impacts of human disturbance on capercaillie (Tetrao urogallus) distribution and demography in Scottish woodland. Wildlife Biology, 20 (1): 1-18

Ruddock, M., & Whitfield, D. P. (2007) A review of disturbance distances in selected bird species. A report from Natural Research (Projects) Ltd to SNH

Habitat Regulations process

Council Directive 92/43/EEC "the Habitats Directive" EEC adopted 1992

Managing Natura 2000 sites – EU communities 2000

Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC - EC 2007

The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)

Welsh Assembly Government TAN 5: Nature Conservation and Planning - 2009

Habitat Regulations Appraisal of Plans – Guidance for Plan Making Bodies in Scotland SNH/DTA August 2012 (Version 2.0)

Other sources

Cairngorms National Park Core Paths Plan2010 – CNAP – 2010

Scottish Recreation Survey, Annual Summary report 2011. CR No. 535 SNH 2012

Appendix 1

Details of Natura 2000 sites within, or adjacent to, the proposed development site

Name of European Site	Anagach Woods
Site Type	**Special Protection Area**
Conservation Objectives	To avoid deterioration of the habitats of the qualifying species (listed below) 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 the site Distribution and extent of habitats supporting the species Structure, function and supporting process of habitats supporting the species No significant disturbance of the species
Qualifying Species	Capercaillie
Site Condition	Unfavourable, Declining. SNH SCM report (SNH Site Link as of 30/05/2016)
Factors currently influencing site	In terms of development, none at present
Vulnerabilities to change/potential effects of the Plan	Recreational disturbance from neighbouring development. Relevant settlements: An Camas Mor, Boat of Garten. Also the development of, or extension to existing recreational facilities.

Name of European Site	Craigmore Wood
Site Type	**Special Protection Area**
Conservation Objectives	To avoid deterioration of the habitats of the qualifying species (listed below) 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 the site

	Distribution and extent of habitats supporting the species Structure, function and supporting process of habitats supporting the species No significant disturbance of the species
Qualifying Species	Capercaillie
Site Condition	Capercaillie: Unfavourable, Declining From SNH SCM Report (SNH Site Link as of 30/05/2016)
Factors currently influencing site	In terms of development, none at present
Vulnerabilities to change/potential effects of the Plan	Recreational disturbance to species from neighbouring development Relevant settlements: An Camus Mòr, Boat of Garten – also developing of, or extension of existing, recreational facilities.

Name of European Site	Abernethy Forest
Site Type	**Special Protection Area**
Conservation Objectives	To avoid deterioration of the habitats of the qualifying species (listed below) 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 the site Distribution and extent of habitats supporting the species Structure, function and supporting process of habitats supporting the species No significant disturbance of the species
Qualifying Species	Capercaillie, Scottish crossbill, Osprey.
Site Condition	 Capercaillie: Favourable Maintained Osprey: Favourable Maintained Scottish Crossbill: Favourable Maintained From SNH SCM Report (SNH SiteLink 30/05/2016)
Factors currently influencing site	In terms of development, none at present
Vulnerabilities to change/potential effects of the Plan	Recreational disturbance to species from neighbouring development Relevant settlements: An Camus Mòr, Boat of Garten – also developing of, or extension of existing, recreational facilities.

Name of European Site	Kinveachy Forest
Site Type	**Special Protection Area**
Conservation Objectives	To avoid deterioration of the habitats of the qualifying species (listed below) 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 the site Distribution and extent of habitats supporting the species Structure, function and supporting process of habitats supporting the species No significant disturbance of the species
Qualifying Species	Capercaillie, Scottish crossbill
Site Condition	Capercaillie: Favourable Maintained Scottish Crossbill: Favourable Maintained From SNH SCM Report (SNH SiteLink 30/05/2016)
Factors currently influencing site	In terms of development, none at present
Vulnerabilities to change/potential effects of the Plan	Recreational disturbance to species from neighbouring development Relevant settlements: An Camus Mòr, Boat of Garten – also developing of, or extension of existing, recreational facilities.

Name of European Site	Cairngorms
Site Type	**Special Protection Area**
Conservation Objectives	To avoid deterioration of the habitats of the qualifying species (listed below) 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 the site Distribution and extent of habitats supporting the species Structure, function and supporting process of habitats supporting the species

	No significant disturbance of the species
Qualifying Species	Capercaillie, Scottish crossbill, Peregrine, Dotterel, Merlin Golden eagle, Osprey.
Site Condition	Capercaillie: Favourable Maintained Peregrine: Favourable Maintained Dotterel: Unfavourable Declining Golden eagle: Favourable Maintained Osprey: Favourable Maintained From SNH SCM Report (SNH SiteLink 30/05/2016)
Factors currently influencing site	In terms of development, none at present
Vulnerabilities to change/potential effects of the Plan	Recreational disturbance to species from neighbouring development Relevant settlements: An Camus Mòr, Boat of Garten – also developing of, or extension of existing, recreational facilities Wind farms could impact on young golden eagles, given their mobility

Name of European Site	River Spey
Site Type	**Special Area of Conservation**
Conservation Objectives	To avoid deterioration of the habitats of the qualifying species (listed below) 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 the site Distribution and extent of habitats supporting the species Structure, function and supporting process of habitats supporting the species No significant disturbance of the species
Qualifying Species	Sea lamprey (*Petromyzon marinus*) Otter (*Lutra lutra*) Atlantic salmon (*Salmo salar*) Freshwater pearl mussel (*Margaritifera margaritifera*)
Site Condition	Sea lamprey (*Petromyzon marinus*) Favourable Maintained Otter (*Lutra lutra*) Favourable Maintained Atlantic salmon (*Salmo salar*) Unfavourable Recovering Freshwater pearl mussel (*Margaritifera margaritifera*) Unfavourable Declining From SNH SCM Report (SNH SiteLink 30/05/2016)
Factors currently influencing site	In terms of development, none at present

Vulnerabilities to change/potential effects of the Plan	• Effects on water quality including sewerage treatment, release of minerals, contamination or other pollution and waste • Functioning of flood plains and the river system • Abstraction of water Relevant settlements: Dalwhinnie, Newtonmore, Kingussie, An Camus Mòr, Aviemore, Inverdruie, Kincraig, Insh, Boat of Garten, Carr-Bridge, Dulnain Bridge, Nethy Bridge, Grantown-on-Spey, Cromdale

Appendix 2

Glossary of terms and abbreviations

Appropriate Assessment (AA)	The part of the Habitats Regulations Assessment process that considers the effects of an aspect of a plan upon the conservation objectives for a Natura site.
CNPA	Cairngorms National Park Authority
CNAP	Cairngorms Nature Action Plan
Competent Authority	The decision making body required under the Habitats Directive to undertake HRA. This includes Scottish Government, National Park Authorities, SNH , SEPA or Local Authorities.
CPP	Core Paths Plan
Habitats Regulation Assessment (HRA)	The whole appraisal process for determining effects upon Natura Sites. It includes Appropriate Assessments. It is a requirement by the Habitats Directive that competent authorities carry out HRAs where a plan or project affects a Natura site.
CLDP	Draft Cairngorms National Park Local Development Plan
Likely Significant Effect	An adverse effect of the development upon a qualifying interest or conservation objective that is considered to be potentially severe enough as to threaten the integrity of the Natura site itself.
Natura Sites	Collective term for Special Protection Areas and Special Areas of Conservation
Ramsar sites	Ramsar sites are wetlands of international importance designated under the Ramsar Convention 1971. Not technically Natura sites they are however usually also SPAs. They are included within the HRA process by policy.
Special Area of Conservation (SAC)	An area designated for the protection of habitats and species. Authorised under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (commonly called the "Habitats Directive"). One of three designation to be considered in a HRA
Special Protection Area (SPA)	An area designation for the protection of birds. Authorised by the Directive 2009/147/EC of the European Parliament and of the Council (commonly called the "Birds Directive"). One of three designation to be considered in a HRA