Email 6th September 2020

Dear Mr Mearns,

I am writing to ask you to clarify if you and your staff aware that Forestry and Land Scotland had built the road, as shown in the photo below taken on 8th August, before you issued your decision dated 26th August saying Prior Approval was not required?

 I appreciate you may not have known this and if not, I would appreciate it if you took the matter up with FLS as by their actions they are threatening to undermine the planning system.  It also appears that the road has been constructed by quarried material, contrary to what is stated in the planning report.  I would be grateful if you could also investigate this and let me have a copy of the specification for the works (which is not on the planning portal).

I have scheduled a post on this for Tuesday.

Yours Sincerely,

Nick Kempe

Inverardran forest road

Your enquiry (dated 6/09/20) related to the construction of a road by Forest and Land Scotland (FLS) before a planning decision issued on 26th August (Prior Notification application ref. 2020/0176/NOT) which stated that Prior Approval was not required. You also requested a copy of the specification of the works.

I note your statement that the 230 metre section of ‘forwarder track’ that was the subject of this Prior Notification application was in fact constructed prior to our decision that ‘prior notification was not required’. I have looked into the matter with the National Park’s trees and woodland advisor who maintains a close working relationship with Forest and Land Scotland (FLS). It is the case that the track was implemented by FLS before the determination of the prior notification. National Park Authority staff were not aware.

These works are part of a wider project addressed in FLS’s Crianlarich Land Management Plan, which the Authority was consulted on. Following our review, the officer’s report of handling was incorrect to state that ‘no new material was to be used’ in the construction of the track. The application form for this proposal did confirm that the track would be surfaced with a wearing course to be imported from the nearest FLS quarry. There is no other ‘specification of works’ available. This track is we understand to be temporary and the above land management plan confirms that, when no longer needed for extraction of timber, the width will be narrowed and the surface allowed to green over. This has been highlighted to FLS and has been confirmed.

On the basis of the above, I am therefore satisfied that there will be no significant or long term landscape impact and no further action is necessary or justified with reference to our approach as set out in the above [Enforcement] Charter.