

The proliferation of hill tracks and how to stop it – an example from Drumochter

Description



Digger 6th October 2017 just southwest of col between Geal Charn and A'Mharconaich, West Drumochter. Note the hillwalkers in the foreground. GR 592766 approx. The track curls round into Fraoch Choire of Beinn Udlamain.

If you see a digger in the hills.....report it!

On Friday, I went for a run up Geal Charn and went just beyond the summit because the views then open up down Loch Ericht. There was a digger a little way to the south on what used to be a stalkers path into the Fraoch Choire. Over the last ten years or so new bulldozed tracks have proliferated on

both sides of the Drumochter pass and had a massive impact on the scenery.



Track behind north Drumochter Lodge



Tracks leading into west Drumochter hills from Balsporran cottages. The track on the left, up the Allt leads onto the col in the top photo with the digger.



Screenshot from the very helpful Cairngorms National Park estate boundaries map

Most of land on the north side of the Drumochter pass is part of the North Drumochter or Ralia Estate as it is sometimes known. As far as I can see from the National Park and Highland Council planning portals only two of the North Drumochter tracks has had planning permission, a short section south of the telephone mast in the Glen back in 2012 and a section of the Beauldy Denny construction track running north from Drumochter Lodge. The tracks on the open hillside appear not to have been subject to planning at all.

The problem has been that under the old planning rules agricultural and forestry tracks did not need planning permission except in National Scenic Areas. Estates used the presence of a few sheep, as in the first photo above, to claim these were agricultural tracks when they have been primarily used for grouse moor management. However, after coming under considerable pressure from environmental and recreational NGOs, in December 2014 the Scottish Government introduced the Prior Notification system where landowners are supposed to notify planning authorities of the creation of any new track and any works to existing tracks which effectively extend them (e.g broadening the width of the track).

Many estates, however, are not observing the new rules and its a considerable challenge for Planning Authorities to monitor what is going on on the ground. (Its not possible for planning authorities to take enforcement action against works that are more than three years old). The LINK hilltrack campaign has had considerable success encouraging hillwalkers to report new tracks but one of the challenges for both LINK and planning authorities is to determine when the track work was done . The presence of diggers however provide evidence that work is being done.

What struck me on Geal Charn, a popular Munro, is just how many hillwalkers must pass track construction works on the hill and assume that all is legitimate. If you care about the landscape,

report it!. A good place to start is the Link Hill tracks group ([see here](#)).

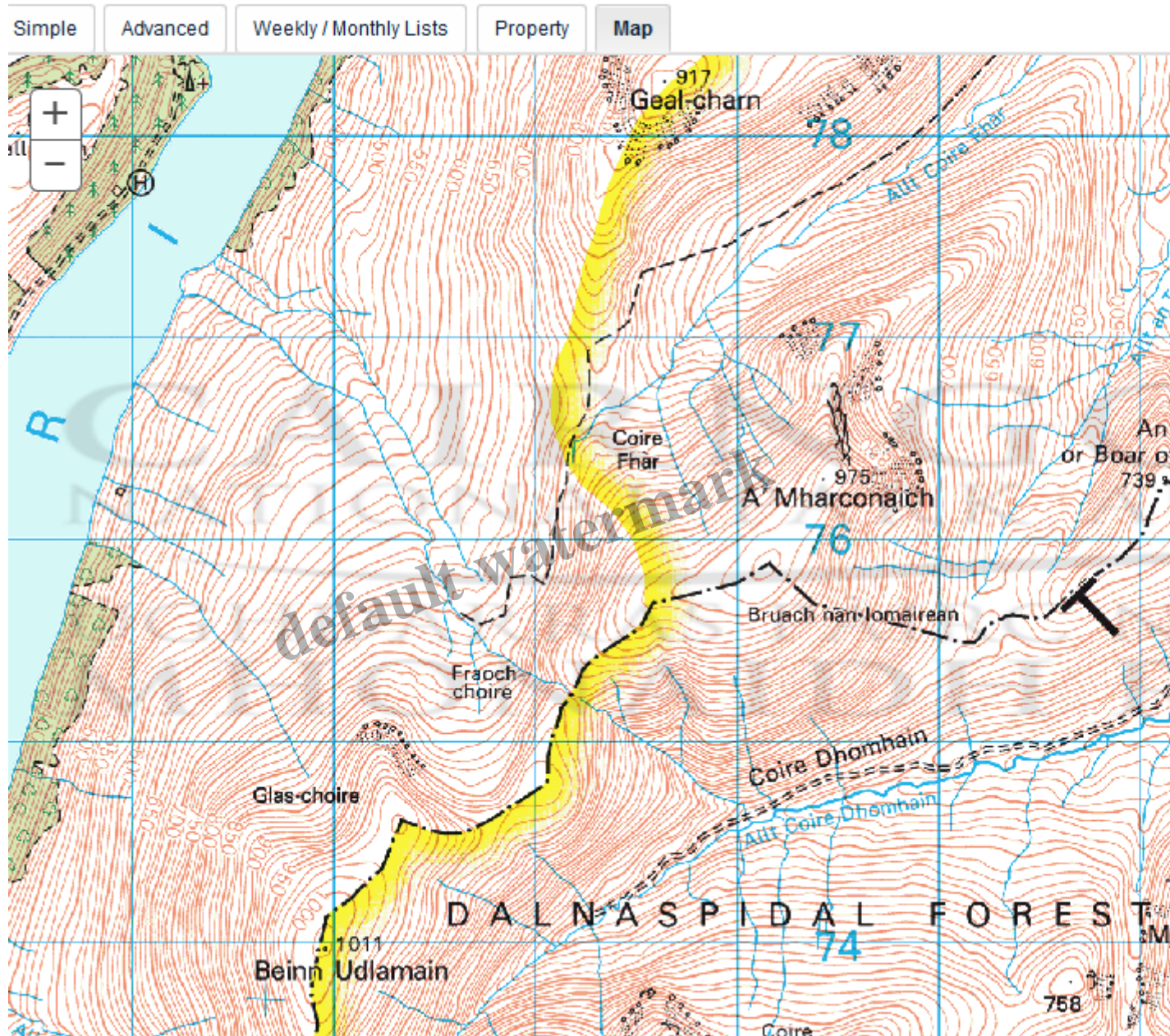
Has the work on this track been granted planning permission or been properly notified?

You can also report direct to the Planning Authority. Several planning authorities, including the Cairngorms National Park, are now placing all Prior Notifications on their planning portals and its quite easy to check if work has had planning permission if you know the council or National Park boundary. In this case I went to Cairngorms National Park Authority planning applications and did a map search:

default watermark

Map Search

Use the map tools to help you zoom in or out, or click and drag to pan around the map, to locate the desired case or property. Clicking

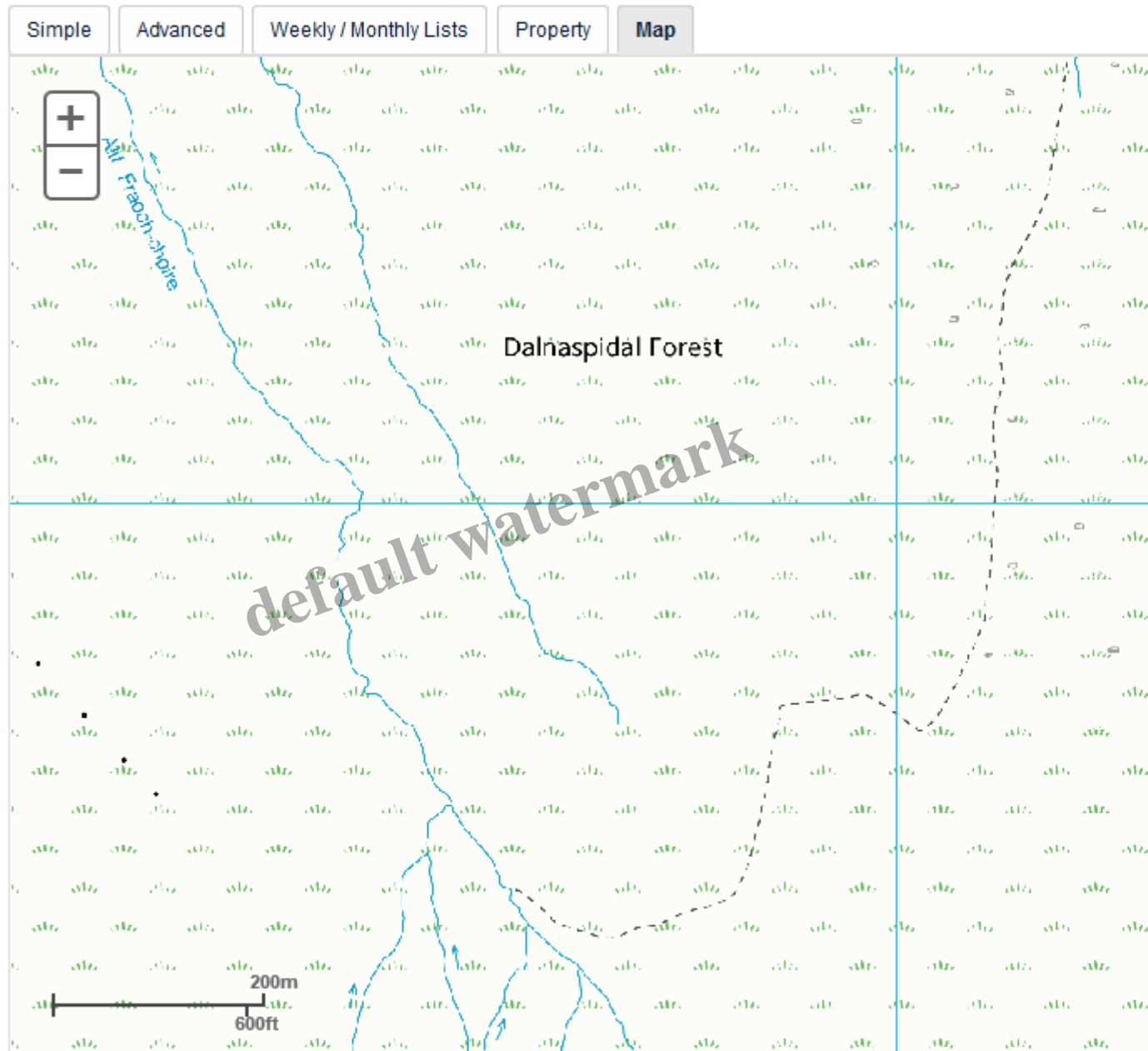


The OS Map is out of date and does not show recent tracks but the track in the top photo follows the path into the Fraoch Choire.

When you zoom in one level more than this you get to maps which depict all planning applications in red. The situation in this case is a bit complicated since the yellow marks line marks the Cairngorms National Park boundary and the digger in the photo may have just been outwith the CNPA boundary (although of course it could have done works on either side of the boundary). I therefore also checked the Highland Council planning portal but as far as I can see no full planning application or Prior Notification has been submitted to either Planning Authority:

Map Search

Use the map tools to help you zoom in or out, or click and drag to pan around the map, to locate the desired case or property. Clicking on a case or property on the map will display a pop-up with brief details.



Highland Council planning portal snapshot showing line of old footpath into Fraoch Choire. If the track had been notified to the Planning Portal there should have been a red line by the line of the footpath.

Now of course its possible that North Drumochter Estate has notified Highland Council of the work and it has not appeared on the their planning portal or that works are of a very minor nature (routine maintenance of existing tracks) and therefore don't need to be notified. However, what the planning portals shows is that there is NO obvious explanation for the presence of the digger or that works have been agreed here. I believe therefore there is every reason to report it. So, I will!

If you find it difficult to access or the Planning Authorities on-line portals don't let that put you off. (The IDOX planning portal still does not allow you to see planning applications on maps if you use firefox as your web browser although I reported this glitch to the Scottish Government early this year) You can email photos to the planning authority and ask if they know about this work (CNPA planning 01479 873535 or planning@cairngorms.co.uk) and the LINK Hill tracks campaign ([see here again](#)) will always welcome information.

Hill tracks and protected areas

Where it can be hard for the planning authority to take enforcement action under planning law is if works are of a minor nature. This however contributes to a new problem, track creep. Tracks are gradually widened or extended or ATV tracks receive some maintenance work which over time then add up to a new track. The photos I have – and unfortunately I did not have time to take a close look which would have been better – suggest this may be happening in this case.

There are other mechanisms however by which we could prevent this happening. In protected nature sites many operations require consent from SNH and much of our National Parks are supposed to be protected in this way. SNH has a very useful website, called sitelink which enables you to do map based searches of whether a site is protected (and it works with firefox!):



Scottish Natural Heritage
All of nature for all of Scotland

Sitelink

SiteLink Home

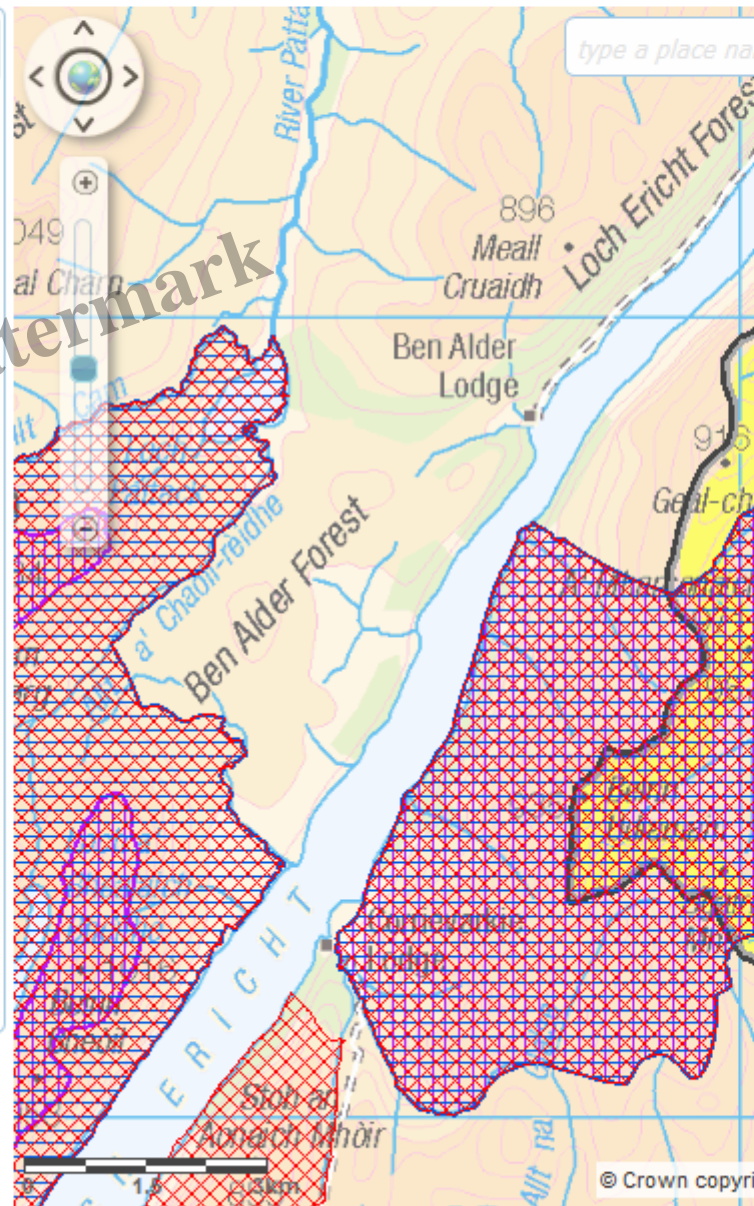
Home >> Publications, data and research >> SNHi Information Service >> SiteLink >> Map Search

Map Search

Search Options | Designated Sites

- Sites of Special Scientific Interest
- Special Areas of Conservation
 - Candidate SAC - submitted to EC
 - SCI (adopted cSAC)
 - SAC (Designated)
- Special Protection Areas
- Ramsar
- National Scenic Areas
- Local Nature Reserves
- National Nature Reserves
- National Parks
- Country Parks
- Regional Parks
- Marine Protected Areas
 - Joint Nature Conservation Committee, MPA
 - MS, Current
 - Scottish Natural Heritage, MPA
 - Scottish Natural Heritage, MPA proposal

Transparency Identify



Basemap transparency

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The big hatched block shows the boundary of the Drumochter Hills SSSI, Special Area of Conservation

(birds).

It appear that the digger, while it might have been just outwith the CNPA boundary was within the Drumochter Hills SSSI, SAC and SPA boundary. Within that SSSI all work on vegetation, ditches, tracks and off road use of vehicles requires permission from SNH. So, I will report the digger to SNH too, although in an ideal world one would hope that our National Parks at least would automatically pass on this type of information to SNH! Indeed, I believe one of the primary ways that the CNPA could prevent the further extension of hills tracks – a policy commitment set out in its new National Park Partnernship Plan – would be to encourage and work with SNH to make the system of Operations Requiring Consent far more robust than it is at present.

What needs to be done

Besides using its planning powers and working more closely with SNH, it seems to me its time the CNPA (and Loch Lomond and Trossachs National Park Authority) considered using the other powers it has to bring hill tracks and hill track work under control and protect the landscape. I have previously advocated use of byelaws, which the National Park can create in order to protected nature conservation interests, to control grouse moor management. Part of that should include extension of tracks and use of diggers on the hill.

It will help build the case for that if people out on the hill report what they see and, ideally, complain.

Category

1. Cairngorms
2. Loch Lomond and Trossachs

Tags

1. CNPA
2. grouse moors
3. hill tracks
4. landed estates
5. landscape
6. Scottish Government

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