

The implications of abandoned hydro pipes in the Loch Lomond and Trossachs National Park

Description



Abandoned hydro pipes by start of road up to the Allt Fionn hydro Oct 2019 (map of location below).
use could the landowner make of these abandoned pipes for emergency purposes?

Prior to the serious flood damage to some of the hydro schemes in Glen Falloch ([see here](#)), I had been trying to persuade the Convener of the Loch Lomond and Trossachs National Park Authority, James Stuart, that there have been some serious planning failures in respect to hydro schemes in the National Park which his Board needed to address ([see here](#)).

To keep matters simple, I thought I would use what I thought were clearcut examples, pipes and other

equipment that had been abandoned once construction was completed. How could anyone defend junk such as this being dumped in a National Park?

I therefore cited the abandoned pipes at the Allt Fionn hydro scheme in Glen Falloch, which received a Scottish Planning Quality Award, at the Keltie Water scheme which was nominated for such an award and the Donich Water scheme ([see here](#)) as examples. Three examples of the same issue would also show this was not an isolated problem but rather that there were systematic issues the LLTNPA needed to consider.

James Stuart asked planning staff to investigate and I received an (anonymous) email response from “planning@lomond-trossachs.org” on 4th September. This post considers what the LLTNPA said and the implications.

Allt Fionn Hydro, Glen Falloch

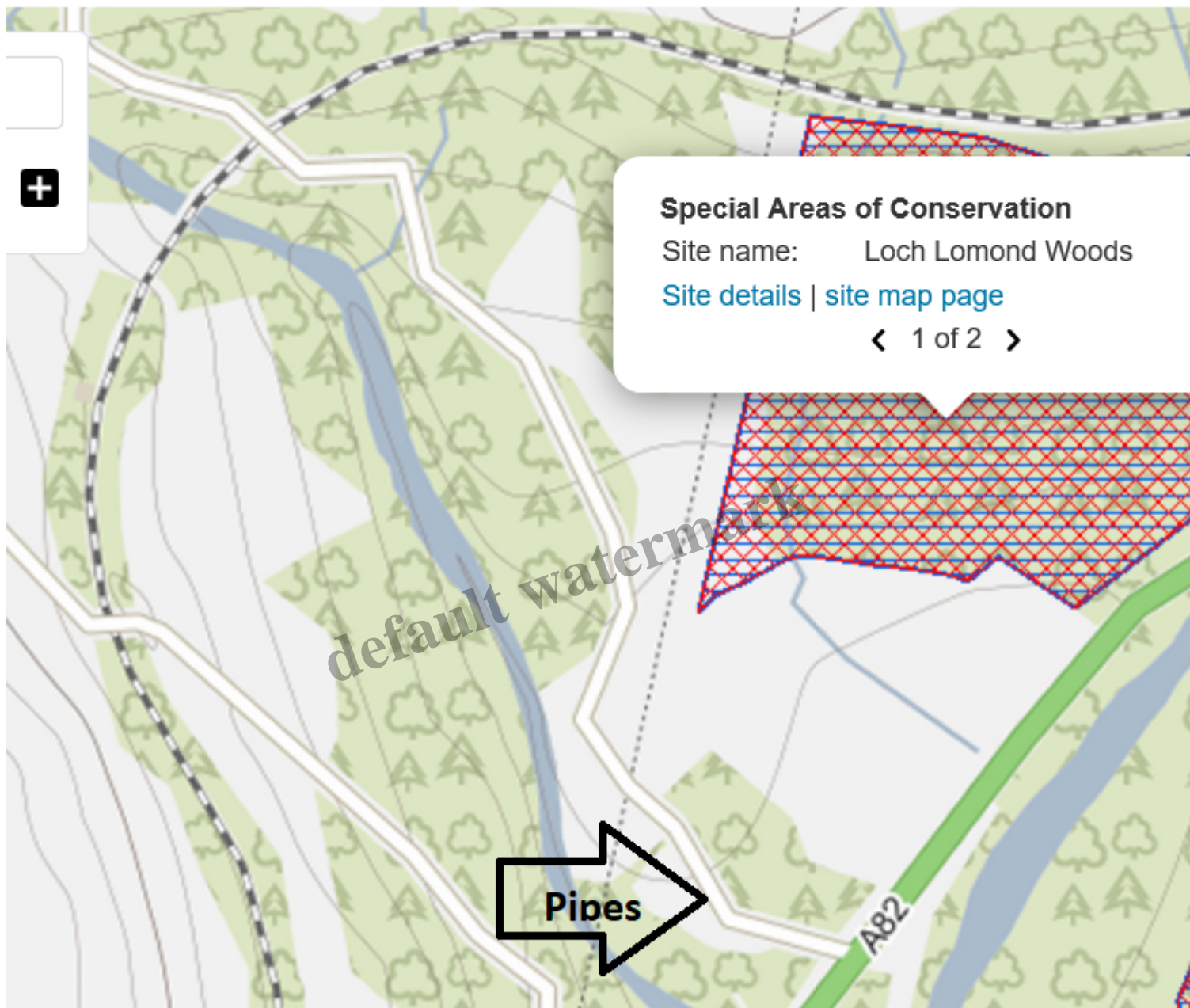
“Your enquiry (dated 16/07/19) related to the pipes being stored at one of the hydro scheme’s original laydown/compound areas. Following a site visit by our officers on 13th August 2019 the sections of pipe stored in this location have been noted. The use of this area as a pipe storage area does not form part of the planning permission. The landowner has been contacted regarding this matter and has advised us that they wish to retain the pipes in this area for emergency purposes and propose to submit a planning application for the retention of this storage area. The landowner is currently in discussion with us regarding the scope of a future planning application. We will continue to monitor in relation to an appropriate timescale for submission of a planning application and, on receipt, consider the proposal on its merits. At present we do not consider this matter to present any immediate environmental harm and therefore will seek to resolve this through the planning application process, rather than any enforcement action at this time.”

It is positive that planning staff visited to check the situation but the fact that they “noted” the pipes and use the word “stored” is extremely worrying. Had no-one from planning noted the pipes had been left here once construction was ended? Was no check visit undertaken before the scheme was nominated for and then awarded a Planning Quality Award? In the three years since had no-one from the LLTNPA “noted” that the pipes were still here? Why does the Park Ranger service spend endless time checking on campers but seem blind to what landowners do to litter the countryside?

The LLTNPA reports that the landowner, Glen Falloch Estates, now wants to keep the pipes in situ for emergency purposes. The serious damage done to the Falloch hydro schemes by the huge rain storm on 4th August (see link above) provides a convenient justification for leaving the pipes here, but what evidence does the landowner have that all these pipes are needed? It will be interesting to see what evidence they provide in the promised planning application (none appears to have been submitted two months later). However, if such evidence exists it would cast additional doubt on the sustainability of run of river hydro schemes as a form of renewable energy generation (just how often will the pipes need to be dug up and re-laid?).

What’s more, the photo above shows that some of the pipes were are broken and unusable. To be fair to LLTNPA staff, the broken pipes were not there earlier in the year and have perhaps been

dumped AFTER they visited the site. There can, however, be NO excuse now for Planning Staff not to take action and ensure these pipes are removed from the site.



The statement that the Park does not consider the pipes present any “*immediate environment harm*” also shows a complete lack of joined up thinking. The pipes are surrounded by deciduous woodland some of which has been designated as a Special Area of Conservation, supposedly our strongest conservation designation. In its recently adopted Trees and Woodland Strategy the LLTNPA claims it wants to see such woodland expand and to do so by natural regeneration. Well its never going to do so if it allows pipes and aggregate to be dumped in prime areas like this!



The Special Area of Conservation lies just behind the tree on the right

The Donich Water scheme

“Your enquiry (dated 16/07/19) related to the pipes being stored adjacent to the intake.” The word “stored”, as in Allt Fionn’s response, is the Park’s – I reported the pipes as having been “left” and said this was in my view unacceptable.

“Following a site visit by our officers on 31st July 2019 the sections of pipe adjacent to the intake have been noted. The use of this area as a pipe storage area does not form part of the planning permission. The developer has been contacted regarding this and has advised us that they wish to retain the pipes in this location for emergency purposes. We are currently in negotiation with them regarding this matter to find an appropriate solution. At present we do not consider this matter to present any immediate environmental harm and therefore will seek to resolve this through either agreed removal or assessment through the planning application process, rather than any enforcement action at this time.”

Again, great staff have visited but why has this issue only been noted after I reported it? Did no-one undertake a check visit once the Park had been notified the development had been completed?

Again too, the LLTNPA is going to allow a Planning Application by the developer to store these pipes in the countryside permanently. Had the LLTNPA included as part of all planning consents for hydro schemes a basic requirement that all sites should be cleared up afterwards, the conversion of land into dumps and storage areas, which are totally inappropriate in a National Park, could have been avoided. Instead, because of this failure to set appropriate planning conditions, the LLTNPA is now allowing the landowners and developers an opportunity to submit new planning applications to create pipe storage areas. Any such planning application appears to me incompatible with the Park's statutory duty to conserve the landscape and wildlife and promote public enjoyment of the countryside. It will be interesting to see what happens.

Keltie Water Hydro, near Callander – 2019/0024/ENF

“Your enquiry (dated 13/05/19) related to restoration of the Keltie Water hydro scheme. On commissioned schemes such as this, where active condition monitoring has been completed, we do still review their restoration; whilst acknowledging that full restoration on such ‘young’ development does take time. As matters are identified by our staff, or raised by third parties, we will duly investigate and seek improvements where required. Following a site visit by our officers on 15th July 2019 it was noted that vegetation is taking longer to reinstate at the second intake, with evidence of soil creep. This has been raised with the landowner and it has been agreed that the revegetation will be reviewed towards the end of the year. With respect to the borrow pit at the second intake, which was initially to be reserved and left open for nesting sand martins, we found that it is not being used and is no longer an ecological priority. It has therefore been agreed with the landowner that this be re-profiled. The landowner engaged positively with officers regarding this and we will continue to monitor the scheme and timescales for these further agreed reinstatement to be undertaken. At present we do not consider the matters raised to present any immediate environmental harm and therefore would seek to resolve these matters through our monitoring of the current works and dialogue and agreement with the landowner.

Work is currently underway on the development approved under planning permission 2019/0014/DET, to raise the height of the hydro dam. During this period of works the track to the first intake will be retained at its current width. On completion of these current works, as part of the planning permission, the site compound will be reinstated and the width of the track leading to the first intake will be reduced and track edges reinstated. Notwithstanding this, we note that vegetation at the first intake, and at the track, is still recovering and recolonization is progressing. We will continue to monitor the current works through our structured monitoring regime. Thereafter we will also review the site at intervals to ensure

the development restores to a high standard.”

Again I was delighted staff had visited the scheme – I was told they would in an earlier email – had picked up on a number of issues and are going to continue to monitor the scheme. However, the response in September, which I guess was drafted by senior management, wrongly refers to “my enquiry”. My email of 13th May was worded as follows:

“I am writing to bring your attention to the Park’s failure to ensure that even the detritus left by the Keltie Water hydro scheme construction has been cleared up
<https://parkswatchscotland.co.uk/2019/05/13/the-loch-lomond-and-trossachs-national-park-as-custodian-of-the-landscape-forestry-and-hydro-north-of-callander/>. As always I would be happy to enter into dialogue about this but if not please accept this as a formal complaint.”

There has been no dialogues and the LLTNPA has failed to deal with this as a complaint. I had also not raised the issues addressed in the response – as I explained at the start of this post I wanted to keep it simple! And the one issue I did raise, abandoned detritus (which you can see in link above) is not addressed in the response!

From talking to others, I know I am far from the only person who has received responses from the LLTNPA which miss the point. The LLTNPA needs to learn how to listen.

The significance of the abandoned pipes issue

What these three cases show is that the LLTNPA does not have systems in place to prevent let alone redress the most basic failures in planning. In a properly functioning planning system, if a Planning Officer found pipes like this still in situ once construction work was completed, they should just be able to pick up the phone to the developer and tell them to sort the issue. Instead, two of these three schemes with pipes in situ have been nominated for Planning Quality Awards.

If the LLTNPA cannot even deal with basic planning issues such as this, it seems very unlikely they are capable of addressing the planning issues that are raised by the failure of the Glen Falloch run of river hydro schemes, both before and after the landslides and floods in early August ([see here and top link](#)). These issues include WHERE schemes should be located – its clear now some of the Falloch schemes are unsustainable and should never have been permitted – and how they can be better designed. That’s why I believe the Scottish Government need to get involved.

Category

1. Uncategorized

Tags

1. conservation
2. Governance
3. landscape
4. Litter
5. LLTNPA

- 6. Minister Environment
- 7. planning
- 8. restoration
- 9. Scottish Government

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Author

nickkempe

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