

## Unacceptable telecommunications masts (6) – Creag Dubh by Newtonmore

### Description



Creag Dubh with approximate position of proposed mast. Creag Dubh is popular with hillwalkers, being a fantastic viewpoint, and renowned for its climbing crags and waterfall (visible to the right of the cross) the highest on Speyside. Photo credit Alistair Todd.

On 20th October Highland Council validated a planning application ([see here](#) or ref 23/04700/FUL) to erect a 25m high telecommunications mast high on Creag Dubh between Newtonmore and Laggan. Since Creag Dubh is protected as a Site of Scientific Interest the mast requires full planning permission and Highland Council has the power to reject it.

As per agreed procedures on 2nd November Highland Council notified the Cairngorms National Park Authority (CNPA) of the application. On 13th November the CNPA decided the “planning application does not raise any planning issues of general significance to the park aims and as such No Call-in is necessary in this case”. What that means is that the CNPA has decided there is no reason to object to the mast and they are happy to leave the decision to Highland Council. (The CNPA’s letter is available on their planning portal but for some unknown reason has yet to be published on the Highland Council

planning portal).

## No need for a mast on Creag Dubh



Mast in Glen Truim, south of Creag Dubh, viewed from the south. Leading up to this mast from the north is a very ugly road.

Anyone who has travelled along the A9 corridor will know that the landscape in Speyside is already littered with telecommunications masts. Laggan Community Council, in an excellent objection to the application lodged in December, explained that a new mast is not needed:

*“The proposed installation is to allow Virgin/O2 to provide a service in a partial not-spot area. However excellent 4G reception throughout the area is already provided by an EE mast 4.5km away at Catlodge (Grid ref: NN6315 9307). The Shared Rural Network (SRN) initiative requires operators to share masts in partial not -spot areas wherever possible, avoiding duplication of infrastructure & minimising the impact on our local area. There is no evidence in the application that this has been considered.*

While the Scottish Government’s planning guidance on Digital Communications issued just before

Xmas pays little regard to landscape or wild land ([see here](#)), it is very clear and helpful in one respect. Masts should be shared by mobile phone operators wherever possible:

## Site sharing

4.8 The Electronic Communications Code (Conditions and Restrictions) Regulations 2003, as amended, (“the Code Regulations”) require an operator to share the use of electronic communications apparatus, where practicable. Site sharing minimises the number of sites required and reduces proliferation. In the light of this, operators have site sharing arrangements with each other and with the wholesale infrastructure providers. They also have similar arrangements with the utilities and some large landlords.

4.9 When operators are seeking to deploy new sites, they will therefore look first at maximising site sharing opportunities and facilitating prompt delivery without the need to search for new parcels of land and to have to enter into potentially lengthy negotiations and legal agreements on an individual basis. These potential sites may offer additional benefits, such as having existing or ready access to a power supply, access to fibre or an existing vehicular access. Sharing will often enable quicker and more economic installation and, subject to requirements, additional equipment may be undertaken under PDR.

So why won't O2 and Virgin share EE's mast? Are EE wanting to charge them so much that it is cheaper to build a new mast? Highland Council make it its business to find out.

This is the crucial point, there appears to be no justification for this mast and it raises serious questions about the need for many of the other planning applications for masts currently in the pipeline for “Partial Not Spots” across Scotland.

## NatureScot and the CNPA's responses to the application

Had either NatureScot or the CNPA objected to the proposed mast on Creag Dubh on the grounds that it was not needed, then I think the developer would have been forced to withdraw it – whatever the

issues it raises in respect of the landscape and natural environment. Instead, despite this application being a sitting duck, both have run a mile and in doing so abdicated their responsibilities.

NatureScot in their response start by explaining that they are not going to comment on the landscape impact of the proposed mast because they have an agreement with the CNPA that the latter will lead on landscape issues in the National Park. They go on to say:

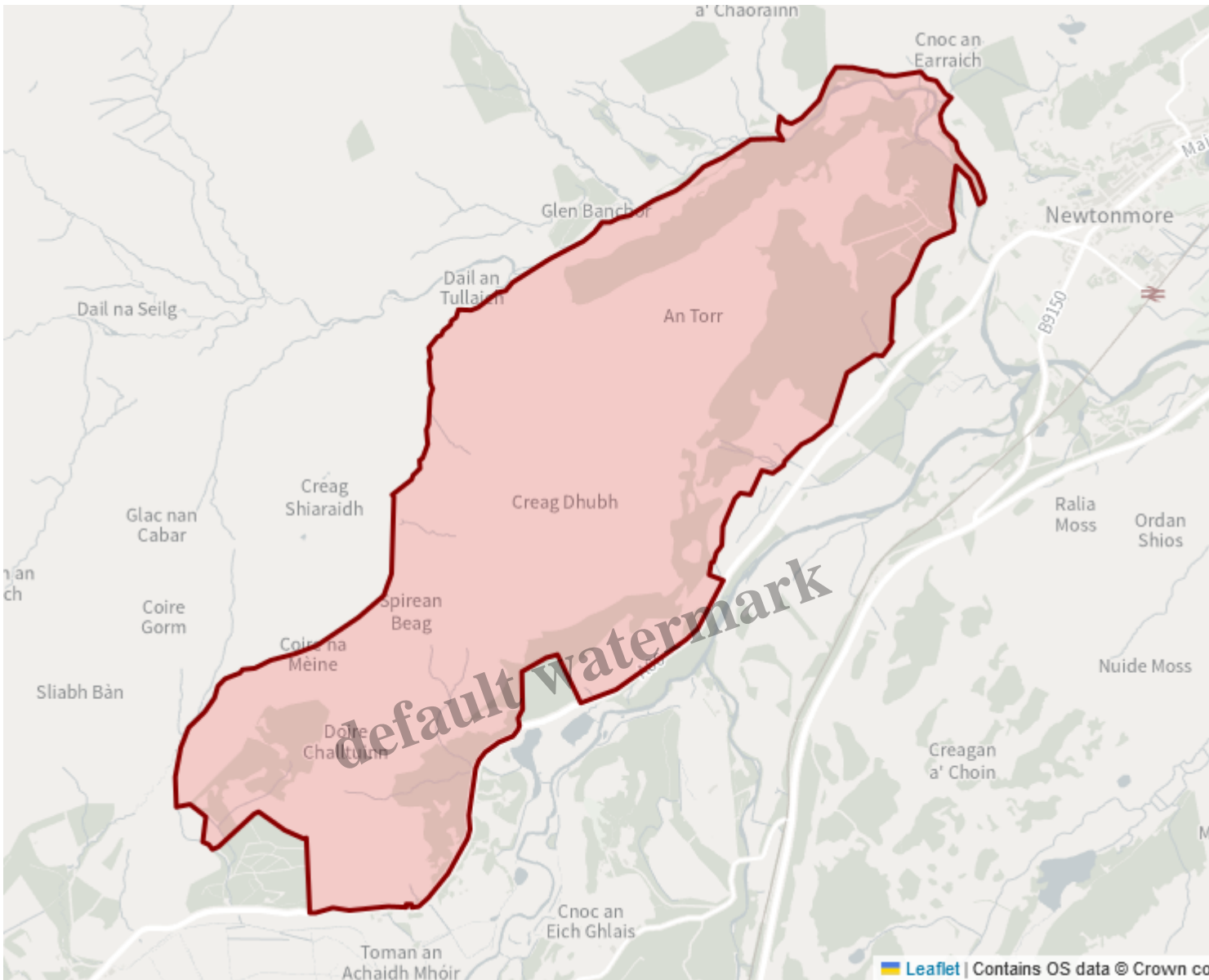
**Appraisal of the impacts of the proposal and advice**

The proposal site and its access lies within the [Creag Dhubh Site of Special Scientific Interest \(SSSI\)](#) designated for its upland birch woodland habitats.

From the supporting information provided it appears that neither the proposed mast site nor the access track to it lie within qualifying upland birch woodland, instead affecting wet heathland and blanket bog which are not designated features of the SSSI. We are therefore content that the proposal will not result in damage to the designated feature of Creag Dhubh SSSI.

This statement serves to undermine the entire system of Sites of Special Scientific Interest in Scotland. The Creag Dubh SSSI covers a significant area very little of which – as you can see from the photo above – is covered by birch woodland:

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There is a reason for this: the SSSI continues to be overgrazed by deer and goats and when last assessed way back in 2009 (according to the Site Link website) was in unfavourable condition. Had the number of deer and goats, however, been controlled as they have been across the Spey by the landowners involved in Cairngorms Connect – which include NatureScot – much of the area by the proposed mast might have been covered by birch woodland.

Why designate an area around a “qualifying feature” in the case of woodland if the intention was not to enable it to expand? If NatureScot is not prepared to protect areas such as this which are included in designated sites, it should stop pretending and try to de-designate those sites. There would be public uproar of course and so there should be about NatureScot’s failure to fulfil its statutory responsibilities in the case.

Responsibility for this failure does not lie with front-line staff. Most know that adopting positions like this is indefensible. The problem lies with senior management who are too closely linked with central government and have instructed staff not to get in the way of development. That has gone so far that staff are not even allowed to object to developments that are completely unwarranted.

The position of the CNPA is equally indefensible. Creag Dubh is in the Ben Alder, Laggan and Glen Banchor Special Landscape Area. The CNPA has a statutory duty to protect the landscape in the Cairngorms but despite the proposed mast being in an area where the importance of the landscape is recognised believes the application does not raise “any planning issues of significance to the national park’s aims”. Really? In taking this position they have undermined landscape protection just as much as NatureScot have undermined nature protection.

## **What needs to happen**

It should be clear from the evidence of what has happened up until now (see previous posts) that the Scottish Government and its agencies to take a more strategic approach in respect of the £1bn Shared Rural Network programme. More specifically they should not leave it to the mobile phone operators to take the initial decisions about where new masts should be located.

Setting aside its mistaken backing for new telecommunications masts in as many “total not spots” as possible, the Scottish Government could stop the proliferation of mast applications in “partial not spots”. All it needs to do is call in the mobile phone operators and tell them that they must share masts, as per its latest guidance. This would help protect places like Creag Dubh and the many important landscapes in Scotland around where people live. It would also save planning authorities, local communities and landscape campaigners wasting a lot of time and effort..

Meantime, both our National Park Authorities could show a lead and adopt a more detailed policy position to deal with respect to the large numbers of mast applications that are being submitted under the Shared Rural Network programme. Such a policy should start from a presumption against new masts unless they benefit local communities. That would prevent new masts, like that proposed for Creag Dubh, in partial not spots and help protect wild land.

One thing the CNPA and the Scottish Government could do to help with this this is by mapping Scotland to show the sites of existing masts, partial not spots and total not spots. That information could then be mapped against wild land and National Scenic Areas (as per the examples in Robert Craig’s post ([see here](#))). Such mapping would help identify the areas where new masts are most needed by local communities.

The need for new masts should also take account of rapidly advancing developments which will make satellite technology widely available. This means many masts could be redundant in a few years time. The focus therefore should be on constructing new masts to cover settlement “not spots” not places like Laggan. The expectation should then be that Wild Land and similar areas should be covered by satellite technology. This is already available, for a price, to those working in these areas (like estate staff and mountain rescue teams) and undermines the argument of the Scottish Government that we need masts to cover all total not spots.

**Category**

1. Cairngorms

**Tags**

1. CNPA
2. landscape
3. NatureScot
4. planning
5. Scottish Government

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