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**To:** Katherine Donnachie;Planning  
**Subject:** 2016/0295/DET Comment BSCG

## Badenoch & Strathspey Conservation Group

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Katherine Donnachie

CNPA

19 September 2016

Dear Katherine

2016/0295/DET Retrospective planning application to retain a ski area access track,  
Cairngorm Mountain.

I am writing on behalf of BSCG to object to the above application. BSCG requests the opportunity to speak to the CNPA Board when the application is determined.

BSCG's reasons for objecting include the following.

Landscape Impacts

The track is a prominent, linear feature that impacts negatively on the landscape. It is visible from many parts of the Hill and the visual intrusion of this track reduces the quality of experience for visitors. The track is particularly close to the funicular and to promoted paths that are popular routes running between the levels of the bottom and middle stations. The paths and funicular are very important elements of the visitor experience on the Hill.

### Ecological Impacts

The CNPA's surprising claim that the development "raises no issues in relation to ecology" appears to take no account of the important biodiversity and distinctive environment of the site, nor of the damaging nature of the works undertaken by the applicant.

It is important that the CNPA fully recognizes the ecological importance of the ski area and does not erroneously regard it as of low environmental value, perhaps because it is a commercial winter sports area.

As a result of the works associated with the new track, the reprofiling and the replacement shieling rope tow, there have been potentially significant ecological impacts on soils, vegetation, fungi, fauna, hydrology, drainage and ecological processes.

Impacts include the direct effects of heavy machinery; excavation and moving of soils, rocks and vegetation; burying of rocks along with associated lichens and other wildlife; the redistribution of vegetation; alterations to drainage and run-off patterns; changes to the rate of water run-off and patterns of silt and gravel deposition.

**Water Voles:** The CNPA ecology report makes no reference to potential impacts on water voles (on the Scottish Biodiversity List and a UKBAP species). It is well known that water voles use the area (NESBREC records including for 2015, Natural Retreats website and on-site interpretation). SNH has identified Priority Areas where "a viable and probably nationally important water vole metapopulation is present". One of these Priority Areas is the Cairngorms.

SNH explain that colonies are vulnerable to e.g. an extreme flooding event: "It is not uncommon for colonies to go extinct as a result of chance events such as sudden extreme flooding." Such observations demonstrate the importance of attention to drainage regimes in water vole habitat.



SNH also explain the importance of maintaining populations and connectivity between colonies: “Provided there are other colonies close by, recolonisation can take place and life can continue. If not, the species is doomed to extinction in that area, leaving any surviving colonies even more isolated.”

The ski area population is likely to be significant for maintaining the long term viability of the Cairngorms metapopulation.

Invertebrates: No reference is made in the CNPA ecology report to potential impacts on invertebrates. It is well documented that the Cairngorms has high importance for invertebrate biodiversity. As illustrations of this value, a species new to Britain *Bourletiella viridescens* was found (by a BSCG member) not far from the ski area; and two other invertebrate species *Triphleba dentata* and *Okeniella caudata* (found by SNH staff) also new to Britain, have been found in the Cairngorms in recent years.

The reprofiling has resulted in loss of flowering vegetation for invertebrate pollinators; and loss of vegetation cover and underground nesting habitat for a range of invertebrates including bumble bees.

The mountain or blaeberry bee *Bombus monticola* (on the Scottish Biodiversity List) was recorded on undisturbed vegetation around the development area.

The destructive nature of the work undertaken is not consistent with the objectives of the Scottish Government’s emerging Pollinator Strategy for Scotland 2016-2026.

Fungi: Fungi are another group for which the Cairngorms are of high value and for which the works carried out are likely to be damaging. As an illustration of this, several rare fungi whose ecology is little understood have been recorded in the ski area in the vicinity of the development site associated with *Vaccinium uliginosum* (Stewart Taylor [pers.com](http://pers.com).)

Clubmosses: The Clubmosses *Lycopodium annotinum* and *L. clavatum*, both of which have protected status under the Habitats Directive (Annex V), are present in the general area of the development and are likely to have been adversely impacted by the work undertaken.

Climate change



Wildlife is likely to need to be able to relocate to higher altitudes in response to stresses such as climate change. It is important that the habitats within the ski area are sensitively and appropriately managed to allow for such vital movement.

### Erosion

The applicant's assertion that the erosion on the track is solely the result of Storm Desmond lacks any credibility. It is particularly disconcerting that this assertion is echoed in the CNPA ecologist's report. There is ample photographic evidence of erosion episodes at other times, obviously unrelated to Storm Desmond.

The route of the track straight downhill invites ongoing erosion and maintenance issues. The proposed drainage arrangements do not provide a robust or sustainable solution. The CNPA should not be permitting development that is likely to lead to recurrent environmental problems, especially at a fragile, high altitude site.

### Standards

Adam Gough of Natural Retreats does not dispute that standards have fallen short ([pers.com](https://www.pers.com) in meeting to BSCG and others, September 2016). There is a need to at least maintain the standards that were established at the time of the funicular. Conspicuous departures from such standards in the work already undertaken include the permanent destruction of soil profiles; failure to appropriately separate, store and reuse vegetation turfs; and the failure to orientate rocks so that lichens can survive.

### Location Plan (showing redline boundary and written size for new track; and coloured area for reprofiled ground)

We are concerned that there are discrepancies between the area of reprofiling on the ground and the coloured area shown on the Location Plan; discrepancies between the written size of the new track on the Location Plan and the track on the ground; and discrepancies between the scale on the Location Plan and the track on the ground.

### Planning process

The background to this retrospective application is unimpressive. The applicant disregarded planning regulations; failed to put in a competent planning application; subsequently continued to work on the site for several weeks, apparently under the

impression that they were going to get permission regardless, before a competent application was provided that could be validated.

The public need to be confident that the CNPA are actively and properly upholding planning regulations, rather than routinely waiving them.

#### Park aims

The retention of the track would run counter to all of the four aims of the Park. Retaining the track threatens natural heritage; does not represent sustainable use of the natural resources of the ski area and undermines the wild land character that this site retains; detracts from understanding and enjoyment of the special qualities of the ski area; and undermines sustainable economic development.

SNH has identified that the challenge ahead for Scotland's mountains and their living landscapes is for land managers, public bodies, Non-Government organisations and those who use the hills for recreation "to work together, with a shared commitment to safeguard and enhance our mountain resource."

SNH concludes that "The planning system has an important role in preventing inappropriate development across all of the Scottish Uplands".

It is reasonable to expect our National Parks to be leading the way in ensuring appropriate standards of development and management.

Regards

Gus Jones

Convener