
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

**Prepared by: NEIL STEWART, PLANNING OFFICER,
(DEVELOPMENT MANAGEMENT)**

**DEVELOPMENT PROPOSED: FULL PLANNING PERMISSION FOR
ERECTION OF 50M HIGH ANEMOMETER
MAST WITH RESTRAINT CABLING, SITE
AT LECHT SKI CENTRE, CORGARFF,
STRATHDON**

REFERENCE: 07/076/CP

**APPLICANT: LECHT SKI COMPANY LTD. CORGARFF,
STRATHDON**

DATE CALLED-IN: 23 FEBRUARY 2007

RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

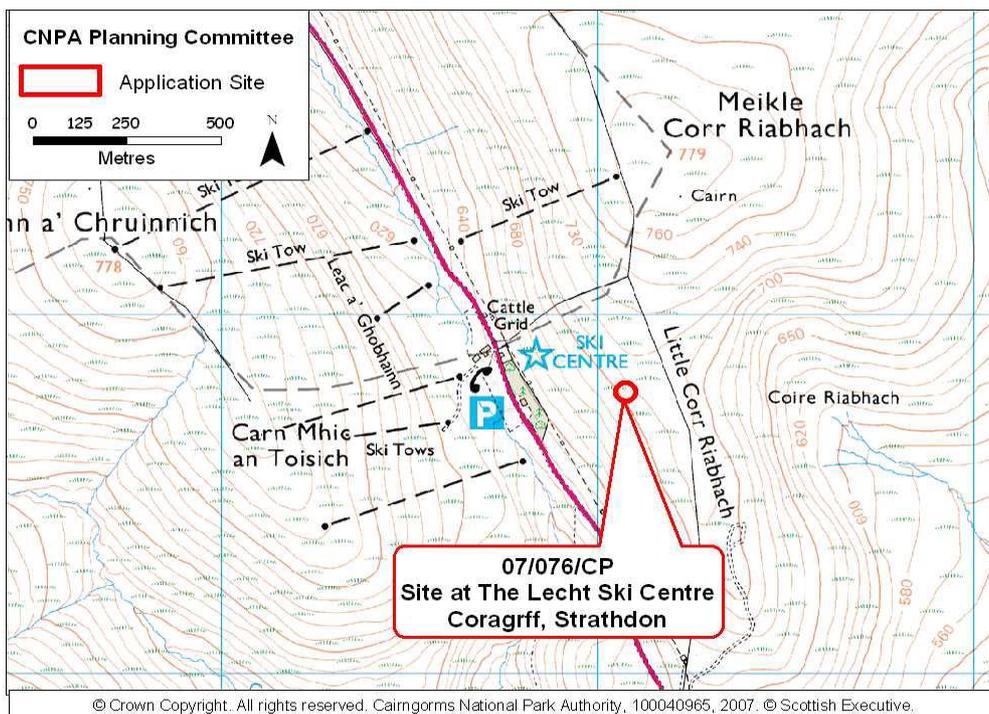


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The Lecht Ski Centre is located on the A939 Corgarff to Tomintoul Road. Within the centre there are several buildings, including the main visitor building, a house, and various storage and operational structures. There are also large car parking areas. There are of course also a number of ski tows and associated structures on both sides of the valley. In addition, there is a telecommunications mast which is sited close to a hilltop to the north west and a line of pylons which routes through the centre on its eastern slopes.
2. The proposal is to erect a 50m high anemometer mast on the elevated eastern slope but within the boundaries of the land within the control of the ski centre. The actual site lies approximately 400 metres to the south east of the main complex on a moorland plateau, in an area covered by low level natural vegetation where there are no ski tows or ski runs (**Figs.1, 2 & 3**). An existing rough and informal access track on land owned and operated by the adjoining Crown Estate, allows 4x4 vehicle access from the A939, up towards the site from the south side.



Fig. 2. Looking north towards site from the A939

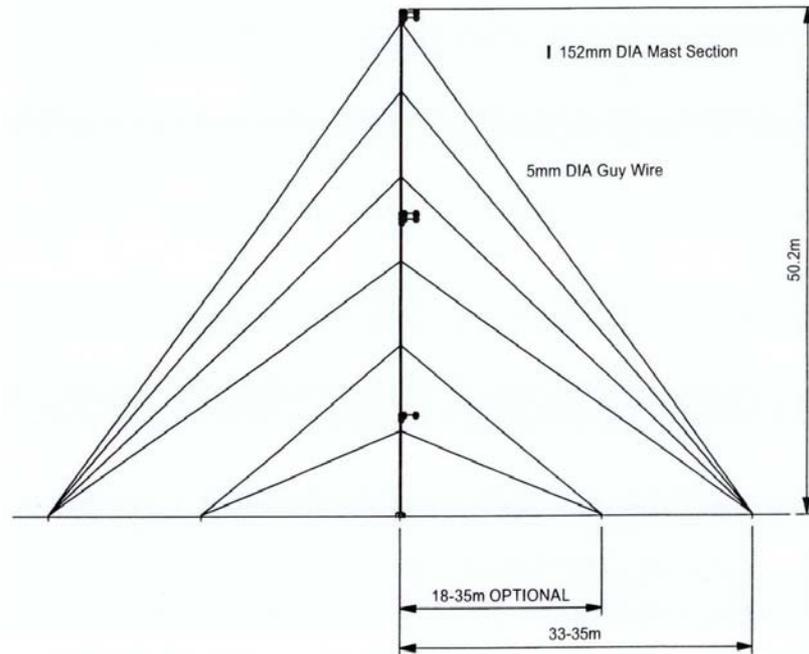
3. The mast is of standard lightweight component construction, which can be transported in sections without the need for heavy vehicles. It is 152mm in diameter. No concrete base construction is required, only a steel removable base plate and the mast is secured by a series of 5mm guy wires anchored into the ground. The mast will be fitted with wind monitoring equipment in order to assess wind speeds at the locality to provide information in relation to the potential siting of a wind turbine.

Permission is sought for a temporary period of 12 months, from the date of construction.



Fig. 3. Looking north towards the site from the A939 (Corgarff side)

4. Part of the initial proposal was to upgrade and temporarily extend the existing 4x4 vehicle track to allow construction. However, this has been subsequently removed from the proposal. It is now proposed to transport the mast assembly to the site by using the tracked piste vehicles regularly used at the ski centre. The vehicles will access the mast site direct from the ski centre complex, on the same basis as they access the ski slope areas, all on land within their control, therefore removing the requirement for any new tracks.



5. For information, the Committee may recall that a previous application for a 9m high aluminium column with concrete base, fitted with a wind monitoring device, and located further to the north and at a higher level, was submitted and called-in by the CNPA in November 2006. This application was subsequently withdrawn and has now been substituted by the current proposal.

DEVELOPMENT PLAN CONTEXT

Aberdeen and Aberdeenshire Structure Plan 2001-2016

6. There are no specific policies relating to anemometer mast proposals. However, they are considered to be an integral part of wind turbine or wind farm development. **Policy 26 (Four Tier Policy Areas for Minerals, Landfill, Land Raise and Wind Farm Proposals)** requires such developments to conform to a sequential exploration of tiered planning designations – Tier 1 (International Designations), Tier 2 (National Designations), Tier 3 (Local Designations), Tier 4 (Other Protected Areas). **Policy 19 (Wildlife, Landscape and Land Resources)** advises that development that would have an adverse effect on Areas of Landscape Significance will only be permitted where it can be demonstrated that any damaging impact is considered acceptable overall or there is a public interest which outweighs the conservation interest. **Policy 18 (Skiing Facilities)** advises that proposals for skiing and related developments at existing centres will be favourably considered, subject to not conflicting with other structure plan policies relating to environmental matters.

Aberdeenshire Local Plan 2006

7. Again there are no specific policies relating to anemometer masts. However, as an integral part of wind energy developments, **Policy Inf7 (Renewable Energy Facilities – Wind Energy)** can be considered to provide a relevant context. This advises that wind energy developments will be approved, in principle, if located, sited and designed in accordance, with certain criteria. These include; distances from roads; no electro-magnetic interference; no impact on airport safeguarding zones, aircraft flight paths or MoD low-flying areas; no visual or other impact on sites of importance to natural heritage, international, national, and local landscape designations, and areas of ecological importance; no impact on existing or proposed public access; no impact on features of built or cultural heritage interest; no impact on the amenity of occupied buildings; and account is taken of cumulative impacts. Subject to compliance with these, proposals must also conform to the sequential exploration of the four tier approach contained in the structure plan.
8. **Policy Env5B (Areas of Landscape Significance)** states that development within or adjacent to an Area of Landscape Significance will not be permitted where its scale, location or design will detract from the character of the landscape, either in part, or as a whole. Within the Cairngorms National Park, greater weight will be given to the conservation and enhancement of the natural and cultural heritage of the area if the Park's aims are in conflict.

Cairngorms National Park Plan

9. One of the strategic objectives of the Park Plan is "Conserving and Enhancing the Park". Strategic objectives for "Landscape, Built and Historic Environment" include; maintain and enhance the distinctive landscapes across the Park; conserve and enhance the sense of wildness in the montane area and other parts of the Park; and ensure development complements and enhances the landscape character of the Park. Strategic objectives for "Sustainable Use of Resources", include; all management and development in the Park should seek to make the most sustainable use of natural resources, including water and energy. Strategic objectives for "Energy" include; contribute to national targets for greater renewable production through increasing community, business and domestic-scale renewable energy schemes. Strategic objectives for "Economy and Employment" include; promote green business opportunities; and promote opportunities for economic diversification across all areas of the Park.

CONSULTATIONS

10. **Aberdeenshire Council's Environment Planner (Natural Heritage)** has advised that the anemometer mast appears to be located in an area of heathland, which is a UK priority habitat. Details submitted indicate that the structure itself is lightweight and easy to transport and erect without significant impact. However, any proposal for a temporary extension to the existing track would need to be supported by details of its construction and proposed reinstatement in order to ensure that there is no undue impact on the priority habitat.
11. **SNH** have advised that the access track serving the site lies within the Ladder Hills SSSI (upland vegetation and moorland bird communities), the Ladder Hills SAC (heathland and blanket bog vegetation communities) and the Ladder Hills proposed SPA (population of breeding hen harrier). The anemometer mast site lies adjacent to the SSSI/SAC/pSPA in an area surrounded by, but excluded from the designated sites.
12. **SNH** initially **objected** to the proposal, on the basis that the development could have potentially serious adverse impacts on important natural heritage interests. This was related to the initial proposal to upgrade and extend the existing access track which runs through the European and National designations. They required further information on this part of the proposal, including exact details of the location of the track and its extension, specification of works proposed (width/surface finish/gradient etc.), drainage details, vegetation survey, timing of works, location of borrow pits, peat depth excavation, reinstatement proposals, and construction method statement. There are no objections to the proposal for the anemometer mast because it lies outwith the designated sites but in relation to local interests, it is noted that the site is highly sensitive being within the Cairngorms National Park and being near to the A939 which is a popular tourist route.
13. Following the removal of the proposal to upgrade and extend the access track, and the submission of a method statement, **SNH have removed their objection**. They have also confirmed that there is now no need for an Appropriate Assessment. While they now have no objection to the principle of the proposed mast, they wish to point out that they are likely to have concerns regarding the possible erection of wind turbines at this highly sensitive location. In particular, the location of turbines adjacent to a proposed SPA and in a prominent site in the landscape, is likely to raise considerable issues relating to potential birdstrike and landscape/visual impacts. They also though suggest some conditions requiring the restraint cables to be marked to minimise the risk of bird collisions, and requiring the submission of site reinstatement measures for removal of the mast and any other associated infrastructure.

14. **The CNPA's Landscape Officer** has advised that the mast is tall and will be visible from a wide area around it. The restraining cables add to the visual impact. The form of the mast is naturally vertical and the cables add to this. The nature of the mast contrasts with the relatively natural landscape. The presence of the existing structures, such as the pylons, ski tow supports and the telecommunications mast, mitigate against this and from the ski centre area, it will be seen within this context. However, the height of the mast and its prominent position means that it will be visible from areas where the other manmade structures are not, thereby extending the impact of the ski area beyond what it is at present. The area around the ski development, in particular the Ladder Hills, exhibit many of the features of wildland ie. high altitude, relatively isolated, a general lack of human artefacts, and a low intensity of management of natural vegetation. The mast would add a highly visible man made feature of a mechanical nature into this area and this will have a severely detrimental effect on the perception of wildness in those areas from which the other structures are not visible. However, it is noted that it is required for a temporary period only. As such, while accepting that the mast will have an undoubted negative impact upon the character of the area, in particular the surrounding upland areas, the limited timescale of the proposal means that it could be acceptable. The time it is present on site though should be kept to a minimum and the recommendation is that it is 12 months.
15. In addition, the **CNPA's Landscape Officer** has stated that the actual physical impact of the mast will be limited to the location of the base plate and the individual cable anchor points. In this location, the peat soils are shallow and the ground is mostly quite firm. Consequently, the various fixings can be made directly into the bedrock without requiring additional timber support. The mast itself will be brought to the site via tracked vehicles directly across the site, without the requirement for additional track work. The vehicles and people used to erect the mast are likely to cause localised damage to the vegetation and soils around the mast location but this should recover in time. Preventative measures would be appropriate, such as construction during dry weather, use of boards underfoot, and controlling where vehicles can go. A full method statement, in this respect, is still required.
16. Finally, the **CNPA's Landscape Officer** has stated that, **whilst it is not a material consideration at this stage**, he wishes to mention the possibility of a turbine at this location in the future. He advises that a turbine in this location may not be acceptable in landscape terms because of the impact upon the character of the area and the visual impact upon the surrounding area. It would be likely that heavy machinery would be required to construct the turbine and that access to the site on existing tracks, without significant improvements, would be difficult.

REPRESENTATIONS

17. The application was advertised by Aberdeenshire Council under Section 34 of the Act ("Bad Neighbour" Development). No representations have been received.

APPRAISAL

18. The issues that require assessment in this case relate to the principle and planning policy, impact on natural heritage designations, and landscape and visual impact.

Principle and Planning Policy

19. As stated in the Development Plan Context section of this report, there are no specific planning policies which relate directly to proposals for anemometer masts. It could however be argued that they should be considered, to a certain extent, in the context that they are an integral part of potential wind turbine development. The issue of designations and landscape impact are considered in more detail below, but the site lies within a local landscape designation (Area of Landscape Significance). **It does not though lie within any European or National natural heritage designations.** If considered in relation to the renewable energy policies in the structure and local plans, the site therefore lies within Tier 3. If harmful effects are likely, this only allows for development of this type if it is demonstrated that no suitable alternatives exist in Tier 4 areas. The policies are designed to respond to actual wind turbine developments and therefore it can be argued that consideration of an anemometer mast, on a temporary basis, in relation to these policies, is a tenuous link. However, if a view was taken that the policies were relevant, it should be noted that the Area of Landscape Significance covers a wide area of the Aberdeenshire part of the Park, and beyond, and at this location there are no areas within the control of the Lecht Ski Centre which would lie outwith this landscape designation. This also includes the Moray part of the Park which covers the more northern areas of the ski centre site. These areas are covered by an equivalent Area of Great Landscape Value designation. It would not therefore be possible to locate the proposal within what would be considered a Tier 4 area. I therefore take the view that the principle of a temporary anemometer mast, in this location, does not offend any statutory development plan policy. Indeed, development associated with the production of renewable energy, (community, business, or domestic-scale), and economic diversification of existing businesses, are strategic objectives of the Cairngorms National Park Plan.

Impact on Natural Heritage Designations

20. As previously mentioned, the actual site of the mast lies adjacent to, but outwith, SAC, SSSI and proposed SPA designations. The upgrade and extension of the access track element of the proposal, which lay within the designations, has been removed. As such, SNH have removed their statutory objection. It is considered that there will now be no direct impact on the integrity of these adjacent designations. SNH have though suggested that a condition be imposed that requires the marking of the restraining cables, in order to try and minimise the risk of bird strikes. The applicants are agreeable to this.

Visual and Landscape Impact

21. There is concern about the visual and landscape impact of the proposal. I agree with the CNPA Landscape Officer's assessment at this stage, that the mast, although within the localised context of other man made structures, will be highly visible from the wider upland area including from where these other structures will not be seen. On the whole, the existing structures are contained within the valley and while some of them, due to their positions on higher slopes, are seen from the wider area, they are not of the height and scale of the proposed mast. The conclusion is that the mast will have an adverse impact on what is a sensitive high altitude landscape, which is part of an Area of Landscape Significance designation. The number of receptors to the impact will also be quite high because of its location on a main tourist route through the Park.
22. **However, in the final assessment, the degree of landscape impact must be considered on its degree of permanence. The mast will only be for a temporary period of 12 months from the date that it is erected. This is to record wind conditions over all four seasons. As such, the impact of the structure will be limited to a relatively short period of time. Since the actual on site physical impact to the ground will also be minimal, I take the view that, resisting the proposal on its own planning merits, and on the basis of a temporary visual and landscape impact, cannot be justified.**

Conclusion

23. **Taking account of the above, I recommend a conditional approval of the application on the basis that it is for a temporary period of time. It should be noted that in recommending in favour, I am not inferring at this stage, potential acceptance of any future wind turbine proposal. Any future wind turbine application will require to be assessed on its planning merits, in relation to policy and all other material considerations.**

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

24. The proposal will not now have any detrimental impacts on any European or National natural heritage designations. There are also no features of historic or cultural heritage value affected. The development is though considered to create an adverse visual and landscape impact on the Area of Landscape Significance. However, this will only be a short-term impact and is therefore considered to have no permanent negative implication for this aim.

Promote Sustainable Use of Natural Resources

25. The anemometer mast is considered to be an integral part of wind energy development. As such, it has some positive implications, in principle, for this aim.

Promote Understanding and Enjoyment of the Area

26. The position of the mast does not physically affect any established access routes in the area. However, the Lecht Ski Centre is one of only 4 ski centres in Scotland, and the surrounding hills are popular for walking. A main tourist route (A939) passes through the Lecht. There will therefore be quite a high number of receptors to the development. However, any negative implications with regard to this aim, will be temporary.

Promote Sustainable Economic and Social Development of the Area

27. As a precursor to a potential wind turbine development, the development may be seen as an essential element in sustaining the economic viability of the ski centre.

RECOMMENDATION

28. That Members of the Committee support a recommendation to:

Grant Full Planning Permission for Erection of 50m High Anemometer Mast with Restraint Cabling at Lecht Ski Centre, Corgarff, Strathdon (07/076/CP), subject to the following conditions:

1. The development to which this permission relates must be begun within five years from the date of this permission.
2. The permission for the anemometer mast hereby approved is restricted to a period of 12 months only. The 12 month period shall commence from the date of the completion of the construction of the anemometer mast. The CNPA acting as Planning Authority, shall be notified in writing of the date of completion of the construction within 7 days of such a date.
3. For the avoidance of doubt, all construction vehicles for the erection and subsequent removal of the anemometer mast shall access the approved site from within the boundaries of the existing operational ski centre area. The method of construction and means of access, shall be in accordance with the details provided in the TCD Architects letter (AC/MK/5159-15-L06), dated 12 April 2007, and its accompanying method statement. No new or upgraded access tracks shall be formed in the process of construction without the further written approval of the Planning Authority.
4. In addition to the method statement covered in condition no. 3 above, prior to the commencement of works on site, further information shall be provided for the further written approval of the CNPA acting as Planning Authority, on the timing of construction works, methods for any ground vegetation protection during construction, and defined working areas.
5. Prior to the commencement of works on site, a detailed plan for the reinstatement of the ground used for access and construction and the subsequent removal of the anemometer mast, shall be submitted for the further written approval of the CNPA acting as Planning Authority, following consultation with SNH.
6. That prior to the commencement of the use of the anemometer mast hereby approved, the restraining cables shall be marked in accordance with industry standards, to minimise the risk of bird collisions. Details shall be provided, prior to the commencement of works on site, for the further written approval of the CNPA acting as Planning Authority, following consultation with SNH.

Determination Background

Application called-in on 23 February. SNHs initial objection and request for further information was already with the applicants agent at this time. CNPA consultation to NHG carried out on 28 February on receipt of file. Applicants proposals to remove the track upgrade and extension, and submission of method statement, received on 16 April and sent directly to SNH. NHG response received on 19 April. SNH removed objection on 20 April.

Neil Stewart

23 April 2007

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The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.