

SITE DESCRIPTION AND PROPOSAL

1. The site for this development is located approximately 150m north of the summit of Beinn a Chruinnich, on the northern edge of the Lecht Ski Centre Management Area. The proposed site of the mast is located approximately 150m north west of the most northerly ski tow but on the east-facing down slope. The hill and the surrounding landscape is characterised by gently rounded open landforms which rise up from the A939 Cockbridge to Tomintoul Road (A939). The Lecht Ski Centre, comprises a number of ski tows and associated structures on the slopes either side of the A939 and several buildings and car parks positioned at a level immediately adjacent to the public road.
2. The proposal is to erect a 12m high lattice tower which will house 3 antenna, and 2 transmission dishes, within a 6m x 6m compound enclosed by a 2m high deer fence. Within the compound there will be two cabinets enclosed within a small building. Power to the site will be taken from the ski lift with cabling located underground. No new access track is required. There is already a 4x4 track which is used by the Ski Centre. A 1m high bund is proposed along a length of 18m on the western side of the proposed mast. This will be made of excavated material gathered from the development.
3. The mast is required for the emergency services, and is part of the network being rolled out, nationally, to provide a digital radio service for the police. The Committee will recall that two other applications for masts for this emergency service network have been called-in by the CNPA and subsequently approved. These are at Keiloch, on Invercauld Estate to the east of Braemar, and at the Spittal of Glen Muick to the south of Ballater. The applicants have advised that this is the last mast required for this network within the Cairngorms National Park.

DEVELOPMENT PLAN CONTEXT

4. In the **Moray Development Plan, Policy L/ED9 (Telecommunications)** states that applications for telecommunications related development will be permitted where they are considered to meet the requirements of the Environmental Policies of the Plan. Locational requirements of such installations (on technical/operational grounds, and links to transport) will be recognised during the consideration of proposals. Applicants may be asked to justify their choice of site. Measures to mitigate impact will be sought wherever possible, and the sharing of facilities between operators will be encouraged.
5. **Policy L/ENV1 (Statutory Nature Conservation Sites and International Designations)** states that development proposals which may adversely affect a designated or proposed Special Area of Conservation or Special Protection Area, should be assessed in terms of its implications for the site's conservation properties and will only be permitted where it will not adversely affect the integrity of the site or there is no alternative solution and there are imperative

reasons of over-riding public interest for the development. Development proposals which may adversely affect SSSIs will only be permitted where, the objectives of designation and overall integrity of the site will not be compromised; or any significant adverse effects on the qualities for which the site has been designated are clearly outweighed by social or economic benefits of national importance.

6. **Policy L/ENV7 (Areas of Great Landscape Significance)**, states that development proposals within AGLVs will only be permitted where they incorporate high standards of siting and design for rural areas and where they will not have a significant adverse effect on the landscape character of the area.
7. **Policy L/CF5 (Lecht Skiing Centre)** requires new development to take place within the existing centre leading to intensification of its use rather than expansion. There is a presumption against expansion of development outwith the boundaries of the existing centre.
8. The **Cairngorms National Park Authority's Interim Planning Policy No.2: Radio Telecommunications** (consultation draft) sets out in Policy RT1 the criteria to be satisfied in determining new proposals. These include that the proposal should have no adverse impact on the landscape or cultural heritage of the Park, and should be sited and designed to minimise the visual and environmental impacts. There should be no significant environmental impacts on flora fauna or habitats, or adverse impact on residential properties or communities. The development requires to have a justification and reasons for other alternative sites not being suitable, also why other sites could not be shared, perhaps by using existing masts. It is necessary to demonstrate that there is no discernable risk to public health (an ICNIRP Declaration). Also all redundant equipment and infrastructure should be removed timeously at the end of their lifespan and power cables require to be undergrounded.

CONSULTATIONS

9. **Moray Council Planning Officers**, under delegated powers, have advised that they attended a pre-application site meeting with the operators and various engineers/surveyors and an appropriate site and mast design was discussed. The rationale for the site is that it relates reasonably well with the existing structures for the ski slopes. On viewing the ski tow supports, they suggested that a lattice structure would possibly have a reduced visual impact. They also suggested that the structure should be painted white to reduce impact. They state that the application, as submitted, is generally in line with the suggestions made at the pre-application site meeting.
10. **Moray Council's Environmental Health Manager** has raised no objections to the development in terms of contaminated land or health risks.

11. **SNH** were consulted by the Moray Council and have been re-consulted several times during the assessment of this proposal. In summary, they have stated that the mast lies close to but outwith the Ladder Hills candidate Special Area of Conservation (cSAC) and Site of Special Scientific Interest (SSSI), both of which are designated for upland vegetation. The SSSI is also designated for its hen harrier population, for which the site is also a potential Special Protection Area (pSPA). Regarding the vegetation interest, soil or sediment disturbed by the proposed works is not likely to move into the site since the proposed location is downhill of the site boundary. Regarding hen harriers, they consider that the installation would not significantly impact on known nest sites or habitat availability, or cause significant disturbance. They therefore consider that it is unlikely that any qualifying feature will be affected significantly, either directly or indirectly, and as such an appropriate assessment is not required. They also consider that there will be no significant effects on the interests of the SSSI.
12. However **SNH objects to the proposal**, on the grounds that it would have unacceptable landscape and visual impacts on the area, contrary, they believe, to the aims of the National Park, in particular the aim to conserve and enhance the natural and cultural heritage of the area and the aim to promote sustainable use of the areas natural resources. They state that the proposed mast would be very visible from stretches of the A939 and from the nearby Lecht development. As a skyline development on a very gently rounded landform, it would also appear prominent from some surrounding hillsides and summits, in views both from and into the National Park. They state that they appreciate that the ski lifts might be thought to give a precedent to development on this hill. However, the lifts have a distinct character and size that is quite different from the proposed mast and compound. In contrast with ski lifts, which are distinctly associated with a very few Scottish locations, telecommunications masts occur frequently and would not have an obvious association with the Lecht hill slopes. In other words, the mast development at the currently proposed location would be both more visible and more intrusive than the ski lift equipment. They consider that moving the proposal to another location, preferably associated with the existing development at the ski centre, would be the only way sufficiently to mitigate the landscape and visual impacts. Improvements to the design and finish of the installation could reduce its visual impacts, but not sufficiently to remove their objection.
13. **The CNPA Natural Resources Group** have been consulted on the proposal and on SNH's objections. In summary they state that the proposed lattice mast will have a landscape impact, but no natural heritage impact. They advise that the developer should be approached to move the mast downhill closer to the ski tows. This would reduce its impact on the landscape. If the application is approved, they advise that conditions are attached to the design of the installation, so that the mast is more in character with the adjacent ski lift equipment. The equipment cabin could be located away from the mast, and the deer fencing could be removed. These would help reduce impacts and mitigate against the possibility of bird strikes. They also state that the mast should not be painted white. In addition they state that the issue of

precedence should be considered alongside a strategic review of mast developments in the CNP.

REPRESENTATIONS

14. A letter in support of the application has been submitted by the Inspector for the Airwave Project in the Grampian Police Force. It confirms that Airwave are contractually obliged to provide coverage for Grampian Police for the Public Safety Communications Service. This application is to provide coverage over the Lecht and includes the snow gates at either end of the Lecht Road. The letter states that they are very appreciative of the challenges the terrain creates here and the requirement to conserve the environment. However, they confirm that the coverage requirement for this location is correct and they emphasise that given previous experience in this area and the extreme conditions that can occur, they hope that this can be considered. A copy of this letter is attached for the consideration of the Committee.

APPRAISAL

15. This proposal has raised a number of concerns relating to the landscape impact of a mast at this location. In line with Government Guidance and planning policy, the potential environmental impacts of telecommunication mast proposals must be considered along with technical and operational requirements and the social and economic interests of local communities. This proposal is assessed in this context.
16. To provide this context, NPPG 19 (Radio Telecommunications) emphasises the economic and social importance of the telecommunications industry. It states that; *“The telecommunications industry is passing through a period of rapid expansion, technical innovation and intense competition. These are worldwide trends and Scotland must be part of these changes in order to maintain and improve our position in an increasingly competitive global market. Scotland must therefore have an advanced telecommunications infrastructure of the highest quality. This can help to reduce the disadvantages of a peripheral location in Europe. The benefits can be particularly important for remote rural areas and island communities. In addition it states; “The use of radio communications, ranging from emergency services to paging, offers a number of valuable benefits. They have an important role in enhancing personal safety, for example by facilitating contact with the emergency services, who themselves rely on mobile communications. Finally it states that; “In all rural areas, telecommunications infrastructure has to be sited carefully. If it is located in a prominent position it can change the character of a landscape and detract from its quality, particularly if it breaks an important skyline. Cumulative impacts can also cause concern. Planning Authorities should however be alert to the economic and social implications of not having full coverage in an area.”*

17. In this instance, it has been demonstrated that there is a need for a mast in this location. It is part of the nationwide project to improve and develop digital radio communications for the emergency services (in this instance the police), and coverage plots have been submitted which detail the level and extent of coverage required at this location. The police require a strong level of coverage to the Lecht Ski Centre and the length of the A939. It is clear that the location, type and nature of this main road requires a high level of emergency radio coverage. SNH and the CNPA Natural Resources Group have emphasised the importance of having a strategic review of telecommunications installations in the National Park. In this instance, discussions have taken place with Airwave MMO2 and they have confirmed that this is the last installation that is required to complete their network within the Park boundaries.

18. Turning to the environmental implications, the site lies close to but outwith the natural heritage designations in the area. Both SNH and the CNPA Natural Resources Group have confirmed that there are no detrimental affects on the integrity or the qualifying features of these areas. There is no requirement for an Appropriate Assessment and in this respect the proposal complies with planning policy. Nevertheless, the site is in a sensitive location, in that it is visible from a number of areas within and outwith the National Park. It does, however, lie outwith the Cairngorms National Scenic Area, the boundaries of which are approximately 8km to the south west. The objections raised by SNH and the concerns put forward by the CNPA Natural Resources Group are understandable because of the site's location near to the summit of a hill which sits in an open landscape. In the Cairngorms Landscape Assessment, prepared by SNH in 1996, the wider area here is described as *“exhibiting a strong sense of remoteness, emphasised by the openness of the landscape and the extensive horizons of successive hill ranges, which coalesce in the distance and from which views to the Cairngorms massif are a special feature.”* It does also, however, state that *“built development is limited to the numerous access tracks, which scar the hills in many areas and the Lecht Ski area, which is generally well contained within a small glen, but where nearby power lines and the upland section of the A939 have a negative visual impact.”*

19. The applicants propose to site the mast within the boundaries of the Lecht Ski Management Area where the Moray Local Plan policy supports new development but only within its boundaries. This, it is presumed, refers to ski related development but the siting of a mast would not be in conflict with the spirit of this policy which aims to consolidate any built development within a tightly controlled and managed area. A need for the mast in this area has been demonstrated from an operational point of view. As such, the vertical elements of the existing ski tows and associated structures are seen as the most logical and appropriate features to provide a context for the proposed mast. Due to technical reasons, the position of the mast is to the north of the ski tows but the applicants have submitted photomontages taken from two locations along the A939. From the view looking northwards, the mast is viewed within the visual clutter of ski tows and structures. From the view looking southwards, it is perhaps more prominent and seen as more isolated.

Nevertheless, there is a visible ski tow line running down the side of the hill on the skyline and the mast can conceivably be viewed as an extension of this line.

20. SNH feel that the views from the well-used surrounding hills towards the site require to be assessed as well, and from these locations the mast would be seen as separate from the skiing development. No other photomontages have been submitted but this may well be the case. Following the concerns of SNH and the CNPA Natural Resources Group, an amendment to the location of the mast to move it closer to the ski tows was sought. However, the applicants have demonstrated that even moving it this relatively small distance would reduce the coverage levels quite considerably and to a level below the requirements of the police. They have also confirmed that it would not be possible to have the equipment cabins remote from the mast, near to the existing car parks and buildings nor is it possible to bury the cabins because of the existence of rock at a shallow depth. They are, however, willing to investigate options for enclosing the cabins and for the design of the fencing around the compound. It may be that fencing is not even required. An appropriate colour for the mast can also be agreed. These were matters of detailed design which both SNH and the Natural Resources Group felt would help mitigate landscape impacts.

21. In line with policy, it is necessary for the applicants to demonstrate that they have investigated alternatives. This is an issue which SNH have been concerned about. They have stated that alternative ways of achieving the required telecommunications in this area might involve the use of more than one mast which overall, depending on the locations, may have less impacts on the landscape than the proposed site. The applicants have stated that they have looked at alternatives. These include a mast on Carn Mhic an Toisich immediately to the south of the Ski Centre, or on Meikle Corr Riabhach, across the Lecht valley to the east. Both of these were discounted because they did not provide the coverage levels required and they have more landscape impact due to their positions further away from the main ski tow areas. The applicants have also stated that to have series of installations would not necessarily mean lower mast heights. The Tetra system requires a minimum operating height of around 12-15m and therefore cannot be supported by several lower masts. The target area for the emergency services is the A939 and the slopes either side of the valley, and to reach these areas, several masts would have to be situated higher up on the slopes, rather than at the lower levels on the valley floor. In addition, the applicants have advised that siting a single installation at the existing mast or at the buildings at the Ski Centre or anywhere on the valley floor, because of the coverage requirements, would require a minimum structure height of at least 25m. This would dominate views from the A939 approaching the site in either direction and be highly visible to users of the surrounding slopes and hills. The applicants conclude that the installation of numerous masts is not considered a desirable option. Given the large, open nature of the landscape, it is felt that if masts were to be spread throughout the landscape, given their probable positions, the impact would be spread over a wider area.

22. To conclude, the objections and concerns of SNH and the CNPA Natural Resources Group are appreciated, and considerable effort has been put in to try and address these. However, from a wider planning point of view, and taking all the collective aims of the National Park into consideration, it is felt that the proposal, on balance, is acceptable in this location. I am satisfied that the alternatives to having a single mast in the proposed position would have more significant adverse landscape impacts on a wider area. An amended location has been investigated but discounted because of operational and technical difficulties. There is a justifiable need for the installation at the Lecht and using the context of the existing ski related structures and development is the most appropriate mechanism for minimising the landscape impacts. My view is that the proposal does not contravene any national, regional, local or CNPA planning policies and that the landscape impacts created are not sufficient to justify resisting the proposal.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

23. The proposal does not adversely affect any natural heritage designations. The site lies outwith the National Scenic Area but being positioned near to the summit of Beinn a Chruinnich, does mean that there is some landscape impacts. However, as described above, siting the mast close to the existing ski related development and within the Lecht Ski Management Area helps reduce the impacts on the wider natural and cultural heritage interests in the area.

Promote Sustainable Use of Natural Resources

24. Some of the practical applications of the technology associated with this digital communications system may help to avoid wasteful or harmful searches in emergency situations, in this part of the National Park. This may disturb local flora and fauna which would be contrary to this aim.

Promote Understanding and Enjoyment of the Area

25. This proposal is not particularly relevant to this aim, although improving the emergency communications will be a benefit to the safety of recreational users in the area.

Promote Sustainable Economic and Social Development of the Area

26. More efficient and effective emergency services will have positive economic and social benefits for the people that use the area, as well as for the emergency services required to operate in this locality.

RECOMMENDATION

That Members of the Committee support a recommendation to:

Grant Full Planning Permission for the Erection of 12m High Lattice Mast etc. at Beinn a Chruinnich, Lecht Ski Centre, Corgarff, Strathdon, subject to the following conditions:-

- i. The development to which this permission relates must be begun within 2 years from the date of this permission.
- ii. That the permission hereby granted is for a limited period of 15 years from the date of this permission.
- iii. The proposed white finish to the mast is hereby not approved. The mast and all associated fixings shall be finished in a colour (a British Standard colour), which has been agreed in writing with the Planning Authority prior to the commencement of works on site. The agreed colour shall be applied to the mast and all associated fixings, prior to its installation, unless otherwise agreed in writing with the Planning Authority.
- iv. That no other antennas, dishes, fixings or signs shall be attached to the approved mast, without the prior written agreement of the Planning Authority.
- v. Notwithstanding the details shown on the approved drawings, the proposed deer fence is not approved. Prior to the commencement of works on site, if it is demonstrated that a means of enclosing the compound is required at all, exact details of an alternative enclosure design shall be submitted for the further written approval of the Planning Authority.
- vi. Notwithstanding the details shown on the approved drawings, the brick building to enclose the equipment cabins is hereby not approved. Prior to the commencement of works on site, if it is demonstrated that the equipment cabins require to be enclosed at all, exact details of an alternative enclosure design shall be submitted for the further written approval of the Planning Authority.
- vii. That all infrastructure and equipment, hereby approved, shall be completely removed from the site and all land relative to the development shall be restored to its natural condition, within six months of the termination of this temporary planning permission, or the communications system becomes redundant (whichever is the sooner), unless otherwise agreed in writing with the Planning Authority. Prior to the development becoming obsolete, the date from which the six month period shall run, shall be notified to and agreed with the Planning Authority.

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