

PAPER 2:

APPENDIX I

Third Party Representations



Scottish Campaign for National Parks

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Head of Planning
Cairngorms National Park
Authority
Ground Floor
Albert Memorial Hall
Station Square
Ballater
AB35 5QE

Dear Sir,

Planning Application (11/02361/FUL): Extension of Campsite and Associated Works to Erect 35 Wigwams at Badaguish, Glenmore

Preamble

The SCNP's primary aim is to promote the protection, enhancement and enjoyment of nationally outstanding areas that are National Parks, or are appropriate to be designated as such, or are of sufficient merit to warrant special protection. This is manifest in our support for good stewardship of the country's best environmental assets and encouragement of environmentally sustainable methods of development, particularly within areas of national park potential. SCNP is a recognised Scottish Charity.

We refer to the above application from the Speyside Trust for the extension of its facilities within the Cairngorms Mountains National Scenic Area. We note that this is stated to be the final phase of a five phase development costing over £3 million. The Trust has been successful in attracting substantial financial support from various sources, including the Park Authority, for the previous elements of the development, no doubt, in some measure, because of its social purpose of offering recreational opportunity to people with disabilities.

This latest application explicitly falls outwith that type of provision since it is clearly stated that the intention is to generate business from the open market to lengthen the season and to increase the occupancy rates of the campsite.

We recognize that with appropriate screening, the inclusion of 35 wigwam structures is not in itself much of an issue for the NSA, but the Glenmore Corridor, in strategic terms, is a very sensitive area and we believe there should be a presumption against development in this part of the National Park.

If this development is allowed, then it will be crucial to avoid disturbance to wildlife, notably Woodland Grouse, once the extended area is complete. We note that the Environmental Impact Assessment mentions a possible minor disturbance effect, but given the SPA status of Rothiemurchus there is a requirement by the Appropriate Authority to operate the precautionary principle. The NPA should therefore assure itself that all necessary measures are taken to avoid any increase in the level of disturbance from a sector of the market which is by definition more difficult to contain and control.

Yours faithfully

Bill McDermott



Inverness, Ross & Skye Forest District
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Inbhir Nis, Ros & An t-Eilean Sgitheanach
Sgìre Chòille
Rathad na Tur, Smithton
Inbhir Nis, IV2 7NL

Ms M Grier
Planning Department
Cairngorms National Park Authority
Albert Memorial Hall
Station Square
Ballater
AB35 5QB

Tel/Fòn [REDACTED]
Fax/Facs [REDACTED]

Manaidsear na Sgìre Chòille
Forest District Manager
David Jardine

18 August 2011

Dear Ms Grier,

Planning Application - 2011\0206\Det (11/02361/FUL)
Speyside Trust - Provision of new up graded all weather campsite accommodation (wigwams) for organised youth and community groups together with an activity area and Mountain Bike Free Ride Trail

Forestry Commission Scotland (FCS) wishes to confirm that it is the owner of all the land covered by this application. The sale of land managed by FCS is normally through the National Forest Land Scheme or after it has been declared surplus. The land covered by this application has not been declared surplus and is unlikely to be declared so.

FCS understands that the constitution of the Speyside Trust does not match the requirements for community bodies as laid out in the National Forest Land Scheme (which follow those required by the Land Reform (Scotland) Act).

Therefore, in summary, while discussions have taken place, FCS does not have an agreement to sell this land to the Speyside Trust, nor is the Speyside Trust in control of the land in question.

FCS has considered this proposal in detail and would request that the Planning Authority give careful consideration to the following points, should agreement on a land transaction be agreed:

Water & Sewerage – this proposal would appear to provide the opportunity to increase the overall capacity of the Badaguish site at peak periods. It is not clear whether the current water supply, or waste water systems are sufficient to meet the needs of any increased usage of a larger site. The report provided on the water supply is dated 2006



and does not appear to include the wigwams. FCS would wish to be assured that it will not receive a subsequent application for the site of a new water supply to meet the demand. If the supply needs to be upgraded FCS would recommend that a bore-hole supply is used to minimise the risks from surface water pollution which might occur during future forest operations.

No information is provided on the capacity of the waste water system. The current waste water outfall feeds into a watercourse which flows through the national forest estate (which may have down-stream water supplies). Therefore, as receiver of the effluent, FCS would wish to be assured that the waste water system is adequate to meet any increase in demand

Conservation - While an EIA has been provided, the application does not fully address the issue of disturbance to the surrounding forest which is a Special Protection Area for Capercaillie. Para 7.2 of the EIA addresses the impact on Capercaillie in the development area and in response to the comment by the Capercaillie Officer regarding disturbance to the wider area (guidance note of 14 September 2009) para 8.2.2 states that no new tracks will be created to encourage walking in these woods. It is not clear how the Speyside Trust will prevent the development of informal routes around this development.

In the experience of FCS, informal trails regularly develop around provided mountain bike facilities. This poses a risk to the protected area and FCS requests that the Planning Authority give this very careful consideration. Notwithstanding that there is currently no agreement between the Speyside Trust and FCS to develop this site, if planning permission is granted, FCS wish to be sure that the Speyside Trust is financially responsible for the ongoing management of any development of informal trails in perpetuity. If necessary this might be achieved through a visitor management plan.

Non-native Trees - While there is no agreement for FCS to sell or lease land to the Speyside Trust, it is the intention of FCS to remove all Sitka Spruce from this area in due course and we would request that this is taken into account in the long-term. This will minimise the risk of regeneration into the adjoining native pinewoods.

Forestry Commission Scotland does not require to be represented at the Planning meeting.

Yours sincerely

David C Jardine
Forest District Manager

**CAPERCAILLIE PROJECT OFFICER
ADVICE NOTE**



Prepared for: Andrew Mackenzie

Copied to: Keith Duncan, Colin Leslie

Date: 14th September 2009

Subject: Badaguish site expansion and mountain bike track

Dear Andrew

Thank you for consulting me on this issue in relation to capercaillie. Badaguish is part of almost continuous capercaillie habitat ranging from FE Inshriach to FE Glenmore. The woodlands have high strategic value for capercaillie and other pinewood specialists. Badaguish Outdoor Centre is adjacent to the Cairngorm SPA, which includes capercaillie as a designated feature. There is an active lek of minimum 2 cocks to the south-west of the outdoor centre. Birds have also been observed lekking close to the main access track. Broods have also been recorded in the area.

I have a few general points to make:

- My main concern is that an increase in the size of the centre may lead to a proliferation in use of the surrounding woodlands, leading to negative impacts on capercaillie. Research carried out on other woodlands in Strathspey has found that capercaillie tend to avoid areas of forest within between 200 and 250m of the tracks. Furthermore, tracks with high human activity are more likely to provide major sources of human disturbance.
- I have noted that your assurance that the overall capacity of Badaguish will not be increased and welcome this. In accordance with this, I believe that it would be inappropriate to advertise the proposed new mountain bike track externally in order to manage effectively the number of people accessing the wider forest.

- The block of sitka spruce is due to be felled by the Forestry Commission. The loss of this small block is unlikely to have a negative impact on capercaillie.
- The area of the proposed additional car parking will also need to be discussed with FCS. The felling of exotic conifers around existing granny pines should improve long-term stability.
- A new footpath parallel to the main access track will have negligible impact on capercaillie. However, this may increase the number of walkers in this area, rendering a large area of forest poorer for capercaillie.

In order to inform the Environmental Impact Assessment, the following points should be considered:

- There is already substantial information regarding the use of the area by lekking capercaillie. However, there is little information on winter distribution. Capercaillie are known to winter in denser stands of conifer. I would therefore recommend that a full dropping survey of the entire area be carried out during the winter of 2009/10 in order to inform the decision-making process for the mountain bike track.
- The effect of any felling on black grouse needs to be assessed. There is a black grouse lek further up the hill, which is very mobile. There is a chance that clearing any trees may encourage the black grouse to move further down the hill. Lekking black grouse, although not as sensitive as capercaillie, are still vulnerable to disturbance events. I would therefore recommend that a full dropping survey for black grouse be carried out during the winter of 2009/10.
- A survey for narrow-headed wood ant, a BAP species should be carried out along the main access track.
- A survey of pine marten scats should be carried out along all potential clearfells.
- All litter on site should be secured in order to control the proliferation of generalist predators.
- The Environmental Impact assessment should indicate whether the proposed expansion would lead to increased use of the centre and where any additional strain is likely to impact. There may need to be further discussions with FCS access and conservation staff, SNH and myself if concerns are raised.

Please do not hesitate to contact me for more details.

Thanks,
Tim

Tim Poole
Capercaillie Project Officer
(Funded by RSPB, SNH and FCS)
Tel: [REDACTED]
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Badenoch & Strathspey Conservation Group

Flodhag, Nethybridge, Inverness-shire PH25 3DJ Tel [REDACTED]

Scottish Charity No. SC003846

Em [REDACTED]

Mary Grier
CNPA
Ballater

19.8.11

Dear Mary Grier

CNPA ref. no. 2011/0206/DET Badaguish - 35 wigwam huts

I am writing on behalf of BSCG to object to the above application and request an opportunity to make oral representation to the CNPA whenever it decides to consider this application.

Loss of Forest to built development

We are concerned that this proposal, if approved, would result in the further replacement of part of Glenmore Forest with built development.

Glenmore Forest is an ancient Caledonian pinewood that is in the process of long term management to further develop its habitat and wildlife value, as described by the Forestry Commission "Glenmore holds one of the few remaining pockets of ancient Caledonian Pinewood in Scotland. Major work is underway to preserve and expand this important habitat for future generations" (Glenmore FC website August 2011).

Designations within Glenmore, Scotland's first Caledonian Forest Reserve, include SPA, SAC, SSSI, NNR and NSA.

Reference to FC stock maps shows that Caledonian Scots Pine 1800 is present very close to Badaguish in compartment 3020 sub-compartments b and d; and 3028 sub compartment b. In a 1:10000 stock map indicating FC conservation areas 1-42, revision date 1994, these sub-compartments and parts of compartment 3026e are shaded as 'unscheduled conservation' area. To the north, at the forest edge, the stock maps show Caledonian Scots pine 1950 and 1965. There is thus long-standing Scots pine of high heritage value and natural character close by Badaguish to the north and south, and some history of the recognition of the conservation interest of those areas of woodland closest to Badaguish to the south.

The proposed development site is close to the Cairngorms SAC, for which Caledonian forest 91CO is a Priority Feature. Referring to this complex of woodlands, the Joint Nature Conservation Committee (JNCC) note "This complex of woodlands is the most extensive area of native pinewood in the UK and comprises almost half the total area of ancient Caledonian forest in Scotland"

(see <http://jncc.defra.gov.uk/ProtectedSites/SACselection/sac.asp?EUCode=UK0016412>)

Glenmore is thus a site of outstanding significance.

It has been asserted that:

“Available evidence suggests that the current area H91C0 is probably not sufficient to ensure viability, mainly because it remains overly fragmented and isolated, despite some recent restoration and establishment. This is evident in the UK BAP Habitat Action Plan for native pinewoods (see <http://www.ukbap.org.uk>), which aims to further restore and substantially increase the extent and connectivity of this habitat to mitigate the negative effects of fragmentation and isolation of individual pinewoods.” (European Community Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC). Second Report by the United Kingdom under Article 17 on the implementation of the Directive from January 2001 to December 2006 Conservation status assessment for: H91C0: Caledonian forest).

The proposed development is close to the Cairngorms SPA, for which the Annex 1 and UK Red Listed species capercaillie is a designated feature. Glenmore thus has a crucial role to play in the conservation and recovery of capercaillie in Scotland. Scottish crossbill *Loxia scotica* is another of the designated species known to use stands of trees at Badaguish and is recognized as a species for which Scotland has a special responsibility and is a qualifying species for a suite of SPAs in Scotland.

Loss of forest to built development runs contrary to international commitments made by the UK government at the Johannesburg earth summit being contrary to the UK Forest Partnership for Action. There is a strong case that it is essential that new development does not further impact upon the functional integrity of the irreplaceable resource of native woodland (see Corney et al 2008) . Loss of forest to built development runs contrary to the first aim of the National Park.

Cumulative Impacts

The CNPA is aware of conservation concerns relating to potential loss and damage to woodland habitat at An Camas Mor (in the Glenmore corridor), Boat of Garten, Carrbridge and Nethybridge. All these sites are relevant to woodland grouse, native pinewood habitat and important biodiversity of national significance. There has been loss of woodland to built development on both sides of the A9 near Aviemore area, as well as for example at the Dalfaber golf course and Speybank amongst other places in the district.

Such woodland habitat has long been recognized as a special feature of the Cairngorms area. Cumulative impacts are a material planning consideration and are referred to in the CNPLP (e.g. Policy 3, 3.28).

Access

The proposal would reduce access for the general public within the development footprint, within a state forest. The proposal also has implications for the quality of experience for those visiting the forest to experience its natural character.

Such loss of access and loss of potential quality of experience conflicts with the 3rd aim of the Park

In the long term, the spruce dominated stand comprising the proposed development site could be restored to higher quality woodland habitat of a natural character, in line with existing policies for Glenmore (see e.g. Peterken & Stevenson 2004). This would deliver enhanced amenity and add to the landscape and wildlife value and be more in accord with aspirations contained in the Park Plan.

Negative impacts on capercaillie

Glenmore forest contains nationally important populations of capercaillie *Tetrao urogallus*, (see <http://jncc.defra.gov.uk/ProtectedSites/SACselection/sac.asp?EUCode=UK0016412>)

SNH's capercaillie specialist (Dr S Hayson) noted (The Nature of Scotland Summer 2011 p35) that "the latest national survey found that three-quarters of the population [of capercaillie] lives within Badenoch & Strathspey". She further commented "they're very sensitive to disturbance" and "capercaillie are often thought of as an umbrella species, which means that if you protect a habitat that supports them, then a huge range of other species are also protected."

The ES identifies that human disturbance "May affect caper in adjacent woodland" and indicates that this could extend "250 m away".

It is predictable that the proposal would increase the number of people using Badaguish, accessing Badaguish through the forest and causing disturbance in the surrounding woodland. The May 2011 Environmental Statement acknowledges that "the number of people camping is likely to increase and the seasonal usage may be extended by the presence of the wigwams".

The proposed mitigation of "No new tracks into woods to be established" does not seem deliverable by the applicant. We see no mechanisms proposed for delivering such mitigation. It can be anticipated that paths along desire lines are likely to arise and over time become established, as a result of the proposal.

It appears that the ES has neglected to undertake survey work for capercaillie despite the relevance of this for informing an Appropriate Assessment. In 2009 in an advice note to the applicant, the Capercaillie project officer recommended that a full dropping survey of the entire area be carried out during the winter of 2009/10. There is no indication from the ES that such a survey was ever undertaken.

In 2009 in an advice note to the applicant, the Capercaillie project officer has expressed concerns regarding "a proliferation in use of the surrounding woodlands, leading to negative impacts on capercaillie". The CNPA has a biodiversity duty under the Nature Conservation (Scotland) Act 2004. We have not seen an Appropriate Assessment for this application, that the CNPA as the competent authority has responsibility for providing.

We consider that key findings of recent research on disturbance in Glenmore on capercaillie should be factored into the decision-making process (see Moss et al May 2010 The distribution of capercaillie droppings in relation to sources of disturbance. Part III Glenmore Forest Park).

Negative Impacts on Black Grouse

The proposal would take built development to within approximately 750m of 2 black grouse leks outwith the forest. The May 2011 ES states "The nearest known black grouse lek is approximately 750m" (see 7.2). The distance of 750m is the recommended buffer distance of disturbance to a lek (see 2007 report to SNH by Ruddock & Whitfield). A black grouse lek was active in this same area in the 1990's (see SWT Glenmore seasonal ranger's reports). The ES gives no results, dates or methods of any novel survey for black grouse leks to support the application.

The black grouse is on the UK 'Red' list of species of high conservation concern because it has undergone serious decline; as such, it is one of the highest priorities for action in state forests (see e.g. [http://www.forestry.gov.uk/pdf/fcs-action-blackgrouse.pdf/\\$FILE/fcs-action-blackgrouse.pdf](http://www.forestry.gov.uk/pdf/fcs-action-blackgrouse.pdf/$FILE/fcs-action-blackgrouse.pdf)). It is a UK priority species and a key Cairngorms woodland species (Cairngorms LBAP).

Negative impact on Crossbill species

Scottish crossbill *Loxia scotica* is a designated species for the Cairngorms SPA, is known to use stands of trees at Badaguish and is recognized as a species for which Scotland has a special responsibility (as noted above).

One of the reasons forest managers have retained mature spruce at Glenmore has been the high use of these cone-bearing stands by crossbills. The May 2011 ES recognises that Scottish crossbill is a species of conservation concern. BSCG understands that the population of Scottish crossbills now using the suite of SPAs appears to be currently below 'favourable' status.

Specialised survey methods can be considered necessary to make meaningful assessment of the use different species of crossbill are making of an area; moreover, given the mobility of crossbills that track of cone crops which vary in different years, meaningful information requires a minimum of three years of survey (see Taylor & Summers 2011).

We can find no evidence of such survey having been presented to support the application. The SPG for natural heritage states "surveys should be carried out according to current best practice for the habitat or species being surveyed" (6.4).

BSCG has already expressed concern to CNPA staff (and SNH and FC staff), during meetings, that appropriate survey work for crossbill species was not undertaken for the off-road route in the Glenmore corridor (CNPA planning Ref 07/253/CP).

Breeding Birds Survey

No breeding bird survey appears to have been presented to support the application. A minimum of three years of survey is required to cover the variation in Scots Pine cone cropping (see Taylor & Summers 2011) that influences species such as crossbills and siskin.

The SPG for natural heritage states "surveys should be carried out according to current best practice for the habitat or species being surveyed" (6.4).

Use of Sitka spruce

Sitka spruce is used by capercaillie, blackgrouse and crossbills. Sitka spruce plantations can support capercaillie if appropriately managed (see Picozzi, Moss and Catt 1996 referring to a plantation in central Scotland).

The ES rightly identifies that Sitka spruce is a food of capercaillie, that seeds in spruce cones are exploited by crossbills and that large specimens of exotic trees have value. Investigation of the feeding habits of capercaillie in plantations in Scotland has identified that capercaillie can make particular use of larger spruce trees and can nest in stands of Sitka spruce (for example Fig 22 in Jones 1982 shows a nest found in 1978 in a stand of Sitka spruce planted in 1921).

Needles of Sitka spruce have been found in crops of capercaillie (see e.g. plate 21 in Jones 1982). Capercaillie have been recorded using Sitka spruce in Glenmore (SWT Ranger's reports). Capercaillie were recorded on transects in Morayshire using Sitka spruce trees in the months of February, March, April, May, June, July, November and December) and some evidence suggested that Sitka spruce may have been selected by capercaillie in summer (Jones 1982). Male capercaillie have been recorded displaying in Sitka spruce trees in Morayshire (see plate 27 in Jones 1982).

In an advice note to the applicant (copied to SNH) the Capercaillie Project Officer stated "there is little information on winter distribution. Capercaillie are known to winter in denser stands of conifer. I would therefore recommend that a full dropping survey of the entire area be carried out during the winter of 2009/10 in order to inform the decision-making process for the mountain bike track".

The ES provides no indication that any such survey has been undertaken, yet this is required for a meaningful appropriate assessment.

Great Crested Newt

This EPS is referred to in the ES. The walkover survey referred to in the ES does not constitute best survey practice for this species. In addition, the survey does not appear to have included a survey of the pond at Badaguish. It has not been established if this newt is present or absent in the area (see Annex 2 SPG Natural Heritage).

The SPG states that " where a European Protected Species is on or adjacent to the site, the planning authority must have survey information....before it is able to make a decision."

Bats

The ES indicates that bats (all EPS) "could" be using the area. Best survey practice would have established this for certain and potentially provided information on species. The SPG for Natural Heritage states that " where a European Protected Species is on or adjacent to the site, the planning authority must have survey information....before it is able to make a decision."

Habitat survey

A phase 1 level vegetation survey does not appear to have been undertaken.

The environmental survey identifies a number of characteristic species of Caledonian pinewood, that is a European priority habitat, a key Cairngorm Priority habitat and a habitat type for which Scotland has a particular responsibility. These include trees such as birch, Scots pine and rowan. Similarly, both the mosses *Hylocomium splendens* and *Hypnum jutlandicum* and the liverwort *Lophocolea bidentata* are recorded on the development site (Table 1 in the May 2011 ES) and are listed as constant species of Scottish pinewoods (see e.g. Table 3.2 , p81 in Managing the Pinewoods of Scotland).

Buxbaumia viridis

With respect to plants found, it is conceded in the May 2011 ES that "surveys were seasonally limited" and reference is only made to visits in September and May. This incomplete seasonal coverage increases the likelihood that plants of conservation concern may have been overlooked. For example, while the moss *Buxbaumia viridis* is referred to in relation to retention of dead wood for mitigation, no information could have been collected on the presence of this species within or close to the development site given the dates of the survey. *Buxbaumia* is a qualifying feature of the Cairngorms SAC that is easy to overlook.

Impacts beyond boundaries

The ES fails to consider some of the various adverse effects on native woodlands reviewed in October 2008 in the report 'Impacts of nearby development on the ecology of ancient woodland.'

Impacts on Plants

The list of plants provided in the ES for the development site does not include any UK priority species but it does include species of some local scarcity. For example, both oak fern and wood anemone are relatively infrequent and localized in their distribution in Glenmore Forest.

Impacts on Invertebrates

The ES refers to potential adverse impacts on wood ants and saproxylic invertebrates but is not supported by an invertebrate survey.

The list of plants provided in the ES for the development site includes species that are food plants for UK priority species of insect. For example, marsh violet is a food plant for the small pearl bordered fritillary butterfly and both marsh thistle and wood anemone are known to be used for foraging by blaeberry bee *Bombus monticola*. The fritillary butterfly and the blaeberry bee are both known from Glenmore forest.

Conflicts with the Park Plan

CNPA Plan 2007 'Priorities for Action, Outcomes for 2012' states "There will be enhanced connectivity within habitat networks ... with early emphasis on ... forest networks" (CNPLP p91); and that "All the designated nature conservation sites in the Park will be in favourable condition, or under positive management to bring them into favourable condition. This will be enhanced further by the appropriate management of the surrounding land to increase the ecological integrity and viability of these sites" (CNPLP p92).

The proposal would contradict the Priorities, Outcomes and Actions stated in the CNP Plan, as the proposal would reduce the connectivity of forest habitat and would do so in a key habitat. The proposal would remove an area of forest habitat surrounding designated nature conservation sites from positive management.

The May 2011 ES produced for the developer acknowledges that the felling required for the development would result in "Partial habitat fragmentation and restriction of faunal dispersal". As mitigation in this context it proposes "Ensure FCS maintain some continuity of forest from the development edge to the treeline". We note however that this proposed mitigation would have to be carried out by the FCS, not the applicant.

The Park Plan refers to creating a world class experience and management of the park contributing to conservation and enhancement. We do not consider this proposal to be in line with these aspirations.

Yours sincerely

Gus Jones
Convener

Selected references

Corney et al 2008 Impacts of nearby development on the ecology of ancient woodland

Peterken & Stevenson 2004. A new dawn for native woodland restoration on the Forestry Commission estate in Scotland.

Mary Greer,
Planning Section,
CNPA, Station Square,
Ballater

18th August 2011

Dear Mary Greer,

Planning Application: Wigwams at Badaguish, Glenmore

CNPA ref. no. 2011/0206/DET

The Cairngorms Campaign objects to this development proposal on several grounds, namely:-

- ✓ The sensitivity of the Glenmore Corridor to current levels of use has long been recognised in the successive local plans dating from the mid-90s. Increased levels of use have negative impacts on the natural heritage – specifically disturbance of protected species. The presumption in these plans is against all but essential development in this sensitive area. Clearly this proposal (being primarily for income generation) does not meet any such essential development criteria: the planning guidance presumes against this proposal and so consequently the Cairngorms Campaign objects strongly;
- ✓ Concentration of development in the Glenmore Basin has negative knock on effects on the economic sustainability of the local communities within the national park by diverting overnight visitors from existing settlements and thereby conflicting with the third general aim of the CNP;
- ✓ We also object to the inappropriate location and scale of development due to:-
 - Further reduction in caledonian forest cover in the Glenmore basin conflicting with the primary aim of the CNP,
 - increased traffic on the access roads further erodes the quality of other visitors' and the general public's experience of the area;
 - The proposal conflicts directly with services offered by other local businesses in the vicinity such as the camp site, youth hostel & Glenmore Lodge.

Yours faithfully,

Helen Geddes

Director
Cairngorms Campaign

Cc: info@CNPA

Pip Mackie

From: Benn, Stuart [REDACTED]
Sent: 19 August 2011 15:21
To: Planning
Subject: Badaguish Planning Application - 2011/0206/DET

Cairngorms National Park Authority
Albert Memorial Hall,
Station Square
Ballater
AB35 5QB

19 August 2011.

Email: planning@cairngorms.co.uk

Dear Sir

2011/0206/DET

Erection of 35 wooden wigwams, on site activity area/canvas tent area and mountain bike free ride trail

RSPB Scotland notes that the intention of this application is to increase occupancy of Badaguish Outdoor Centre and, by improving on-site facilities, increase usage of the site itself for recreation. The site lies within 500m or so of the Cairngorms Special Protection Area (SPA), one of whose qualifying features is its breeding population of capercaillie. The Conservation (Natural Habitats &c) Regulations 1994 apply and a Habitats Regulations Appraisal is necessary.

Visitors to Badaguish must approach through the SPA and may access adjacent woodland. Numbers of capercaillie in Scotland have been shown by recent survey to be in decline and two studies have shown that human disturbance is associated with reduced densities of birds. There is a possibility that disturbance could increase as a result of this development. Recognising this, measures seeking to minimise disturbance to capercaillie - by providing activities which will encourage visitors to remain within Badaguish and by planting and not opening up paths - are proposed by the Applicant but their likely efficacy is uncertain. In view of this uncertainty the proposal, which is neither directly connected with nor necessary to site management for nature conservation, is likely to have a significant effect on the site so an appropriate assessment by the competent authority, in this case CNPA, will be required.

We request sight of any appropriate assessment prepared for this application and we would be willing to provide further advice on capercaillie if required.

Yours faithfully

Stuart Benn
Conservation Officer, South Highland



Balalan House, 24 Allan Park
Stirling, FK8 2QG

Telephone: [REDACTED]
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Mary Grier
Development Management
Cairngorms National Park Authority
Albert Memorial Hall
Station Square
Ballater
Aberdeenshire
AB35 5QB

19 August 2011

Dear Ms. Grier,

2011/0206/DET (11/02361/FUL) – Erection of 35 Wigwams at Badaguish Outdoor Centre, Glenmore

I am writing in reference to the application to extend the facilities at Badaguish Outdoor Centre in Glenmore Forest, and the consideration of impacts on invertebrates.

Invertebrates represent 98% of all species of plants and animals that are known to occur in Scotland, and are the foundation of most ecosystems and ecosystem services. Many invertebrates are suffering population declines, and should be considered appropriately in any ES.

We welcome the wood ant survey and assessment undertaken as part of the Environmental Statement (ES) which supports this application, and its acknowledgement that the development may have a negative impact on deadwood ('saproxylic') invertebrate communities. However, there is no indication that a survey of saproxylic invertebrates has been undertaken so as to inform this impact assessment. It should also be noted that invertebrate surveys and identification require a high level of experience, and should be completed by competent ecologists that specialise in the appropriate group. In this case, it is important that the ecologist responsible for the identification of the wood ant species has adequate experience, as the rare narrow-headed ant (*Formica exsecta*) is a qualifying feature of Glenmore Forest Site of Special Scientific Interest (SSSI), it is difficult to competently identify these to species level.

While the ES does acknowledge that deadwood resource will be lost through felling and tidying of the area, it does not acknowledge the duration of this effect. Deadwood habitats are short-lived – for example, decaying sap under bark is an important deadwood habitat for many fly species, yet lasts only four years. A continuous supply of fresh deadwood is therefore required in order to ensure sustainable populations of saproxylic invertebrates over time.

Furthermore, the Cairngorms National Park in general and Glenmore Forest in particular support a large proportion of our endangered invertebrate species, such as the saproxylic Pine hoverfly (*Blera fallax*) which is included on the IUCN Red List, Scottish Biodiversity List, Scottish Natural Heritage Species Action Framework and is a UK Biodiversity Action Plan priority species (UK BAP), amongst other invertebrate species of conservation concern.

The botanical survey noted the presence of Marsh violet (*Viola palustris*) and Silver birch (*Betula pendula*), which support Small pearl-bordered fritillary butterflies (*Boloria selene* – UK BAP, Scottish Biodiversity List [SBL]) and Cousin German moths (*Protolampra sobrina* – UK BAP, SBL) respectively. Both of these species are known to occur in this area, for which it is an important stronghold. The ES does not mention these species.

Scots pine (*Pinus sylvestris*) is also present in the development area, and supports an important diversity of invertebrates, including many species of conservation concern.

The ES does not adequately address the potential impacts of this development on invertebrates. A desk based study of historic data should be undertaken to indicate invertebrate species of conservation concern (e.g. UK BAP, SBL, IUCN Red List, Red Data Book, Nationally Notable etc.) are already known from this area. A wider invertebrate survey is also required to determine the conservation importance of the site and to inform an adequate impact assessment. This survey should involve a variety of methods, including particular focus on saproxylic invertebrates, but should not be limited to deadwood habitats. Full CVs of ecologists undertaking invertebrate surveys and identification should also be provided in support of any ES so as to demonstrate the competence of this work. Voucher specimens should be available for examination and verification of species identity.

Should the development gain consent, it is essential that a suitable habitat management plan is agreed detailing mitigation and compensation, which should address the important deadwood habitats for saproxylic invertebrates.

Kind regards,

A large black rectangular redaction box covering the signature of Chris Cathrine.

Chris Cathrine
Conservation Assistant (Scotland)