

AGENDA ITEM 5

APPENDIX 3B

2019/0247/DET

REPRESENTATIONS - OBJECTION

Comments for Planning Application 2019/0247/DET

Application Summary

Application Number: 2019/0247/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works to smooth and re-grade land

Case Officer: Stephanie Wade

Customer Details

Name: Mr Alan Bratney

Address: Paterson Road 5 Aviemore

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The Scottish Government have declared a climate emergency and it's incumbent on the CNPA to respond accordingly. Disturbance of the peat on the proposed site may lead to the release of Carbon Dioxide. Cairngorm Mountain Scotland Ltd, as an effectively nationalised business, has a significant responsibility to promote environmentally friendly actions, in relation to its business activities. Bulldozing an area of peatland would be very irresponsible.

Climate change is arguably responsible for the heavy rainfall events that we've witnessed in Strathspey this summer with the prospect that these may increase and intensify in the future. The proposed actions could have the effect of enabling faster runoff of rainwater which may result in flash flooding, downstream. I would urge the planning committee to reject this unwarranted planning application.

BSCG
info

From: BSCG info
Sent: 2 Sep 2019 23:48:59 +0100
To: Stephanie Wade; Planning
Subject: BSCG Comment 2019.0247

Badenoch & Strathspey Conservation Group

Fiodhag, Nethybridge, Inverness-shire PH25 3DJ

Scottish Charity No SC003846

Email info@bscg.org.uk

Website bscg.org.uk

2 September 2019

Dear Stephanie Wade

2019/0247/DET | Engineering works to smooth and re-grade land | Cairngorm
Mountain Glenmore Aviemore Highland PH22 1RB

BSCG objects to the above application and requests the opportunity to address the committee when the application is determined.

Both the Scottish Government and Highland Council have declared climate and ecological emergencies. As is well established, the public expect public agencies to act accordingly and respond with the urgency that is needed. Nearly a year ago the world's leading climate scientists warned (in the UN IPCC report) that we have 12 years in which to adopt new ways of doing things in order to keep global warming to a maximum of 1.5 degrees, beyond which the risks of catastrophic climate change significantly increase. We consider these emergencies to be a material planning consideration. Climate change makes the future of snow sports at Cairn Gorm extremely uncertain, with a high likelihood of warmer temperatures, and more extreme weather events, including extreme winds, intense precipitation and increased risk of flash flooding.

We are very concerned that the CNPA has requested such an incomplete suite of surveys and at such a basic level of survey information for this application. We regard the level of environmental information available to the CNPA inadequate for an informed decision to be taken. On the basis of the information provided, we do not consider that the CNPA can establish whether this application can meet all 4 aims of the Park.

We note with concern the CNPA's statement as to why they consider a National Vegetation Classification survey is unnecessary, that:

“much of the site has been disturbed, which impacts on the soil conditions and has led to artificial grass communities developing in the area where the new track is proposed”. We are concerned that the CNPA is failing to fully recognise and give due weight to the ecological value of the existing habitats.

The site includes significant areas of vegetation with high degrees of naturalness. The site supports such upland species as Dwarf Cornel *Cornus suecica*, Cloudberry *Rubus chamaemorus* and Bog Blaeberry *Vaccinium uliginosum*. A rare fungus (that we understand is being investigated at Kew) has been recorded on Interrupted Clubmoss *Lycopodium annotinum* in the ski area. Interrupted Clubmoss grows within the proposal site where this fungus may be present and has not been surveyed for. These species grow on the proposal site amongst Crowberry, Cowberry, Blaeberry, Bearberry, Wavy hair grass and Calluna, all species that are components of the NVC community H18 *Vaccinium myrtillus-Deschampsia flexuosa* heath and/or H22 *Vaccinium myrtillus-Rubus chamaemorus* heath. Both these NVC communities are part of the European Annex 1 habitat Alpine and Boreal Heaths (4060) which is a primary reason for selection of the Cairngorms Special

Area of Conservation. The proposal site has strong floristic associations with the Annex 1 habitats for which the Cairngorms SAC is designated, and further investigation may demonstrate that it supports examples of the Annex 1 habitats.

The Cairngorms SAC is described by the JNCC as “the single most outstanding site for high-altitude acidic habitats in the UK” and as the “superlative example” of the continental hills of the eastern Highlands. Thus habitats close by the ski area are of exceptionally high value and it is important that the quality of habitats within the ski area is never underestimated and is accurately assessed. It has been widely claimed that the ski area was excluded from the SAC designation partly due to its commercial nature.

Remarkable new discoveries have been made in recent years, that demonstrate how rich sites in the Cairngorms can prove to be when looked at in more detail. For example, a Springtail new to the UK was discovered on Cairn Gorm close to the ski area; and a species of web cap fungi new to science was discovered only a few kilometres away growing in alpine heath. The invertebrate survey undertaken for the Ptarmigan extension application that also surveyed within the site proposed for artificial ski slopes (this site is near the present proposal site), recorded six rare insect species classed as Nationally Scarce as well as the Mountain Bumblebee. This bee is on the Scottish Biodiversity List, a list of wildlife which Ministers have identified as of principal importance for nature conservation in Scotland, and to which the Biodiversity Duty of the 2004 Nature Conservation (Scotland) Act applies. As a result of the proposals, this bee would be likely to lose both underground nesting sites, that include small mammal holes, and foraging habitat.

We note that SNH have asserted “the work proposed ... is outside the boundary of any nature conservation sites designated for biological or geological interests and will not impact on any of those interests”, but have provided no evidence to support this claim beyond noting that the proposal site is not itself designated. Further, SNH do not assist

decision makers by providing information on potential impacts on the integrity of the protected sites.

We do not consider that SNH's assessment is valid. We consider that there are potential impacts on protected species and sensitive habitats that should be considered.

Dotterel is on the red list of high conservation concern and the population in the Cairngorms is of 'very high' UK importance. This key Cairngorm montane species is vulnerable to climate change that can impact on craneflies (tipulids). Craneflies are a key food in the breeding season for Dotterel and require damp soils. The proposals will disrupt and damage soils and hydrology with potential serious adverse impacts on many soil invertebrates, including tipulids.

Ring ouzel is on the Red list of high conservation concern, is suffering marked range contraction and is impacted by climate change (Beale *et al.* 2006 Climate change may account for the decline in British ring ouzels *Turdus torquatus*. *Journal of Animal Ecology* 75). The proposals impact on an area likely to be used by breeding Ring Ouzel in most years. The disruption to soils and vegetation will be detrimental to the survival of invertebrate food especially important for young Ring ouzel, as well as reducing the availability of berries from dwarf shrubs (such as blaeberry) and Juniper later in the season for this species. Given the accessibility of the area to members of the public, any adverse impact on Ring Ouzel would be damaging to visitor experience.

Snow Bunting (amber listed of medium conservation concern) and Ptarmigan (classed as Near Threatened in Europe) are two species that attract visitors to the area and are challenged by climate change. The proposal's negative impacts on seeds, vegetation, berries and cover are likely to be detrimental to these attractive and popular species in the area of the proposal.

Mountain Hare, that is on the Scottish Biodiversity List use the area. They are a significant food source for golden eagle, and could be adversely impacted by the proposals. They are a special feature of the Cairngorms National Park and their status in the UK has recently been downgraded to 'Unfavourable' (meaning that special conservation action needs to be undertaken). Cairn Gorm is well known as a site to view and photograph mountain hare. Like Ptarmigan, Dotterel and Golden Eagle, they are characteristic of the Cairngorms SAC. Climate change is likely to adversely influence the sub-arctic/alpine habitats favoured by mountain hares.

Water Voles may also lose habitat as a result of changes to vegetation and hydrology.

The CNPA Board has already indicated that they do not consider that the ski area should be treated as a sacrificial site (this was in relation to the recent application for plastic ski slopes near the Cas car park, close to the present proposal site, that the Board rejected). Were the present proposal to be consented, the scale and nature of operations would have an extensive impact on the landscape and natural heritage of the ground between

the bottom and middle stations, and would run counter to any claim that the site was not being sacrificed.

We are concerned at the landscape impacts of the proposals that will impact on the existing terrain and vegetation cover. There will be substantial areas of exposed ground that will take time to regain anything approaching a more natural and attractive appearance.

The quantities of peat that are to be removed from one part of the site and redistributed to another do not appear to be provided. Disturbance of peat potentially could lead to release of carbon.

We welcome that the CNPA and others have recognised the need for a Master Plan for the HIE estate. We are concerned that HIE have still not provided such a Plan, in spite of having been asked to do so. We are further concerned that HIE/CMSL continue to come forward with piecemeal and apparently uncoordinated proposals. These inevitably could constrain and compromise the scope of a more thought through Master Plan. Such a piecemeal approach is not in line with good planning and is especially inappropriate at such a key site in the National Park. A consequence of this piecemeal approach to development is that it greatly reduces the opportunities for constructive engagement by the public and stakeholders in the Master Planning process. The Scottish Government Planning Advice Note 83 on Master Planning states the need for community engagement in master planning. The desirability of public engagement in planning was emphasised by the minister and others during the passage through the parliament this year of Scotland's new Planning Bill.

In August at a public meeting James Gibbs Area Manager of HIE was questioned about the timescale for a Master Plan. He indicated that producing a Master Plan was to be put out to tender and that it could be a 9-12 month process.

We consider it is premature for the CNPA to determine an application as significant and contentious as the present one until a Master Plan that is in line with the aims of the Park has been agreed. We are further concerned that there is inadequate up to date ecological baseline information to inform a Master Plan.

The need for artificial snow due to the absence of the funicular is anticipated by HIE/CMSL to be for the 2019-20 winter season and possibly the 2020-21 season. HIE has made it clear that they envisage repairing the funicular and that the funicular could be repaired in time for the 2020-21 season. The present proposal serves as a stop gap measure to facilitate use of artificial snow in the absence of the funicular uplift, but it is by no means certain that it will serve a significant useful function for more than a short period. This seems to be out of line with government policy on sustainability as well as the 4th aim of the Park which refers to "sustainable" development.

We can find no adequate assessment of risks of flash floods that the proposals could contribute to. Yet we note that there have been several dramatic episodes of flooding

on the Allt Mhor in recent years. As well as health & safety implications and damage to infrastructure, such floods have the potential to impact on narrow headed ant nests and otters.

In our view 'creating a wider area of snow in a shorter time' is not an adequate justification for the attendant negative environmental impacts. The grooming proposals would create long term damage to habitats, species and ecosystems and such impacts have not been adequately assessed. The environmental consequences of the proposal are very long term. By contrast, the present proposals are a short term stop gap measure.

Yours sincerely
Gus Jones
Convener.



Cairngorms Campaign
The Firs
Crathie
Ballater
AB35 5TJ

www.cairngormscampaign.org.uk
email: cairngormscampaign@gmail.com

Ref: Planning Application 2019/0247/DET Cairngorm Mountain, Engineering Works to regrade land

The Cairngorms Campaign is objecting to this application for a number of reasons, many of which have been well described in the other letters of objection to which we add our voice, but in the interests of not wasting time, will not repeat here. We also request that the planning process addresses the points raised in two pieces written by parkswatchscotland.co.uk, "The future of snowsports and the environment at Cairn Gorm Aug 27" and "HIE's proposals to smooth and regrade land at Cairn Gorm Aug 21, 2019."

Above all we want to see;

1. the Cairngorms National Park Authority (CNPA) follow through on its "Cairngorm Mountain – CNPA Working Principles" paper agreed by the CNPA Board and authored by the Chief Executive Officer, in April 2019 and
2. the CNPA start to take practical steps to address the climate change crisis the planet is facing, not delay while continuing to approve developments that add to the problem.

Land use is crucial to the solution or otherwise of the climate crisis. Why is such a development being proposed which will clearly contribute further towards the climate crisis when there are already existing alternatives for active leisure pursuits. Are the claimed gains of making it easier to get to the snow and a longer season really what we should be doing? The Cairngorms Campaign does not think so.

The history of Highland and Islands Enterprise (HIE) mismanagement on Cairn Gorm has been well publicised such that it is now featuring in national news pieces and also being scrutinised by Audit Scotland. The CNPA as a publicly financed body and with the aims of the national park to satisfy also has a responsibility for what happens on Cairn Gorm. Its lack of action to date to stop HIE making a further mess is increasingly making us wonder if you condone it?

Susan Matthews (Convenor)

31st August 2019

Comments for Planning Application 2019/0247/DET

Application Summary

Application Number: 2019/0247/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works to smooth and re-grade land

Case Officer: Stephanie Wade

Customer Details

Name: Mr George Paton

Address: 56 Balnafettack Road INVERNESS

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Please consider the following as an OBJECTION to this Planning Application.

Without, in a lengthy format, repeating points, and going over the same ground (no pun intended) I wish to record my agreement, and share the examples, of the other Objectors.

Of particular importance, is the fact, that despite repeated requests from CNPA and others, no Cairngorm Master Plan has been presented by HIE....There has not even been any Consultation with any other Groups/Individuals/Parties ! So those presenting this Application are so obviously ..Totally out of Order !!

Also of importance is the performance, and openly visible incompetence, of the Mountain Operations Team, and their flagrant abuse of Planning Consent and the Mountain Landscape with the replacement Shieling uplift from 3 years ago !

This "Project" was also incredibly badly managed by CNPA Planning.....which makes me want to raise the Proposal that a Totally Independent Organisation must be involved from the outset, regarding any sort of development on Cairngorm !

I stress again.....there has to be a completed Masterplan for Cairngorm.....at a Planning Meeting some months ago at the Lecht Ski Centre, this was asked for and requested !

This Application must NOT BE GRANTED....it can only lead to a catastrophe ! Think of the future !

The Dulaig
Seafield Avenue
Grantown-on-Spey
PH26 3JG

31 August 2019

Cairngorms National Park Authority
Planning Team
14 The Square
Grantown on Spey
PH26 3HG

Objection to Planning Application 2019/0247/DET - Engineering works to smooth and re-grade land Cairngorm Mountain

I wish to object to this planning application and request that the CNPA Planning Committee rejects this application. My reasons for objection are:

1. Conflict with CNPA's Working Principles for Cairngorm Mountain dated 5 April 2019

Paragraph 3b makes it very clear that masterplan for Cairn Gorm needs to be in place and that any planning application should be part of this masterplan. No masterplan is in place to enable assessment of how this application fits into the overall masterplan. CNPA Planning Authority will lose all credibility if it approves this application without an agreed masterplan being in place. As an example, focussing on one small corner of what should be in a masterplan, given all the difficulties in operating the Snow Factory last winter, there is not even basic reassurances given that the problems with the Snow Factory have been resolved, and how snow making will function minimising energy and carbon footprint this winter, or any other winter. A robust masterplan is necessary to provide needed assurance that all parts of the Cairn Gorm business are adequately planned and support each other to provide a sustainable business for the future. To re-emphasise the issue – no masterplan in any acceptable form exists.

There is no recognition of climate change in any of the supporting documents, thus this application cannot be considered to be cognisant of climate change scenarios as required by paragraph 3c.

Paragraph 3h requires that any investment should be in keeping with the mountain environment. This is clearly not the case with this planning application as mountain vegetation and habitat is being trashed by the proposed significant cut and fill earthworks. Additionally, the drainage proposals will have a major effect locally on the environment and are very likely to exacerbate flood risk downhill from the proposed work. This matter has not been addressed in the application documents.

2. Environmental Assessment

Documents covering environmental assessment as woefully inadequate to the extent that there is a strong argument that this planning application should never have been validated by Highland Council. The opinions given by the Highland Council planning officer, reported in the pre-application discussion section of the planning application form, lack competence and understanding of the work to be completed and of the mountain environment.

The only documents provided containing any environmental assessment information are:

- Working with the Environment at Cairngorm (dated 2018). This is essentially a generic document and does not refer directly to the proposed engineering works. It is puzzling to understand the purpose of the document and its relevance to this application. Was it just a vaguely relevant document that the applicant had lying about?
- The ecological survey report by EnviroCentre. The scope of this report is far too narrow and omits much of the environmental assessment that should be carried out to support this highly environmentally sensitive application.

Having read the EnviroCentre ecological report, I do not see any evidence produced by them to support the claims that these works are straight forward and without significant ecological damage. On the contrary the report highlights:

- that the four UK BAP Priority habitats found on the site are at risk. There is no evidence produced in the other supporting documents that excavation work can and will avoid these UK BAP Priority habitats.
- the report states that any work proposed within 100m of any of these habitats may require further surveying prior to work commencing to determine the GWDTE status. This will apply to ALL of the proposed works and should have been carried out before this application was submitted.
- the report highlights issues with bird disturbance which will limit the work to after August.

Furthermore, there is an important caveat that the ecological data contained in the report is only valid until June 2020 and thereafter the ecological survey work will need to be repeated. There is no chance that this engineering work can be commenced, far less completed, before this winter. Given the constraint on disturbance of nesting birds, the EnviroCentre report will be invalid and needs to be repeated and independently assessed before any site work can commence.

The glaring omission in this application is the assessment of onsite and more importantly off site flood risk. The application form is erroneous in stating that the proposed work will not increase flood risk elsewhere. This issue has been highlighted in Nick Kempe's blog on Parkswatch Scotland entitled, "The future of snowsports and the environment at Cairn Gorm". The key part of this blog covering offsite flood risk is repeated here (credits to Nick Kempe and Alan Bratney):

3. The drainage proposals and their potential consequences

Drainage Pipe installation route
Plan scale 1:200

2019/0247/DET



Drainage Plan from Planning Portal – 12th August

Much of the ground in the ski area has been heavily modified by engineering works which go back to the 1960s. This has included flattening some areas, mounding others and the installation of drainage channels. The current application proposes that previous drainage channels dug through the site should be replaced by 450mm plastic culverts and then filled in. The intention behind this is to reduce the amount of artificial snow that is needed to cover the area and reduce the amount that melts as a result of water flowing under it. There is a logic to this but no consideration is given to the consequences.

The creation of culverts will not prevent water, whether from melting artificial snow or otherwise, from flowing down this slope. What the culverts will do is reduce the amount of water flowing onto the slope from ABOVE and channel this water under the new piste. The Planning Application then proposes that this water should be released into silt traps placed on the banks above the Allt Mhor burn.

That tells you that these culverts are going to increase the rate at which sediment and soils are to be washed off the mountain – otherwise there would be no need for silt traps. There are two aspects to the issue.



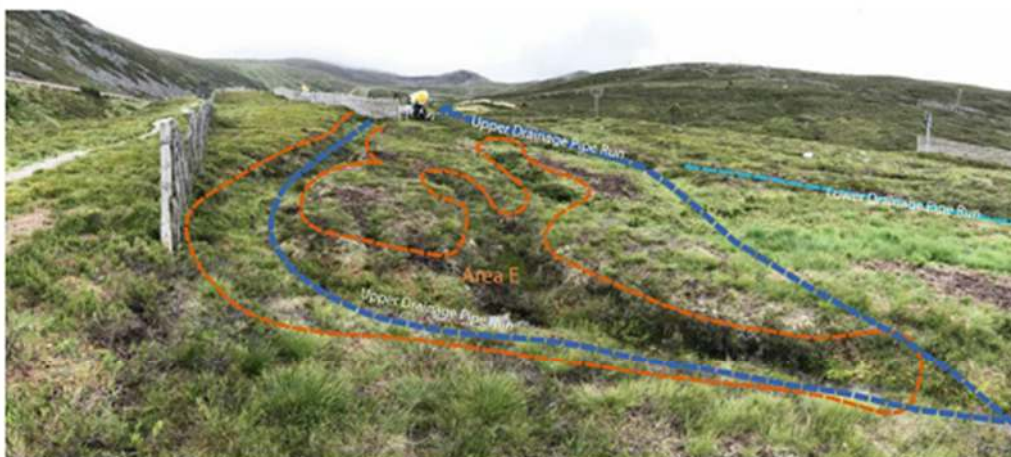
Photo credit Alan Bratley

First, the current drainage ditches have, in the 50 or so years since they were created, re-wilded. They now form sinuous watercourses which have clogged up with vegetation including sphagnum mosses which have gradually turned into peat creating areas of bog. Poor for skiing no doubt but all this helps to hold back the water and has created new habitats. Elsewhere they would be valued precisely because of their water retention properties.



The former drainage ditch now supports a profusion of Bog Asphodel – photo credit Alan Bratley

As an aside, the Supporting Information to the Planning Application claims *“the work required will be minimal to keep the ditch intact”*. This defies belief, the ditch is not going to be maintained intact, rather it’s going to be filled in.



< Image showing view down slope along Allt Chais watercourse bank taken from upper footbridge.
End of upper drainage pipeline shown in blue, terminated away from the watercourse with silt trap immediately below HDPE Pipe.

Page 28 of 30

Photomontage showing the current drainage channels and the course of the proposed culverts. The lower photo shows how water from the culverts will outpour onto the banks above the Allt Mhor

Straightening water courses and channelling water through pipes can only increase the rate at which water flows down the mountain.

The second issue is that creating smooth slopes will simply add to the problem. The Cairngorms National Park Authority should have all the evidence it needs for this from what has happened at the Shieling Rope Tow which is located above the proposed beginners' area. The track there has continued to wash out ever since planning permission was granted.



The top open culvert on the Shieling Rope tow track which has very recently been cleared of debris. Photo Credit Alan Bratney 24th August .

Following parkswatch's exposure on 13th August of the failure of HIE to meet planning requirements and maintain the culverts on the Shieling track free of debris ([see here](#)), Cairngorm Mountain Scotland Ltd appears to have started to clear the culverts. While this has reduced the risk of the loose material on the track below the culvert being washed out from above, that material is still very vulnerable to being washed out by heavy rainfall such as that experienced recently.



All the culverts below are still blocked and the consequences obvious. Photo Credit Alan Bratney.

How much of this eroded material will end up being channelled down into the proposed

plastic culverts and then deposited into silt traps above the Allt Mhor? Even if HIE then maintain those silt traps, and their record is not good, where are they then going to deposit the silt and grains of granite?

Even if the beginner's area were far better restored than the Shieling tow slope, water still needs to flow somewhere and when it does so it will create new watercourses and new habitats. Eventually these may infill with vegetation and slow the rate of water run off from the mountain but until that happens, just as with the artificial culverts on the shieling track, the rate of water run off will increase.

The Ecological Assessment implies as much, even if it describes the watercourses created by earlier drainage work as "*un-natural*" and treats the consequent wet heath as undesirable:

Following creation of the linear ski tows and pistes running straight down the slope, the natural run off drains from the hill to create un-natural watercourses, away from the current culverts and natural drains. These wet paths have succeeded to areas of wet heath, and include several pools on flatter ground. Re-designing the culverts or drainage to allow for any alteration of the surface landscape is advised to minimise any further inundation of these areas, as the wet heath habitat appears to be expanding as a result, and this will affect the quality of any land management for winter sports activity.

The CNPA should be drawing the opposite conclusion from this, that creating a new beginner's ski area on ground that, through natural processes has naturally reverted to bog over time is not sensible and that draining it will have consequences that have not been properly assessed.

Increasing flood risks

The CNPA needs to look at how increased water run off from Cairn Gorm will then add to what runs down into Glen More. The evidence for the consequences is well documented.



At the end of last year I reported to local Councillor and Highland Council convener, Bill Lobban, the amount of material that had piled up by the road bridge over the Allt Mhor on the way up to the ski area.



Allt Mhor bridge November – viewed from below – note how the left side of the bridge was half blocked with boulders

I am pleased to say that Highland Council cleared the blockage which could have ended up in another disaster:

Allt Mhor flood of August 1978

This relatively recent flood on the Allt Mhor, draining the Cairngorm ski slopes, demonstrates the significant flood hazard represented by mountain streams (McEwen and Werritty, 1988).

The flood on the 4th August was triggered by an intense summer thunderstorm in which 33.5 mm of rainfall fell in 1 hour, equivalent to around 5% of the average annual rainfall of Edinburgh.

The high discharge caused severe erosion of gravel bluffs overlooking the river at the below the Sugar Bowl and mobilised boulders over 0.5 m in diameter. The road bridge was swept away and fragments of tarmac can still be found in the gravel bars below the present bridge.

<http://www.landforms.eu/cairngorms/floods.htm>

The heavy rainfall late July/August, however, shows the problem has not gone away:



Just above the bridge, the piled up vegetation and boulders gives an idea of the extent and power of the recent floods. Photo Credit Alan Bratney.



Allt Mhor bridge viewed from above. The flooding has created a new bank of boulders the opposite side of the bridge to that which was infilled last year. Photo credit Alan Bratney.



Just above the bridge are trees which, if washed against the bridge, could rapidly result in the channel under it blocking and the whole structure being swept away. Photo Credit Alan Bratney.

The proposals to create a beginners ski area – and then at a later stage further new engineered ski slopes – can only add to this flooding. That should be reason enough for the Cairngorms National Park Authority to reject the whole Application as not being thought through.

4. Construction Method Statement

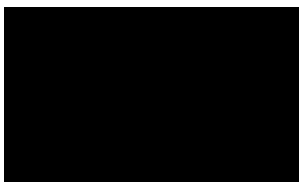
Details of the areas to be cut and filled (amounting to about 1 hectare) are provided, but no method statement has been provided to describe how this work is to be carried out, what machinery it is intended to use and what restoration work is proposed. Given the sensitivity of this mountain environment, without a detailed construction method statement, the contents of which are shown to rely on environmental and ecological impact assessment, this application should not be approved as there are no means to assess what collateral impact the works will have and whether any mitigation is contemplated.

It is totally unsatisfactory for such a key document to be left to be agreed between the application and the planning authority through a planning condition, even if the applicant had an excellent environmental track record. In this case, successive operators of the Cairn Gorm business have routinely failed to comply with environmental conditions, and enforcement from the relevant planning authorities has been negligible.

There is one item of merit that I can find in the application and that is the suggested environmental enhancements buried at the end of the EnviroCentre report (section 4.3). Although minimalist in approach, this is at least a start, however, it would seem that the applicant (Cairngorm Mountain Scotland Ltd) has ignored this.

There is only one conclusion that the CNPA Planning Committee can come to with this application and that is to reject the application in its entirety.

Yours faithfully,

A solid black rectangular box used to redact the signature of Dr Gordon Bulloch.

Dr Gordon Bulloch

Comments for Planning Application 2019/0247/DET

Application Summary

Application Number: 2019/0247/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works to smooth and re-grade land

Case Officer: Stephanie Wade

Customer Details

Name: Mr Graham Garfoot

Address: 14 Calf Close Walk Jarrow, Tyne & Wear.

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this planning application by CMSL to bulldoze 9,300 sq. m. of Corrie Cas. I have sent my detailed objections in an email as the space here is inadequate.

Planning objection.

I refer you to my posts on Parkswatchscotland on 25/07/2019, titled *The Future For uplift On Cairngorm – Environmental Aspects* and 21/08/2019 titled *HIE's proposal to smooth and regrade land at Cairngorm*, as being my main objections but I wish to add the following objections to the planning application:-

These statements are from CMSL.

(1) "From the start of production to the 16/01/2019 an area of 668sq.m. was covered with 508 cu. m. filling in voids".

(2) "the wasted snow filling voids will be reduced considerably..... resulting in increased coverage in a shorter timescale".

(3) "Areas of Work. With reference to the supporting HIE document "Working with the environment at Cairngorm" the following sections apply to these works; 11, 12, 14,16,19, 20, 21, 22, 23, 24, 27, 28, 29, 30."

Objections.

(1) The volume of infilling as per the application is for a total of 114 cu. m. in areas A -F and J. There being no indication as to the positions of the voids that were filled by the other 394 cu. m. of snowmaking. The wasted snow filling voids is therefore only about 22% of the amount claimed. If a depth of say 0.5m is required as a base, then the 508 cu. m. of "wasted" snow will only cover an extra 1016 sq. m. The total for the snow coverage will therefore be 1684sq.m. not the 9,300 sq. m. requested by this application.

(2) The volume of material removed by the bulldozing of Areas G, H & I is 161 cu.m., the volume of Area L is not specified. It appears therefore that there will be an excess of about 46 cu. m. If this is to be part of the infill for Area K, 72 cu. m., where is the rest of this infill coming from?

(3) If Area K is required as a H & S measure, why was it not part of the H&SE inspection of 06/12/2018 and why is it not to the same height as the tow base? It would appear to be no more than a dumping ground for excess materials.

(4) Section 4 of the HIE document "*Working with the environment at Cairngorm*" must apply to the works involved. Omitting it is a presumption that these works can be carried out at any time of the year.

(5) Is the 9,300 sq. m. the total area of areas A – N or is it the total area covered by the works boundaries?

(6) The inspection by Envirocentre Ltd. covers the whole of the area of approximately 77,000 sq. m. proposed as a beginner zone by the SE Group in their

reports to HIE. Is this current application just the tip of the iceberg with further applications to follow?

(7) Taking into consideration that the Snowfactory failed to perform as expected in its' trial in the 2017/18 season and again after its' purchase in the 2018/19 season, a failure to perform this year will mean all this work will have been for nothing.

(8) The release of the Auditor General's report into HIE's accounts for 2018/2019 show a deficit of £0.561m in relation to the CMSL business, with almost certain losses to be included in the next report. The cost according to the SE Group for this work will be approximately £35k at a time when CMSL is losing money in an unsustainable way.

In March 2019 the CNPA requested HIE produced a "Masterplan" for the Cairngorm ski area, something which HIE has been promising for a few years, before any further planning applications were made and yet this is now the second since then, a total disregard and lack of consideration for another government department. In my opinion the CNPA needs to stand firm, raise the issues covered by all the objections and at the very least put this planning application on hold until HIE/ CMSL deliver what they have been promising and produce their "Masterplan".

If the planning application is allowed, an independent Clerk of Works should be appointed and paid for by HIE/ CMSL to oversee all aspects of the works on a daily basis, with it been halted if the work is not up to the required standards.

From: hugh spencer [REDACTED]
Sent: 21 August 2019 14:22
To: Planning
Subject: Fwd: CMSL SMOOTHING APPLICATION

Dear CNPA,

This proposal (see below)by CMSL/HIE is totally destructive , totally inappropriate, and not made as part of any long term plan (as was requested by CNPA). Hopefully the Authority will study all the points made by Parkswatchscotland and refuse this and any further proposals until such time as the funicular future is decided and an overall Masterplan is prepared and submitted by HIE and approved. HIE is currently a headless chicken where CMSL is concerned and CNPA is the only hope of restoring sanity before this part of the Park becomes an unattractive mess.

And SNH by not objecting to such a flawed and damaging proposal must have lost all credibility on these matters.

Regards,

Hugh Spencer
3 Westwood Way , Westhill, Aberdeen. 01224 741607

----- Original Message -----

Subject: Posts from parkswatchscotland for 08/21/2019

From: parkswatchscotland [REDACTED]

Sent: Wednesday, 21 August 2019 11:03 am

To: [REDACTED]

CC:

Updates from

parkswatchscotland

Cairngorms and Lomond & Trossachs National Parks

In the 08/21/2019 edition:

- [HIE's proposals to smooth and regrade land at Cairn Gorm](#)

[HIE's proposals to smooth and regrade land at Cairn Gorm](#)

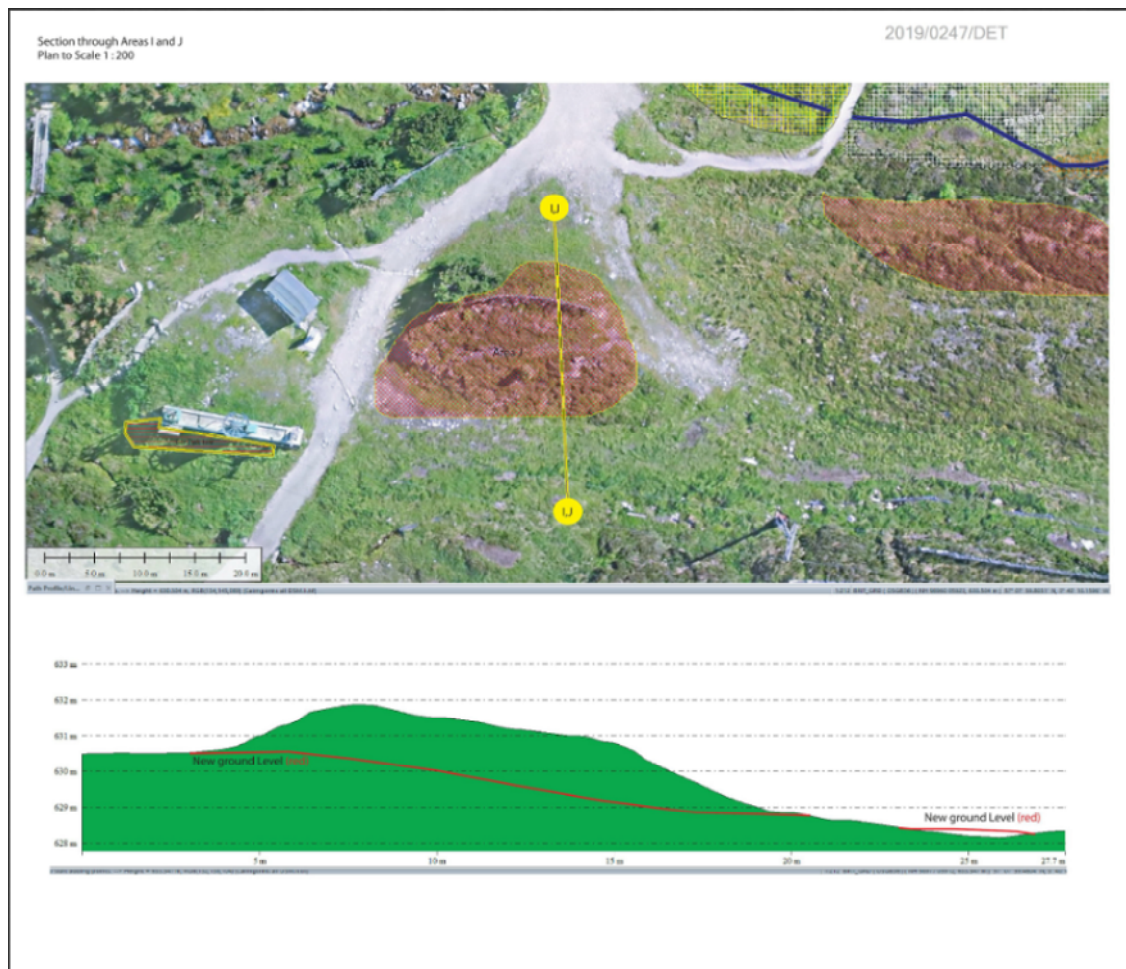
By Graham Garfoot on Aug 21, 2019 10:00 am



This post takes a further look at the issues ([see here](#)) associated with the latest Planning Application (2019/0247/DET) by Highlands and Islands Enterprises/ Cairngorm Mountain Scotland Ltd at Cairn Gorm. The application is to create a beginners ski area over an area of 0.93 ha or 9,300 sq.m. in the lower right-hand half of the picture above ([see here for planning documents](#)).

On 05/08/2019 the Cairngorms National Park Authority called in this planning application. In their email to Highland Council they said:-

“Works consist of a significant area of re-grading in a sensitive landscape area; therefore the application is considered to raise issues of significance to the National Park”.



Example of ground smoothing from plans showing extent of work

The response from SNH, which can be viewed on the CNPA planning page, was that they had no objection, a stance which I have asked them and their head office to re-consider on the grounds that it undermines the CNPA's position.

If the CNPA consider 9,300 sq. m. of "terra forming", "summer grooming", engineering works or to put it in laymans' terms – bulldozing – to be a significant area, what does that say about the the other 220,000 sq. m. proposed in the addendum to the SE Group Report on the future of snow sport infrastructure at Cairn Gorm?

The sectional maps supplied by CMSL show depths to be filled of 1 – 2 metres, which is why I have described this as "bulldozing". That amount of soil and peat being removed and re-deposited is not going to be done by hand!

In March this year, at the time of the Ptarmigan planning application, the CNPA asked HIE to formulate and provide a "masterplan" for the future of Cairn Gorm before any more applications were made after their Board meeting of 29/03/2019 adopted a set of working principles for the mountain ([see here](#)).

HIE has been promising a masterplan for several years and despite spending circa £100k with the SE Group to provide a basis for such a plan, it has still not been

produced. Instead we had the tubing slide application ([see here](#)) followed now by this bulldozing application which completely ignores the not unreasonable request by the CNPA and also goes to show the complete lack of consideration and even contempt for another government agency by HIE/ CMSL.

In my post of 25/07/2019 [The Future For Uplift On Cairngorm – Environmental Aspects](#) I worked out the approximate area for “summer grooming”, as proposed in the SE Group addendum, and it came to 229,000 sq. m. The area proposed for the whole of the beginner zone was about 77,000 sq. m. so it will only be a matter of time before more planning applications are forthcoming.

The justification for the proposal is that it will allow the factory produced snow to be spread more easily and costs will be reduced, but what also should be taken into consideration is:-

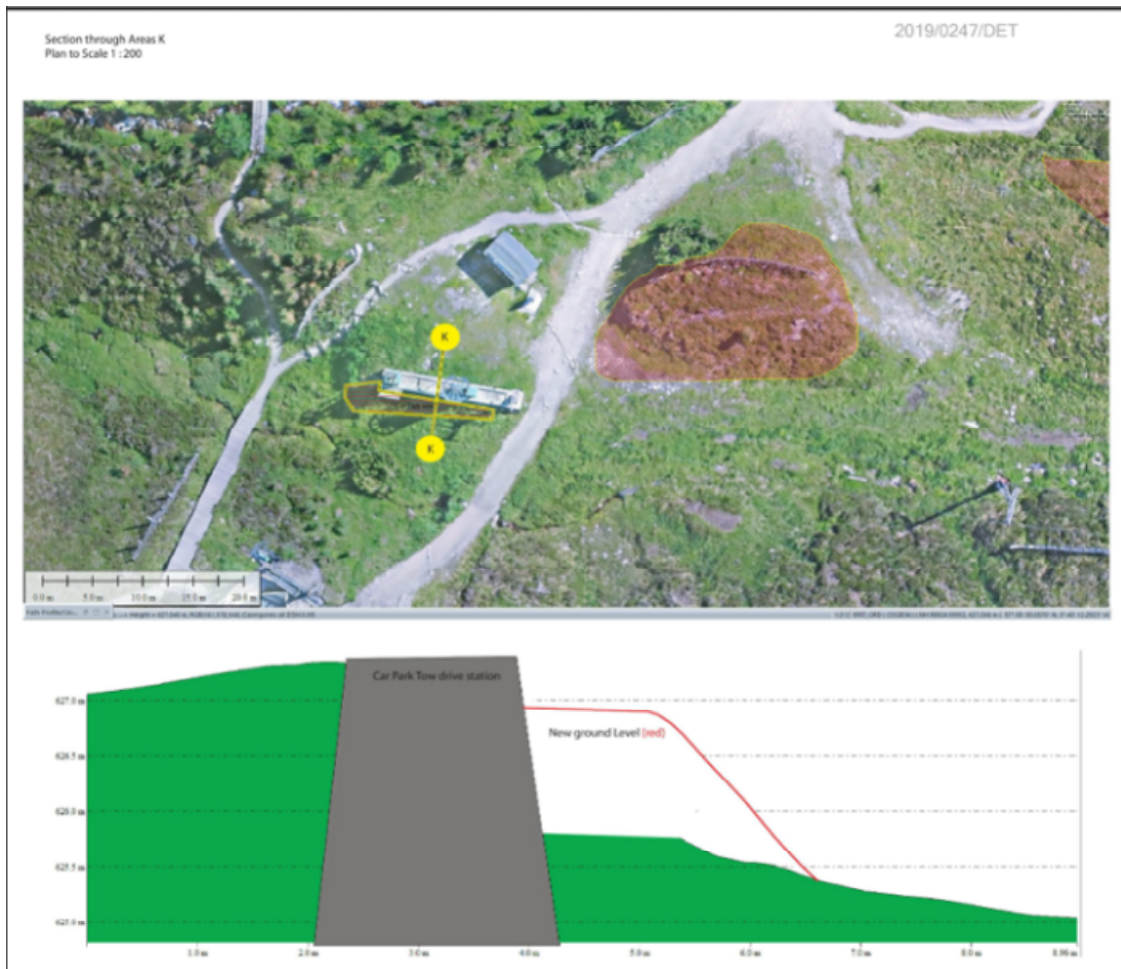
(1) Bulldozing could cost £35,000, according to the SE Group, as against heather cutting of between £200 and £400 for the area involved, figures courtesy of Scottish Natural Heritage,

(2) There will be no point in re-vegetating the smoothed off slope with heather saved from the excavated areas, as that will defeat the point of the exercise. This will leave a permanent scar on the hillside,

(3) Thousands of skiers have learned to ski on Cairn Gorm as it is now, without all this “smoothing”,

(4) Considering the problematic performance of the snow factory in the 2018/19 ski season ([see here](#)), there is no proof that those problems have been overcome,

(5) If the Funicular is to be repaired and brought back into operation for the 2020/21 ski season, then spending £35,000 to provide a featureless beginner slope for one year is not economically viable or sensible, and,



Area K is by the car park lift station

(6) Area “K” in the application has nothing to do with a beginners slope. It is about the safety of employees working on the Carpark drive station, which must be a priority, although it does look as though it could be just a convenient dumping point for unused materials from the bulldozing. It raises the question that if this was part of the Health & Safety Executive investigation from 06/12/2018, why has it not been actioned before now?

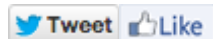
What needs to happen

The CNPA with the help and support of Forestry and Land Scotland, the Scottish Environmental Protection Agency, SNH and other statutory bodies should put this and any future planning applications by CMSL on hold until HIE provide the “Masterplan” that has been promised for so long. The North East Mountain Trust and Mountaineering Scotland have already stated their objections and taken a lead against the planning application. Let’s hope they are not the only ones and this gets stopped now. You have until 02/09/2019 to raise objections.

” width=“20” height=“20”>

The post [HIE’s proposals to smooth and regrade land at Cairn Gorm](#) appeared first on [parkswatchscotland](#).

[Read in browser »](#)



Recent Articles:

[Flamingo Land, the Woodbank House site and the National Park's Local Development Plan](#)

[The implications of NTS' decision to end driven grouse shooting at Mar Lodge](#)

[More lessons from the Pyrenees \(8\) – participation in outdoor activities](#)

[The Flamingo Land Planning Application – update and recent twists](#)

[Flood risk, water erosion and the creation of a beginners ski area at Cairn Gorm](#)

[unsubscribe from this list](#)



NORTH EAST MOUNTAIN TRUST

A QUALITY
FUTURE FOR
MOUNTAINEERS
AND HILL-
WALKERS

Scottish Charity SCIO Number 008783

NEMT, c/o 20 Norfolk Road, Aberdeen AB10 6JR



Cairngorms National Park Authority

George Allan
7 Bothwell terrace
Pitmedden AB41 7PT

8/8/19

Engineering Works Cairngorm Mountain Planning Application 2019/0247/DET

I am writing on behalf of the North East Mountain Trust (NEMT), a Scottish Charity based in the Grampian area, which represents the interests of hill-goers and those who enjoy visiting wild land. NEMT membership, comprising twelve hillwalking and climbing clubs along with individual members, totals over 900 people.

NEMT objects to this application.

Firstly, in the 'Working Principles' adopted by the Park Authority, it is stated that any proposals for the ski area should be part of a masterplan. NEMT welcomed this statement as it should ensure that individual applications can be judged within the context of other proposals for the ski area. This masterplan has not yet been produced but NEMT understands that it will be put out for public consultation soon. As Cairngorm Mountain and HIE will be fully aware of the 'Working Principles', NEMT is surprised that this application has been made at this time. The Park must stick to the 'Working Principles' and postpone a decision until after the public consultation on the masterplan; to do otherwise is to make the 'Working Principles' redundant as a policy position. Also, given the environmental sensitivities, it is important that the Park is not rushed into a decision.

Secondly, the application form states that the work is required for the 'coming winter season'. This means that, if approved, heavy machinery will be used during late autumn when the ground will be very wet. This will lead to more damage to peat than is necessary with no time for the restored ground to recover before winter. This is totally unacceptable and contrary to the para 4.4 of the document lodged entitled 'Working with the Environment on Cairngorm' (produced by HIE in 2018) which states that work involving excavation is best carried out in the spring. The Ecological Survey Report states that it is inadvisable to carry out work on the site between March and August due to ground nesting birds. This suggests that the only time suitable for the work is August to September; too late for this year.

Thirdly, the application is woefully short of information as to how the work will be carried out and what steps will be put in place to ensure the highest environmental standards are met. While 'Working with the Environment on Cairngorm' lays out general principles, the current application must incorporate information specific to each of the small sites involved. This should include what machinery will be used, the lines vehicles will take to

each section and what will be put in place to protect these lines from damage to the vegetation. The working corridor in the boundary plan is far too wide and should be restricted to the absolute minimum.

NEMT thinks that this application should be rejected or a decision postponed. However, should approval be given sometime in the future, we think it is important to note that, in recent years, Cairngorm Mountain has proved to be an unsatisfactory environmental custodian, carrying out work to a poor standard and also without consent; with this in mind, it is essential that an ecological clerk of works is appointed and that the CNPA inspects the work as it progresses to ensure that any conditions are being adhered to.

George Allan

Trustee- North East Mountain Trust

Comments for Planning Application 2019/0247/DET

Application Summary

Application Number: 2019/0247/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works to smooth and re-grade land

Case Officer: Stephanie Wade

Customer Details

Name: Mr Peter Stott

Address: 15 Drummuir Place Hopeman Moray

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:HIE are incompetent and corrupt.; there is no shortage of evidence for this. Their proposals are without credibility.