

AGENDA ITEM 5

APPENDIX 3a

2020/0076/DET

**REPRESENTATIONS –
OBJECTIONS**

Comments for Planning Application 2020/0076/DET

Application Summary

Application Number: 2020/0076/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works for strengthening funicular viaduct

Case Officer: Stephanie Wade

Customer Details

Name: Mr Alan Bratney

Address: 5 Paterson Road Aviemore

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This planning application should be rejected for the following reasons:

1. The entire area that will be subject to involvement in the project has not been delineated on the application documents. Only the area where work around each supporting pier will be done has been marked off. However, previous applications for the Sheiling rope tow and for the 'smoothing' work outside the Daylodge have clearly shown the whole area that would be subject to disturbance.
2. There is no clarity with respect to temporary access tracks. It's unclear just exactly how many are being proposed and there is no indication of the routes that these track[s] would take or of the materials to be used in their construction far less how they will be removed and reinstated. Previous experience on CairnGorm has shown that precise details need to be included otherwise CNPA planning will have difficulty in ensuring that a quality job is done.
3. The scale of this work would suggest that this planning application should be classified as a major development and as such a pre-application consultation report would be a requirement. No such consultation has taken place. In addition a design and access statement should also be included.

As a minimum, the applicant should be required to resubmit the planning application with the additional details referred to above.

Comments for Planning Application 2020/0076/DET

Application Summary

Application Number: 2020/0076/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works for strengthening funicular viaduct

Case Officer: Stephanie Wade

Customer Details

Name: Mr Alan Mackay

Address: 9 Bishops Park Bishop's Park Inverness

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am objecting on the following bases - as attachments are not possible here, I have submitted a document by email, but have included a summary below:

1. Firstly, that this application should be rejected without further consideration because the application is incomplete. It does not include details of the access tracks required and the designated areas identified as needing planning permission do not cover the full site that will be affected.
2. The stated economic case for repairing the funicular does not exist, the applicant has not provided any evidence in support of these claims.
3. Thirdly, that the repair of the Funicular Railway is incompatible with objectives B, D, F and G of the CNPA Working Principles for CairnGorm Mountain approved by the CNPA Board on 29th March 2019.
4. Finally, the monolithic nature of the Funicular viaduct requires that it will eventually have to be removed entirely. Propping up the viaduct now is a £10m plus can kicking exercise, not merely delaying the inevitable but substantially increasing the extent of the ground disturbance required to ultimately remove the viaduct.



**Objection to Planning Application -
'Engineering works for strengthening
funicular viaduct'**

I am objecting on the following bases, I shall expand on points 2 & 3 further through this document:

1. Firstly, that this application should be rejected without further consideration because the application is incomplete. It does not include details of the access tracks required and the designated areas identified as needing planning permission do not cover the full site that will be affected.
2. The stated economic case for repairing the funicular does not exist, the applicant has not provided any evidence in support of these claims.
3. Thirdly, that the repair of the Funicular Railway is incompatible with objectives B, D, F and G of the CNPA Working Principles for CairnGorm Mountain approved by the CNPA Board on 29th March 2019.
4. Finally, the monolithic nature of the Funicular viaduct requires that it will eventually have to be removed entirely. Propping up the viaduct now is a £10m plus can kicking exercise, not merely delaying the inevitable but substantially increasing the extent of the ground disturbance required to ultimately remove the viaduct.

As stated in the supporting documentation, the Funicular is not currently operational and will not operate again unless repaired.

5.1. The funicular viaduct, a significant structure in the landscape, already exists.

The Funicular doesn't and won't exist in an operational sense without the proposed repairs. Removal of the Funicular viaduct will very substantially reduce the visual intrusion of the snowsports area from the wider Strath, thus significantly improving the landscape qualities of CairnGorm Mountain, while improving snow holding of the signature White Lady Run and allowing more appropriate uplift to be installed.

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An economic case for repairing the Funicular?

From reading the supporting documentation, this application to repair the funicular rests on the claimed economic importance of the funicular and the already substantial visual impact of the funicular viaduct.

Supporting Statement has the following paragraphs:

4.1 The operation of the Funicular delivers a significant economic contribution to the local and regional economy, and it is essential in providing all-season access and accessibility to Cairn Gorm.

5.1 The funicular viaduct, a significant structure in the landscape, already exists. The planning application is for works to strengthen the funicular viaduct and to ensure its return to operation as an important part of the local economy.

Economic viability of the Funicular

In the Guardian on Wednesday 28th April 1999, David Hayes from Landmark Forest Adventure Park is quoted:

“The project is without any doubt, commercially unviable.”

21 Years later HIE is unable to provide evidence to refute that claim in support of this planning application. I suspect that the reason for this omission is that quite simply no such evidence exists.

With hindsight it is difficult not to concur with David Hayes statement because:

- CairnGorm Mountain Limited accumulated £2.753 million of losses during the period the Funicular and the current Ptarmigan Restaurant were both in full operation.
- CairnGorm Mountain’s operator was twice taken into public ownership by HIE in 2008 (to stave off a formal insolvency) and in 2018 (after entering administration).

David Pattison (former head of the Scottish Tourist Board) projected the non ski season visitor numbers for the Funicular would be between 77,000 to 104,000 and thus be 50,000 below the breakeven point of viability for the Funicular.



These projections strongly backed up David Hayes assertion in a letter published in the Press and Journal in May 1996 that the funicular project would be “risking the viability of the Cairngorm Chairlift Company as a whole”.

On 17th September 2004, then CairnGorm Mountain Ltd CEO Bob Kinnaird wrote to season pass holders in a letter formalising the ‘core lifts policy’. This letter heralded the success of the Funicular, and strongly implied that CML was able to provide snowsports as a service off the strength of the funicular.

Many skiers and snowboarders had long suspected the reverse was true, that snowsports was subsidising year round operation of the Funicular as a tourist attraction, to the severe detriment of the snowsports operation.

When Natural Assets Investments Limited decided to change CML’s financial year from the fiscal year to the calendar year, CML posted a shortened accounting period covering April to Dec 2015, basically an unique insight to the financial reality of CML in summer with the funicular operational. Over the ‘summer’ trading period in 2015 CML posted a loss of £1.248 million!

Jannete Janson, then General Manager of CML under Natural Retreats affirmed what many skiers had long thought, “...our winter revenue which is crucial to sustain the operation during the summer months.”

It is clear that funicular railway is not the economic success and importance that HIE proclaim in the supporting statement, rather the funicular has been a financial millstone around the neck of CML that has directly contributed to the run down and derelict nature of the built environment on CairnGorm.

Does the Funicular Support the Wider Economy?

The Supporting Statement's conclusion starts with the following paragraph:

6.1 The CairnGorm Mountain Funicular has contributed significantly, during the past two decades, to a sustainable economy in Aviemore and the Spey Valley, and to the Highlands in general. It has helped extend visitor numbers and economic activity beyond the core tourist season and assist in the aspirations for a more viable year round economy.

This is a bold statement, but like those in paragraphs 4.1 and 5.1 no evidence is provided to back the claim up.

In the Park Authority's own 'Local Development Plan 2020 evidence paper' the CNPA notes that there has been a 13.4% increase in visitors to the national park between 2009 and 2016. However over the same period non-snowsports **funicular usage actually declined by 3%**. (Annual non ski trips fell from 142,039 to 137,776)

During Summer the Ptarmigan is in Cloud 1 day in 3

A survey of the Loch Morlich Winterhighland webcam at 1pm during the months of May to September in 2013, 2014 and 2015 indicate that even during the core summer trading months the Ptarmigan Restaurant at the top of the Funicular Railway is in cloud 1 day in 3 on average.

This contrasts to the Base Station being in cloud an average of just 1 day in 35. This suggests that the Ptarmigan is too high up the mountain to optimise the potential of CairnGorm for paid sightseeing.

Restoring the Funicular status quo will thus significantly limit the potential economic benefit of investing in CairnGorm compared to a variety of potential alternative approaches at a lower elevation on the mountain. Increasing the size of the Ptarmigan Restaurant will do nothing to address the lack of view and resultant lack of appeal on days when the building is inside a cloud.

CairnGorm Mountain - CNPA Working Principles

Approval of this application to repair the Funicular Railway viaduct would be contrary to points B, D, F and G of the working principles agreed by the CNPA Board on 29th March 2019.

B) Any proposals should be part of a masterplan for the ski area as per the proposed new Local Development Plan.

HIE have consultants working on a Master Plan for CairnGorm Mountain, who undertook a number of public engagement events during the winter season.

This planning application completely prejudices the purported Master Planning / consultation process on the future of CairnGorm by seeking to railroad through fixing of the Funicular as a fait accompli.

A similar scenario occurred with HIE prejudicing the uplift review by the SE Group, by demolishing the Coire na Ciste Chairlifts in early autumn 2017, after the terms of reference for the uplift review were published but before the SE Group were contracted in January 2018.

At the time of writing this objection statement, a further planning application from HIE for CairnGorm Mountain has been lodged seeking to install automatic barriers to enforce carpark charging in Coire Cas.

The supporting statement for that application lists no less than 7 planning applications (2 lodged and 5 in the pipeline) for CairnGorm.

This scattergun approach is wholly unacceptable and completely incompatible with reference to the CNPA Board's requirement for a widely consulted and agreed CairnGorm Masterplan to be in place.

The credibility of the CNPA as a planning authority is on the line with HIE's behaviour and the planning committee must uphold the published working principles or risk completely losing control of the situation on CairnGorm and undermining the new Local Development Plan.

D) CairnGorm Mountain should provide a good Scottish ski experience with facilities and uplift commensurate with scale.

Scottish Snowsports is due to our maritime climate opportunistic in nature.

This holds true for both for the skiers and snowboarders themselves, but equally resort operators too must be in a position to make the most of the opportunities when good conditions prevail.

Given our climatic conditions and location, wind is an issue for all five commercial Scottish Snowsports areas, but an additional factor is in play on CairnGorm. The propensity for strong katabatic winds blowing downslope off the plateau means that even in relatively benign synoptics, strong winds and substantial drifting can occur.

Winds from the Southerly quadrant can be amplified hugely by a combination of katabatic and topographic wind acceleration, with severe ground drifting shifting large quantities of snow from higher elevations on to both the ski road into Coire Cas and over the Funicular viaduct.



Staff digging out funicular running gear by hand during the afternoon of Sun 16th Feb 2014.



Superb Half Term conditions and weather but Funicular out of service leading to larger queues on surface tows and no lift served sightseeing.

The Funicular was in part predicated on being able to uplift skiers to the Ptarmigan in 70mph winds, but improved weather forecasting and information dissemination vs 20 years ago negates that requirement. People are more choosy when to travel (and where to travel), the critical factor to providing a good experience (in line with the CNPA working principle D) and commercial success is being to open in a timely manner once the storm abates.

Once the wind has gone a chairlift and gondola can be opened quickly, whereas the Funicular is frequently delayed or doesn't open at all after significant snow storms. The unfortunate paradox is that the more fresh snow and thus better conditions are, the bigger the drift problems with the funicular and the longer it is out of action.

The funicular's ability to operate in higher winds vs chairlifts / gondolas is often overstated as with regards CairnGorm this debate is frequently framed in terms of the 25mph operating limit which was applied to the White Lady Chairlift.

Whereas the Glencoe Access Chairlift which itself is 10 years older than the Funicular has an uplift limit of 50mph across the line. A modern high speed 6 seat detachable chairlift would, with good tower positioning on a sensible alignment, be able to exceed the wind tolerance of the Access Chairlift, to around 60mph.

A good experience for both snowsports and sightseeing customers, and economic viability of the operator, requires that the lift in question is able to operate reliably when snow conditions are good. Demand for both snowsports and winter sightseeing will be higher in periods of good snow cover - the lift companies need 'to make hay when the sunshines'!

Funicular vs Nevis Range Gondola & Glencoe Access Chair

The February Half Term period is a critical juncture in determining the commercial success or otherwise of the season. Assessing the performance of the CairnGorm Funicular against the Nevis Range Gondola and Glencoe Access Chairlift for the last 10 seasons of Funicular operation is insightful.

Days of operation in the month of February by year			
	CairnGorm	Nevis Range	Glencoe
Year	Funicular	Gondola	Access Chair
2009	21	25	22
2010	22	27	24
2011	20	25	24
2012	25	24	21
2013	23	25	25
2014	4	22	21
2015	20	22	25
2016	21	20	22
2017	18	22	24
2018	<u>23</u>	<u>25</u>	<u>24</u>
Accumulated	197	237	232
Average Open	19.7	23.7	23.2
Days CLOSED	85	45	50
Avg Days LOST	8.5	4.5	5

While the Funicular can operate in higher wind speeds than the other two lifts, the other factors which affect its operation more than negate the windspeed advantage. The Funicular loses nearly twice as many Feb days on average as the Gondola.

In their report to HIE in 2018, SE Group noted that the funicular can not in practice match its nominal 1200 persons per hour capacity. That requires a departure at the full 120 person car capacity every 6 minutes, the shortest permissible journey time is 4 minutes which leaves only 2 minutes for unloading and loading of the cars.

Operational reality is load times are around 6 minutes and to keep turnarounds from considerably exceeding that only 100 passengers are usually loaded (the 120 capacity is impractical when majority are skiers / snowboarders). Even with a 4 minute journey time, that means only 6 departures an hour are achieved giving a practical max capacity of just 600 passengers per hour.

The mid-station not being at the mid point of the track requires a double stop, this effectively limits the funicular to one uplift every 15minutes when mid-stopping which reduces the theoretical capacity to 480 per hour, and applying the same criteria of loading only 100 per car means in practice only 400 an hour get uplifted to the Ptarmigan (and only 200 an hour from each station, a figure that is only a THIRD of the 600 passengers per hour that both the White Lady and Carpark Chairlifts were individually capable of).

The Funicular Railway is dysfunctional in winter, it is low capacity, high cost and sucks up a disproporopinate amount of staff time / resources dealing with track burials and burial of the tunnel entrance. This has knock on effects delaying opening of other tows and terrain which only serves to further degrade the snowsports customer's experience.

Repairing the Funicular Railway is thus contrary to the CNPAs working principle D that "CairnGorm Mountain should provide a good Scottish ski experience with facilities and uplift commensurate with scale."

F) Summer visitors should be provided with an opportunity to enjoy the mountain environment and be close to nature and wildness.

In comparison to the setup at Nevis Range and Glencoe, CairnGorm with an operational funicular falls well short of meeting the objective of working principle F.

Sightseers are conveyed from one internal station to another by enclosed funicular carriage from which only a modest proportion of passengers get a clear and unobstructed view from. To arrive at a Top Station from which there is no exit and is all too frequently inside a cloud.

Both the Funicular and closed system at the Ptarmigan isolates summer visitors from the mountain environment and provides a poor visitor experience. While a gondola is also enclosed, families and groups can travel as individual groups in their own cabin, all having unrestricted views from a higher vantage point.



Arguably the sense of both wild land and of transition from forest to mountain plateau would be greater in Coire na Ciste, and superb views which are less often obscured by cloud are available at lower elevations.

The dropped proposal to build a boardwalk above the Funicular Tunnel to a viewing platform was an admission by CML that the Ptarmigan Restaurant (while usefully situated for snowsports customers) is actually too high up the mountain to give a consistently good visitor experience to sightseers, being in cloud 1 day in 3.

Expanding the Ptarmigan as per the previously approved planning application does little to address the shortcomings of the Ptarmigan in terms of appeal to sightseers, particularly repeat visitors who are essential to economic viability.



The closed system at the top and loss of egress at mid-station particularly affected less physically able bird watchers who were unlikely to venture far but previously used the Chairlifts.

The issue of winter congestion in the Ptarmigan building could more effectively be addressed at less cost and provide a better overall visitor experience by re-establishing the Shieling Restaurant.

In the event the Funicular does re-open, year round use of a new Shieling and funicular passenger egress and entry from the mid-station level would at least in part mitigate the Funicular's shortcomings as a summer sightseeing attraction and assist with meeting objective F.

G) The operational model for CairnGorm Mountain needs to be fit for purpose and affordable in the long-term.

The Funicular Railway from publically available evidence (see pages 2 to 4) would fail to meet this criteria even if it was currently operational, far less facing a repair bill of upwards of £10million to return to operation.

In total over 2/3rds of the piers are in need of strengthening including every pier situated above mid-station, which represents 2/3rds of total requiring remedial works. Thus 2/3rds of the work is required where drifting issues are most prevalent.



There is lack of detail in the planning application about the exact form and function of the pier props, this raises the following concerns:

- Though the scale of the props are modest compared to the viaduct as a whole, they will act to increase snow accumulation problems for the funicular.
- That will further impact operational reliability of the funicular and increase resources required to open the lift in good snow cover.

- No evidence is provided that the props and anchors will themselves will not require interventions due to slope creep and downhill pressure of deep snowpack accumulations.
- The props themselves will require to be monitored and maintained, adding to the operating costs of the funicular which was already unviable as a visitor attraction.
- There is no clarity over the proposed lifespan of the proposed repair or whether it will allow the funicular to be returned to full capacity operation.
- No explanation as to how frequently the props will need to be monitored. If they require regular inspections throughout the year, this could render the Funicular inoperable during periods of good snow conditions.

It is clear that given the poor condition of the Funicular viaduct at only 20 years of age combined with the additional structural supports that to a greater or lesser extent the Funicular will henceforth incur ongoing higher upkeep costs than had been expected.

In all likelihood the maintenance and operating costs of the funicular will continue to rise making it ever less viable. Such a scenario being unsustainable was the exact reason given for ruling out long term operation of the Carpark and White Lady Chairlifts as means of linking a new Base and Ptarmigan Station - the do minimum uplift option that was considered as the only alternative to building the funicular.

Given lack of clarity in the application and other points raised in this document, this planning application is not compatible with the working principle that ‘the operational model for CairnGorm Mountain needs to be fit for purpose and affordable in the long term’ as the Funicular is almost certain to require ongoing public subsidy or will continue to undermine the viability of the snowsports area, to the detriment of national park.

Conclusion

Repairing the Funicular will result in ground disturbance to at least 4 times as many sites in the White Lady corridor as installation of a new overhead lift on broadly similar alignment to either the former White Lady Chairlift or T-bar.

More pertinently in planning terms, if the proposed repairs go ahead it will result in greatly increased ground disturbance, difficulty and inflated final costs of the ultimate removal of the failing Funicular viaduct.

This planning application is incomplete, its existence means the applicant HIE has prejudged the Master Planning process currently under way. Restoration of the Funicular Railway to service as per this application is incompatible with CNPA working principles D, F and G, while the fact this application (and others) exist without an approved Master Plan is incompatible with working principle B and thus undermines the whole set of working principles and the CNPA as planning authority.

For all the reasons outlined above, this planning application should be refused.

Alan Mackay

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BSCG
info

From: BSCG info
Sent: 20 Apr 2020 23:38:23 +0100
To: Planning; Stephanie Wade
Subject: 2020/0076/DET BSCG Comments (Resend with subject)

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20 April 2020

Dear Stephanie Wade

2020/0076/DET | Engineering works for strengthening funicular viaduct | Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

BSCG wishes to object to this application and requests the opportunity to address the planning committee when they determine the proposal.

The application red line boundary does not show the whole site that would be impacted by the proposal. Such impacts can be anticipated to result in significant damage to habitats and landscape.

The new temporary tracks that are required to gain access to the piers are not included in the red line boundary. The working area where machinery may be driven and consequently significant impacts occur, is significantly greater than the red line area surrounding each pier (e.g. as shown in the "Site Layout Detail" maps of Fig 1 of the Atmos report).

It appears these additional areas would bring the total area for planning permission to over 2ha and therefore the application should be treated as a Major Application, with all that that requires, including a Pre-Application process.

We are concerned about the tracks being called 'temporary'. Given that there will be ongoing monitoring, maintenance, and potentially additional repairs in the future, we have no confidence that the planning authority could justifiably refuse an application to retain some or all of the tracks.

Beyond the red line boundary, we understand there would be no planning oversight. We cannot understand how the CNPA can fulfil the aims of the National Park if the construction and use of access tracks and the use of machinery on unprotected ground beyond any tracks, that could cause significant ecological, habitat and landscape damage in a sensitive mountain environment, is allowed to proceed without any planning controls.

The Planning Statement by Ryden states the site boundary for work requiring planning permission is 0.98ha. The claim is made that “some of the strengthening counts as repair work and does not require planning permission.” This includes work on the bearings and strengthening the beams, requiring use of machinery that will impact on the ground round about.

Whether or not this is a fair appraisal of the planning requirements, there remains the issue of how machinery accesses the sites to carry out the work, which is a significant material consideration and clearly must fall within planning, especially at such a sensitive site.

There are discrepancies about the number of piers and anchor blocks between application documents, which also relates to discrepancy over the total area of the rectangles around these.

We are concerned that this application has gone out for public consultation in the absence of accurate and correct information on these basic matters.

It is also stated that existing tracks will be heavily used and will need to be upgraded. This too should be covered in planning. Normally the whole working area would be included in an application, as was required for recent applications on the hill.

This application is for work at a high altitude, where conditions are challenging and the environment sensitive. This application is complex and there are unknowns. There are significant issues that are likely to arise once work is underway. The planning authority needs to ensure it can keep planning control of the works involved in this application. The CNPA should seek to avoid problems of cutting corners and failed enforcement.

The quality of the restoration work is fundamental to the landscape impacts. We are concerned that the application does not provide sufficient information on the methods and details to be used, to enable the CNPA to fully assess how robust the proposals are. We are also concerned at the ability of the planning authority to be able to enforce standards of construction, especially at this site where there are significant technical and physical challenges within a sensitive environment.

We find the level of information provided in the Atmos report on Habitat Management & Restoration far too general. There is no reason why the applicant cannot specifically detail what is required, how and where the methods they refer to will be carried out, how watercourses will be crossed, how wet ground will be protected, and the like. There are

sound reasons why this information should be detailed now, at this appropriate stage of the planning process.

The protection of habitats and landscape depends on these details. The success of this project in landscape and habitat terms is not helped if the planning authority adopts an approach of delaying requiring information.

We are concerned that at this stage of the planning process it is only an Outline Peat Management Plan that has been provided, rather than a Final PMP, and at the incompleteness of the information provided on peat excavation and management of peat. The Outline PMP states that the excavated peat will be used for 'landscaping'. However, no information is provided on this, in spite of the fundamental importance of conserving and enhancing landscape quality at this site. For example, it is not specified which areas are to be landscaped with excavated peat; nor what will be the impacts and how they are to be mitigated, of carrying out this landscaping, including accessing the locations with machinery.

The Brindley Report on landscape impacts fails to identify Glenmore as a close settlement. The report only refers to Aviemore, at more than 10k distant, and from that infers that the development is in a more remote location than is the case. Glenmore may have a small number of permanent residents, but it has a substantial number of visitors including to the camp site, the Youth Hostel, Glenmore Lodge, Loch Morlich beach, Glenmore Forest, the reindeer centre and so on. These are significant receptors that should not be ignored.

The repair of the funicular does not change inherent problems. A survey of 40 Aviemore based tourism related businesses conducted on behalf of the local paper the Strathspey & Badenoch Herald, found that the operation of the funicular in the Spring, Summer and Autumn months was unimportant for most businesses. Businesses were asked if the closure of the funicular has affected their business either negatively or not at all, in each season of the year. The response was not at all for 75% in Spring, 80% in summer, 65% in Autumn and 42.5% in winter.

The evidence shows that the funicular is not the driver of the local or wider tourist economy that HIE seeks to claim it to be.

In a review of management of Scotland's environment, the funicular featured as a high-profile example of conflict. The funicular has been an extremely controversial development from its first inception to the present day, even though a founding principle of national parks when they were introduced by the Scottish government was to reduce conflict. The funicular has been beset with problems, very high cost over-runs, a lack of commercial viability, inherent problems such as build-up of snow around the track requiring to be cleared by hand, and so on. Such issues remain, even if the funicular is repaired.

It is premature to determine this application. HIE has lodged it before Audit Scotland has provided its report regarding the funicular; and before even the results of the public

consultation on a Master Plan have been made public, far less any Master Plan having been produced by HIE.

In its Working Principles for CairnGorm Mountain, approved by the Board scarcely a year ago, the CNPA has given the impression to the public that development up the hill will not go ahead until a Master Plan is in place (“B. Any proposals should be part of a masterplan for the ski area as per the proposed new Local Development Plan”). It is unclear why the CNPA could not have advised the applicant that this application should not be lodged until a masterplan was in place.

The Construction Method Statement does not provide the necessary site-specific information. On the steep ground that is acknowledged as “difficult terrain” in the CMS no information is provided on how the access tracks will be designed to deal with the gradient above the shieling (apart from the very top where it is identified that the ground is too steep and use of helicopters is proposed to bring in materials).

The application refers to ‘sensitive’ and ‘less sensitive’ areas but does not indicate where they are considered to be.

We note that the baseline habitat survey concludes that:



We are concerned that in the less sensitive areas, it is proposed that low ground pressure vehicles will drive over the ground. This is very likely to cause surface damage and potentially erosion if done frequently. We reiterate, that if such areas are outwith the red line boundary, then this would be an uncontrolled activity with potentially serious impacts on habitats and landscape.

We are concerned at the introduction of numerous props to support the piers. This introduces more visually intrusive structures into the ski area, and more concrete into the sub-surface that will probably never be removed and would involve major and potentially damaging earthworks if it were removed. These additional structures will add to the cost of removing the funicular, whenever this may, inevitably, take place. The props may add to the build up of snow, thereby adding to the operational problems that this causes, and there is a lack of information about the specifications of the props.

We are concerned that the excavations and pouring of concrete involved at each pier would be ecologically destructive and that there is insufficient detail provided as to how these impacts would be genuinely minimised. The daily maintenance of high standards, even when overseen by an ECoW, is extremely challenging in this environment and we have grave concerns that there will be significant environmental impacts and that sufficiently high standards are unlikely to be maintained.

We are concerned that the ecological information provided is not sufficient. All the NVC communities identified in the study area are vegetation types of nature conservation

interest, as identified in the application documents, yet there is little information on the likely impacts on vegetation and how these could be minimised; and invertebrates and fungi are not properly taken into account.

Yours sincerely

Gus Jones
Convener



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Objection to planning application 2020/0076/DET
Repairs to the Funicular, Cairngorm

This objection is made on behalf of the members of the Cairngorms Campaign.

The application raises a number of concerns the most significant being that it restricts the planning application to the area around the piers and anchor blocks to be replaced without considering the whole area, particularly access tracks that will be affected by the movement of vehicles and equipment. Previous applications both on Cairngorm and other ski areas have always considered the effect on the ground due to access requirements. This application refers to the use of existing tracks and the construction of additional tracks but doesn't include them in the application. How will these tracks be restored? Is the use of existing tracks compliant with their planning approvals regarding construction and use? It is typical in similar planning applications for the planning authority to place conditions on any approval that ensures tracks are used appropriately and restored therefore the repair of the funicular must include these considerations. We therefore ask that the planning group of the Cairngorm National Park Authority (CNPA) reject this application.

This then raises the question of the area covered by the repair of the funicular and why it isn't considered a Major Development application with the additional requirements for this.

Meanwhile there are a number of other difficulties with the application particularly with regard to the lightweight claims of the funicular delivering a significant economic contribution to the area. This has long since been a subject of contention. The funicular has been out of action for 2 years now so businesses and people that relied on it have already adjusted. The area is flourishing in the summer months and downhill ski sports are in jeopardy with the continuing warming of the planet. Why put more and more public money into Cairngorm skiing which is problematic, to say the least. How can that public money be invested to yield better economic benefits? With the ongoing events (Corvid 19) serious and detailed questions have to be asked about how skiing development on Cairngorm delivers the fourth aim of the National Park. We still haven't seen a master plan for the area based on a public consultation that considers alternatives to not repairing the funicular and why they aren't valid.

At a more detailed level and specific to this application a breeding bird survey is required as there is reference in the application to helicoptering in materials.

The funicular was contentious when it was built and continued to be in operation. For many years now the skiing on Cairngorm has absorbed significant sums of public money and this application will require more without addressing how past losses will be addressed. To add to these problems we are experiencing two hugely life changing events – climate change and Corvid 19. Not only does this application fail to cover the area of the hill affected by it but it is also entirely lacking any strategic context. We would expect the CNPA to satisfy the Aims of the National Park and as a public body spending taxpayer's money to ensure this is corrected.

Thank you for the opportunity to comment

Susan Matthews

Convenor

Cairngorms Campaign

20th April 2020

Comments for Planning Application 2020/0076/DET

Application Summary

Application Number: 2020/0076/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works for strengthening funicular viaduct

Case Officer: Stephanie Wade

Customer Details

Name: Mr David Fallows

Address: Woodlea Main Street Newtonmore

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this application on the grounds that it is fundamentally premature in that it has been lodged in advance of the publication of the outcome of community consultation on the future of the HIE owned area, and flies in the face of the National Park Authority Planning Committee's decision that a masterplan must precede further development. The level of detail in the application evidences that HIE made the decision to continue with repair of the funicular some time ago yet there appears to be no evidence that this is the appropriate solution or is in any way preferable to other options. As such, attempting to use planning law to force a determination on this single option at this stage, and without the backing of an agreed masterplan is an affront to democracy and should be withdrawn by HIE. In the event of failure to do so, it is my belief that the planning committee should reject the application at this stage. It is not, in my view, reasonable to assert that funicular repair is not 'development' and that some aspects do not require planning permission since the essence of the application itself defines the future direction of Cairngorm Mountain activity for years to come. It therefore by default deeply influences and narrows the options available or possible outcomes for a masterplan. This outcome is too critically important to the future sociological, environmental and economic outlook of Badenoch and Strathspey to be so restricted.

Comments for Planning Application 2020/0076/DET

Application Summary

Application Number: 2020/0076/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works for strengthening funicular viaduct

Case Officer: Stephanie Wade

Customer Details

Name: Mr Dave Morris

Address: 2 Bishop Terrace Kinnesswood Kinross

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the above planning application on the grounds that it is incomplete and therefore invalid.

This development would require extensive movement of materials on site and the application does not explain how this will be achieved and what the potential impacts would be to surrounding vegetation and soils. The planning application for the construction of the funicular contained such information and was a key factor in securing approval. A similar process needs to be followed when substantial repair work is proposed.

In addition I wish to remind the CNPA that construction work generally on Cairn Gorm needs to take full account of the fragility of soils and vegetation on the upper slopes of the mountain, especially with significant areas of bare ground present, both naturally occurring and created by past construction work. This creates a potentially dangerous situation in regard to water flow off the mountain, notably during periods of severe rainstorm. Past events of this type have caused the public road to be breached on three occasions and today the path beside the Allt Mhor, below the sugarbowl, it closed due to erosion and wash out. The applicants need to explain how they are monitoring the state of bare ground on the mountain and how this will be affected by their proposed repair work to the funicular. The need to reduce the overall amount of bare ground through reseeded and revegetation is obvious and has not been tackled in recent years to the extent necessary. The planning application should not be approved until such time as this problem is resolved.

Comments for Planning Application 2020/0076/DET

Application Summary

Application Number: 2020/0076/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works for strengthening funicular viaduct

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: I object to this Planning Application !

Earlier today, I spent a LOT of time making a Comprehensive Objection....however when I pressed Submit up came the Notification.....Time Out...Expired !!! This is not the first time this has happened with an objection to a Planning Application.....you have been told about it before and it looks as though nothing has been done.....NOT ACCEPTABLE !!

I think, given the current Worldwide Crisis, that the only thing that should be happening with this Planning Process, is a complete Suspension !!

So many reasons for this.....one in particular being that no Individual can speak at the Meeting and no Public attendance !

If you do not Suspend, the only conclusion I can reach is that you are being extensively lobbied by HIS and others....and being given a Nod by Scottish Government representatives !!

I doubt that you will act on these comments, which many others will agree with.....so Reject this Application !!!

George
Paton

From:George Paton
Sent:20 Apr 2020 12:08:47 +0100
To:Planning
Subject:Funicular Strengtening Works

Hi....

This is another aspect of my Objection ...as mentioned by Gavin earlier !

Hope this one does not vanish !!

Bearing in mind that HIE have persistently refused to release.....via FoI Requests etc.....the results of Engineering Inspections, there is absolutely no mention in any of the Methodology of what is actually happening regarding fixing/curing any defects !! eg Props being fitted to Piers..what is the Deflection in each Pier that is proposed to be worked on ? The same applies to Bearings and Beams !

Nothing about what these Props are made of, and how they are to be adjusted and fixed to the Crosshead ?

No mention of steps that will be taken to alleviate the ingress of moisture at the Crosshead fixing ?

No mention of effects of Temperature variations ?

Work site/access areas for Pier works are a combination of false and ambiguous !

The proposed Channel and Threaded Rod strapping on the Beams has no mention of dissimilar Metal Insulation, or again moisture ingress or Temperature variations ?

Planning on using the outlined storage area for Helicopter Work in the Ciste Car Park is crazy.....a loose slope.....so many hazards there !!

Very little mention of Plant and Helicopter refueling ?

Not a full description of Welfare/First Aid Facilities ?

Nowhere does it say that there is a prospect of much more additional work...should additional defects be unearthed at ths Piers ?

At no point that I can see is there a mention of how long this proposed botch up going to last ?

There has never been any mention of a Tendering process for Contractors ?

In the Recent Application for works on the Ptarmigan building, the Company were told they could not use a Helicopter due to Bird proximity....yet it is written that the proposal is for Helicopter use a few metres away.....total contradiction !!

Probably many more pointsbut here are 2 things to consider...

CNPA and the Planning Committee have to realise that if they give consent to this Joke...when it fails again.....they will be held responsible !!!

I hope you do not grant consent to throwing more millions of Public Money to a piece of Equipment that has NEVER been a Commercial success and NEVER will be !

I feel that behind the scenes you are being leant on by HIE and certain Scottish Government Officials to give consent !!

Yours Faithfully

George Paton

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

20 April 2020

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

Objection to Planning Application 2020/0076/DET - Engineering works for strengthening funicular viaduct - Cairngorm Mountain

I wish to object to this planning application and request that the CNPA Planning Committee rejects this application. There is much to criticise in the large number of documents, but I am focussing on the main issues as I see it. My reasons for objection are:

1. The Application Site Boundary

It is stated that the application site boundary extends to 0.98 hectares. This is incorrect as the site boundary does not include the upgrading of existing access tracks and the formation of what are termed temporary tracks. These works need to be included in the site boundary.

My justification for this is based on the definitions and words in the Scottish Planning Series Circular 5 2009: Hierarchy of Developments. Paragraph 13 states: *In the Schedule of Major Developments the term 'area of the site' is used for measuring some of the thresholds or criteria against. Regulation 1(2) defines site as "the land to which development relates". Development is defined in section 26 of the 2006 Act as "the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land, or the operation of a marine fish farm", subject to a set of seven exceptions of operations or uses of land which do not constitute development such as local authority or statutory undertakers works.*

Upgrading of existing tracks and creation of even temporary tracks is the carrying out of engineering operations in and on the land. Such works cannot be the subject of a separate planning application as the sole reason for carrying out the work to various access tracks is to repair the funicular.

The implication of this is that the planning application 2020/0076/DET is not a competent planning application as the site boundary is incorrectly described. If the areas of land on which work on existing and temporary tracks are included, the site boundary will extend to well over 2 hectares. Increasing the site boundary to over 2 hectares makes this development a Major Development as defined in the same

Scottish Planning Series Circular. There are 9 categories of Major Developments defined in this Circular. I believe this application falls into category 9 “Other Development” which makes it clear that this site is a Major Development.

The agent who completed the application therefore incorrectly answered two of the questions contained in the Checklist. Namely, the agent stated that:

- a Pre-Application Consultation Report is not applicable
- a Design and Access Statement is not applicable.

Both of these are required for a Major Planning Application.

Consequently this application needs to be rejected by CNPA Planning Authority and only re-submitted as and when a public pre-consultation exercise on the repair of the funicular has been completed and reported, and a Design and Access Statement meeting the technical requirements of such a document is included with the application.

2. Lack of a Masterplan for the Cairngorm Mountain area

Even HIE and Cabinet Secretary Fergus Ewing have recognised the requirement for a complete masterplan for the Cairngorm Mountain area. A masterplan contract has been let and the draft masterplan document is awaited to go out for public consultation. The future of the funicular is a key part of the masterplan for the future of Cairngorm Mountain. Amazingly, HIE has instructed the masterplan consultants to assume that the funicular will be repaired and will form an integral part of the future of Cairngorm Mountain. This is contrary to masterplan good practice, and is even more problematic when the cost of the works is being funded by public money, which has not been approved, and which is the subject of investigation by Audit Scotland.

CNPA Board approved its “Cairngorm Mountain – CNPA Working Principles on 29 March 2019. In this report amongst other matters the Board committed to: *“Any proposals should be part of a masterplan for the ski area as per the proposed new Local Development Plan”*.

Was this just window dressing by the CNPA Board, or does it intend to comply with its own Working Principles? To maintain any credibility as an impartial Planning Authority, CNPA must reject this planning application.

3. Other inconsistencies with the Cairngorm Mountain CNPA Working Principles

I could argue that this application breaches most if not all of the listed working principles, but I will only focus on a few.

I do not see anywhere in the application supporting documents that the proposals are cognisant of climate change scenarios to ensure long term sustainability. It was intended that this was to be one of the purposes of the masterplan into the future of Cairngorm Mountain.

Principle g) states:

The operational model for Cairngorm Mountain needs to be fit for purpose and affordable in the long-term. There is no information in the application supporting documents covering this. Again the masterplan for the future of Cairngorm

Mountain should be covering this issue. All the real and impartial evidence shows that the funicular has not been financially viable for many years. It has also been demonstrated that the funicular has not been fit for purpose and that customer numbers using the funicular (both winter and summer) have been dropping for 5 years.

Again, I state: was this just window dressing by the CNPA Board, or does it intend to comply with its own Working Principles? To maintain any credibility as an impartial Planning Authority, CNPA must reject this planning application.

4. Planning Statement supporting this application

The Planning Statement contains many misleading statements.

1.4:The Operation of the funicular delivers a significant economic contribution to the local and regional economy, and is essential in providing all-season access and accessibility to Cairn Gorm.

This is incorrect and is stated without any supporting evidence. We operate a very successful B&B in the area attracting visitors from all over the world. Virtually none of our visitors go to Cairn Gorm and even less use the funicular. Many of our guests return as they loved the area and had much more to see and do. I re-emphasise almost none of our guests are even interested in the funicular, far less spend money on it. I accept that the ski resort does provide some economic benefit to some businesses based in Aviemore only, but I emphasise it is the ski resort NOT the funicular which provides this marginal economic benefit. The Cairn Gorm ski resort is in terminal decline, unless something is done to improve the ski uplift and associated facilities it is likely to close within 5 years. Repairing the funicular with all the associated costs will do nothing to reverse the terminal decline which was already very apparent in the years before the funicular closed.

2.6: This application site boundary has been explicitly defined to enclose only areas where development requiring planning permission will take place.

For the reasons given in my Point 1 above, this statement is untrue.

3.1 The application seeks planning permission for works to strengthen the funicular viaduct.

This statement is incomplete as it is proposed to upgrade existing access tracks and install temporary access tracks. These enabling works require to be included in the planning application.

5.4 contains the following statements:

- The proposed engineering works will result in no adverse environmental impacts on the site or neighbouring area (see, in particular, the supporting statements which have been provided by Atmos and Brindley);
- The return to operational service of the funicular will make a positive contribution to the experience of visitors; and
- The return of the funicular to operational service will assist in extending the core tourist season.

As the works to upgrade existing tracks and install temporary access tracks have not been described, including their associated restoration works, there is no evidence of no adverse environmental impacts. Additionally, the statement in para 5.6 of no significant adverse effects on the landscape cannot be justified without details of works to be carried out including restoration works on the access roads.

The funicular has been losing popularity year on year, there is no evidence that repairing the funicular will make any positive contribution to the visitor experience.

The return of the funicular is likely to do nothing to extend the core tourist season. Skiers have been voicing their dislike of the funicular for years – hence the significant drop on market share for Cairngorm Mountain. The proposed repairs with their associated ‘props’ are likely to result in increased snow collection on the structure with increased associated delays on good winter ski days. The aspirations of the proposed LDP for a year round economy will NOT be assisted by the repair of the funicular. This will just ensure the demise of the ski resort. The masterplan on the future of Cairn Gorm should be the document to address this aspiration as significant changes will be needed if the winter ski resort is to survive – including new fit for purpose uplift.

5.11 states:

It is submitted that, in relation to the relevant provisions of SPP, the proposed works, by achieving the return to operation of the funicular, will be in accordance with policy aspirations in relation to:

- Net economic benefit;
- Supporting local economic strategy; and
- Making efficient use of existing capacities of land and infrastructure.

There is no evidence presented that the repair of the funicular will provide net economic benefit. Spending in excess of £12million on repair of the funicular will produce NO economic benefit. (£12million is based on HIE’s declared estimate, plus the cost of updating and repairing the control gear which will be necessary for the funicular to go back into service). Remember, operation of Cairngorm Mountain has resulted in two liquidations of operating companies and incurred major losses which have had to be made up out of public money. It is clear that Cairngorm Mountain has been a major loss maker for a decade or more. Why then would returning the funicular to operation be of economic benefit, especially when

consideration of climate change and the lasting effects of the Covid-19 crisis are evaluated. Consequently the repair of the funicular will do nothing to support local economic strategy and a major loss making venture is hardly making efficient use of existing capabilities of land and infrastructure.

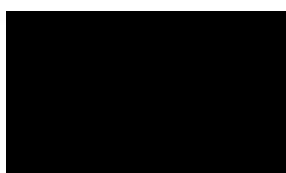
5. **Description of Repairs**

I have covered off elsewhere the significant lack of detail on works associated with upgrading access tracks, constructing temporary access tracks and associated restoration works. Focussing on the repairs to the funicular supports, although a planning application for engineering work of this nature does not require to include all the technical details and drawings associated with the works, there needs to be some description of what these so-called props look like and the materials used to construct and install them. Incredibly, apart from a few drawings showing the shape of the props and how they relate to the existing structure, all this information appears to be missing. No evidence is presented to show that:

- the visual impact will not be significantly worse than current
- that the props will function as designed
- the ability of the props to withstand weather conditions, what the lifetime of the props will be and what their maintenance requirements will be
- that the props will not increase the likelihood of increased snow drift build up on the funicular structure, resulting in increased delays and reduced operability in good ski days and increased costs to maintain the structure and clear snow build up from the structure.

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,



Dr Gordon Bulloch

Planning Application 2020/0076/DET

Funicular Railway Repair

I wish you to consider this as my objection to the planning application.

Cairngorms National Park Proposed Local Development Plan 2020 – Draft Action Programme

TABLE 3.1: INFRASTRUCTURE DELIVERY AND OTHER PROJECTS IN LDP					
Settlement/ Project Name	Infrastructure/ Project Description	Status / Constraints	Timescale	Lead Agency	Other Partners
Cairngorm Mountain and Glenmore	<p>Strategy approved by CNPA Board in September 2016 and by all public sector partners later in 2016.</p> <p>Development of a Strategy and Action Plan to:-</p> <ul style="list-style-type: none"> Enhance the visitor experience to match the quality of environment Enhance habitat and species conservation on a landscape scale Support and enhance the regional economy Create outdoor learning opportunities for all 	<p>A number of projects supporting the delivery of the Strategy include:</p> <ul style="list-style-type: none"> The re-development of the visitor management plan for Glenmore (FCS) Application to Rural Tourism Infrastructure Fund to build a multiuse path linking car parks and visitor sites in Glenmore (CNPA) Appointment of consultants to evaluate the visitor experience and make recommendations on how to improve the long term value (HIE). Continued research into the opportunity to purchase the state owned land at CairnGorm Mountain (Aviemore and Glenmore Community Trust). 	2020 onwards	Natural Retreats, FES, SYHA	CNPA, The Highland Council, SS, SNH, HIE, Highlife Highland.

In the screenshot above taken from the CNPA website, under Infrastructure/ Project Description, “Support and enhance the regional economy”.

HIE has made no figures available as to how the Funicular promotes this statement, and in fact when asked about the numbers of discounted tickets sold in order to promote the economical benefits of the train to CMSL, were unable to do so. In order to determine the Funicular economic viability to the CMSL business those figures should form part of the business case for the planning application and subsequent application to the Scottish Government for the funding. There is anecdotal evidence on Parkswatch Scotland that has also featured in The Strathy that the only time that the Funicular, or any other form of

uplift, is of economic advantage, is in the winter season. That is why some businesses close in the winter in order to carry out routine maintenance and take annual holidays. It has also been recorded that since the Funicular closed some businesses have had more profitable seasons. It is not therefore the financial benefactor that HIE would have us believe.

On Thursday 16/04/2020 I sent the following email to your planning officer to which, at this time, I have not received a reply:-

Good afternoon Stephanie.

Reading the planning application for the Funicular repairs I have noticed a lack of some information which I am hoping you can clarify?

(1) The Methodology Reports Parts 4,5,6 and 7 show an area enclosed within the black lines that is part of the works access and storage sites etc. yet, unlike the Beginners bulldozing application, it is not included in the planning application,

(2) I have not been able to find anything about where refuelling of contractors plant will take place or where the plant will be garaged at the end of the day,

(3) There is no indication of where the "historic roads" are and how they will be uncovered and subsequently re-instated,

(4) What equipment will be needed for the shot-blasting and protection of the surrounding areas, and,

(5) there appears to be no indication of the volume of peat which will need to be dug out for the strengthening works foundations.

Could you please clarify these points? If they are included in the documents and it is just that I have missed them, in which case please accept my apologies for the oversight, would you be able to tell me which documents they are in?

Thank you for your time and patience.

Graham Garfoot.

Points (1), (3) and (5) have now been covered by others in their objections but points (2) and (4) now form part of my objection and need to be answered.

Further to these, there is no detail as to the construction materials for the “props” as outlined in the following screenshot:-

Wooden props out of the question, as it is claimed the props will be adjustable, which brings us to the other options.

(1) Acrow (scaffolding type) props. These are two tubes one smaller dia. than the other with a heavy duty screw thread allowing adjustment. There are two problems with these, one being the coefficient of expansion of steel. It expands with heat and contracts when cooling. The second I will come to after this:-

(2) Grease or oil filled props. These would be assembled with seals to stop oil or grease escaping and polluting the surrounding area, but seals do fail and steel pitted allowing leaks.

The other point which also applies to type (1) is that at least once a day, and possibly more often in extreme conditions, each prop will have to be checked to make sure the correct pressure is being maintained on the piers. With the acrow type prop that is as simple as tightening or slackening the adjusting nut, but the other two will require a grease gun or hydraulic pump, similar to a hydraulic car jack, to raise the pressure, presumably each pier will have its own pressure gauge, or to lower the pressure, grease or oil will have to be released into a container.

(3) As (2) but nitrogen filled props, or, as we know it on a car, a shock absorber.

Whichever option is chosen will mean every repaired pier needing to be checked for health and safety reasons each day BEFORE operation can commence!

The type of prop being used has not been established in the planning application and should be taken into account in considering the case for the repairs. Every morning before operation each of the 60 props will need examination to ensure they have not worked loose overnight due to the effects of contraction in the lower temperatures and that no seals on the props have burst, which could be a **pollution** incident and necessitate closure of the Funicular until repairs are completed. This will also need to be carried out throughout the day as temperatures rise and fall. All of this will increase the daily operating costs, but more significantly will delay opening times causing more customer frustration.

There are other areas of this planning application that are devoid of the necessary information, but these have been covered by others so I will only say that I add them to my objections. Those areas however should be the reason why this planning application should at the very least be put on hold until the relevant questions are asked and suitably answered.

I also wish to object to the closing date for public comments. The Loch Lomond and Trossachs National Parks Authority to their credit allow objections to planning applications to be entered up to the date of the board meeting. Your failure to do this in my opinion prejudices the outcome of planning applications as it prevents comments on information provided by the applicant AFTER the closure to the public.

Yours

Graham Garfoot,

!4 Calf Close Walk,

Jarrow.

Tyne & Wear.

NE32 4HA.

Comments for Planning Application 2020/0076/DET

Application Summary

Application Number: 2020/0076/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works for strengthening funicular viaduct

Case Officer: Stephanie Wade

Customer Details

Name: Mr Davie Black

Address: Mountaineering Scotland, The Granary West Mill Street PERTH

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Mountaineering Scotland objects to this proposal as it stands.

Mountaineering Scotland represents the interests of more than 14,000 hillwalkers, climbers and snowsports tourers in Scotland, and also acts on behalf of the 80,000 members of the British Mountaineering Council (BMC) on matters related to landscape and access in Scotland.

Our first point lies with the need for the Masterplan for the land to properly guide the development planning process here. Ad hoc applications show a lack of proper strategic planning.

Questions on the comprehensiveness of this application arise with the lack of inclusion in the area proposed for development of temporary access tracks connecting from the existing track to facilitate potential repairs on individual pillars, and the extent of hard standing required for materials.

Further information is required on turf lifting, storage and replacement for temporary tracks.

Questions are also raised on the suitability of existing tracks to be used by construction plant required for pillar repair, and whether upgrade or reinforcement is required, and reinstatement afterwards.

It is important that no new permanent tracks be created without full justification for scrutiny by the National Park Authority.

In conclusion, there are sufficient grounds for the planning authority to reject this application.

Comments for Planning Application 2020/0076/DET

Application Summary

Application Number: 2020/0076/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works for strengthening funicular viaduct

Case Officer: Stephanie Wade

Customer Details

Name: Mr Simin Ball

Address: 2 Lodge Lane Aviemore

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The boundary of the planning application does not include the extensive areas used for access and works traffic inside/outwith the "working area" around the train bases. No mention of how many temporary tracks are needed, their location and what type they will be and also there is an absence of plans as to how the area will be returned to normal. There are no specifics on "upgrading" existing tracks. No detail on how and what materials will be used in strengthening the "running surface". There is no mention of "sensitive" areas. There are no specifics as to how on the steeper ground access will take place for repairs, any heavy use here will result in subsequent heavy erosion and wash of materials into existing water courses. At the very top 250 meters there is mention of helicopters being involved but no mention of its impact on protected nesting birds. In general there is a complete absence of proper plans for creating and restoring access tracks for the proposed repair to the funicular structure. The area probably effected would be about 5 times that of the Shieling upgrade where plant machinery was mismanaged, not independently audited as to restricting its movement within the scope of that which was authorised and on the whole was a clumsy exercise in destroying the natural habitat.

Notwithstanding the presence of, and continued insistence of HIE in supporting, the funicular is a very controversial subject. When less ecological and visually damaging options exist in the way of chairlifts and gondolas and when they will operate in conditions the funicular cannot and when the funicular has proved time and time again to not produce a fraction of the uplift that was initially suggested. It is not the right engineering solution for the mountain (as was pointed out at planning stages). It is an unsightly scar in a natural park and a failed business plan which HIE insist on hemorrhaging public money into.

Comments for Planning Application 2020/0076/DET

Application Summary

Application Number: 2020/0076/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works for strengthening funicular viaduct

Case Officer: Stephanie Wade

Customer Details

Name: Mr George Allan

Address: 7 Bothwell Terrace Pitmedden Ellon

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am writing on behalf of the North East Mountain Trust (NEMT -SCIO 008783), a Scottish charity based in the Grampian area, which represents the interests of hill-goers and those who enjoy wild land and remote places.

NEMT endorses the comments made by Aviemore Community Council. A properly informed decision regarding developments on the mountain can only be made in the context of a master plan which considers the options both with and without the funicular. The master plan currently being developed will only consider options with the funicular operational. This is completely unacceptable.

NEMT would like to make the following comments regarding the application itself.

There will be significant disturbance to the ground in quite a wide corridor and it is essential that landforms are not altered and that restoration of vegetation is undertaken to the highest standards. Whatever the controversies surrounding the building of the funicular, NEMT acknowledges that construction and restoration were of a high quality and, should repairs go ahead, the same high standards must be applied. In recent years, HIE and the management company have proved to be poor custodians allowing unauthorised work to take place and maintenance to slip. While the appointment of an ecological clerk of works will be essential, NEMT asks the CNPA to inspect the work as it progresses and on completion.

NEMT agrees that a peat management plan should be prepared and that there should be compensatory measures for loss of habitat. If existing tracks need to be widened to accommodate heavy plant, they should be restored to their current width. Any new tracks must be removed and the CNPA should refuse any applications to retain these for other purposes.

Comments for Planning Application 2020/0076/DET

Application Summary

Application Number: 2020/0076/DET

Address: Cairngorm Mountain Glenmore Aviemore Highland PH22 1RB

Proposal: Engineering works for strengthening funicular viaduct

Case Officer: Stephanie Wade

Customer Details

Name: Mr Nick Kempe

Address: 23 Queen Square Glasgow

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I believe this Planning Application is invalid because:

- 1) The Planning Application site boundary only covers a small part of the area where work will take place. For example, it does not cover the working boundary on either side of the funicular or work on the access tracks, both permanent and temporary outside of this.
- 2) Were all these areas to be added it would class as a Major Development and require not just higher fees but a Pre-application consultation report (none has taken place) and an Access and Design Statment
- 3) HIE states the reason for the limited area being included in the application is that the other work does not require planning permission. Yet the CNPA has rightly required other landowners to submit Planning Applications for track upgrades and as for the work alongside the funicular in the working area, my understanding is this WAS included in the original planning application for the funicular and such work was included within the planning application boundary for the beginners ski area approved by the CNPA in December. It would be wrong for the CNPA now to take a different approach.
- 4) Moreover, its clear from the responses from the CNPA's own staff, with recommendations about track and peat restoration that they are acting as if these matters ARE part of the planning application and within the planning boundary. It is difficult to see how the CNPA can attach conditions to how the land is managed if it considers this outwith the planning boundary.
- 5) No masterplan has been submitted as the CNPA Board made clear should be provided BEFORE any further applications should be approved at Cairn Gorm.

These arguments are spelled out in more detail on parkswatch and I would request these are included as part of my objection <http://parkswatchscotland.co.uk/2020/04/19/the-funicular-planning-application-3-how-can-it-be-valid-when-access-tracks-omitted/>

From:Nick Kempe

Sent:20 Apr 2020 23:37:10 +0100

To:Planning

Subject:Further comment/objection on the planning application to repair the funicular

Dear Madam/Sir,

Further to the comment I submitted on the online Planning Portal asking for this planning application to be declared invalid, I am emailing because I ran out of space and the portal would not let me submit a second comment. I request that this also be included.

Should the CNPA decide to proceed with the application to repair the funicular- presumably on the basis that all the ground affected by the development will be treated as being within the application boundary/requiring planning consent, I would like to lodge the following additional objections:

1) HIE has refused to release the COWI report into the causes of the movement of the funicular piers and has, within this application, not provided any explanation of why the proposed works will address the issues. Unless this is made public it is impossible for the public or the CNPA to judge whether what is proposed will work and if so for how long. This makes it impossible for the CNPA to determine whether what is proposed is compatible with its legal duty to promote sustainable development and wise use of resources.

2) Related to this the CNPA has not produced any business case for the repair. The funicular had already been losing money for years ([see http://parkswatchscotland.co.uk/2020/04/14/the-planning-application-to-repair-the-funicular/](http://parkswatchscotland.co.uk/2020/04/14/the-planning-application-to-repair-the-funicular/)), numbers using it had been dropping contrary to general trends on Speyside and repairing it will not change that. In addition it appears that the repairs could INCREASE running costs if the pier supports need regular checking/maintenance - as appears likely as they appear to be adjustable - and will trap more snow in winter reducing its winter use even further (its already used less than chairlifts in the other Scottish resorts because of design flaws). There is a very strong case therefore that repairing the funicular is not sustainable and that is the case even before one considers the wider economic challenges we will face after the Covid Crisis (see <http://parkswatchscotland.co.uk/2020/04/15/cairn-gorm-and-hies-priorities-for-the-highlands-in-the-aftermath-of-covid-19/>)

3) The plans for the access tracks are unfit for purpose (see <http://parkswatchscotland.co.uk/2020/04/19/the-funicular-planning-application-3-how-can-it-be-valid-when-access-tracks-omitted/>). When the funicular was built great care was taken in restoring the access track with every stone that was removed marked and carefully replaced. The new application does not even indicate the line of the tracks (leaving this till when the contractor is on site), does not show what type of track will be constructed where, does not spell out how materials will be stored and replaced, does not say how any track on steeper ground will avoid being eroded and there are no plans for restoration or for any monitoring afterwards. In addition the application refers to material being imported for the track surfaces, does not say where this will be from or if the materials are brought from off site how they will be removed.

4) Similarly, the plans for the excavation works to install the pit supports are inadequate. There is NO indication of where the excess materials will be taken. The Peatland Adviser has indicated that there are places where peaty vegetation could be used but no consideration appears to have been given to where the material will go (and it will once uncompacted expand in size). It's clear from the groundwater running down the slope that many of the holes will fill with water and the pollution prevention measures appear non-existent.

5) The proposed use of helicopters is inconsistent with the decision of the CNPA re the Ptarmigan Planning Application that they should NOT be used because of risks to protected birds. HIE has provided no explanation to show the risks below the funicular tunnel will be any different

Yours Sincerely,

Nick Kempe

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Nick Kempe
23 Queen Square
G41 2GB

