

AGENDA ITEM 8

APPENDIX 2

2018/0400/DET

**REPRESENTATIONS -
OBJECTIONS**

Comments for Planning Application 2018/0400/DET

Application Summary

Application Number: 2018/0400/DET

Address: Balavil House Kingussie Highland PH21 1LU

Proposal: Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, between Allt Ruighe na Riog and River Dulnain

Case Officer: Edward Swales

Customer Details

Name: Mrs Allison Simpson

Address: 3 St Andrews Close Whitley Bau

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Object on the grounds that another track is not needed in this area as other tracks are near by. Estate should use other modes of transport ie pony or foot to access the land and stop the erosion of precious upland areas by vehicals.



Campaigning for the Conservation of Wild Land in Scotland

Publisher of Scottish Wild Land News

The Cairngorms National Park Authority
Planning and Communities
14 The Square
Grantown-on-Spey
PH26 3HG

Beryl Leatherland
Convenor
57 Charles Way
Limekilns
Fife KY11 3LH
10th January 2019

Dear Sir

Application 2018/0400/DET: Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, between Allt Ruighe na Riog and the River Dulnain, Balavil House, Kingussie PH21 1LU.

I am responding on behalf of the members of the Scottish Wild Land Group. This development proposal is in conflict with our aims and objectives and hence we are writing to make an **OBJECTION** to its construction.

Our grounds for objection are

1. We have great concern for the potential conflict with 1.3e of the Cairngorms National Park Partnership Plan [CNP PP] and CNPA Policy 5 if this application is permitted. This is our main objection to the proposal.
2. Landscape/Wild Land Area impact:
 - a] The road has the potential to adversely impact on the landscape and qualities of the Wild Land Area [WLA]
 - b] The cumulative impacts of hill roads in the vicinity have not been assessed and taken into account in documentation.

In addition, we have concerns over the potential for peat damage, including deep peat, and changes in hydrology.

1. MAIN REASON FOR OBJECTION

The Cairngorm National Park Partnership Plan [CNP PP] at 1.3e states a presumption against new constructed tracks in open moorland. The concern is that giving planning permission to this road would set a precedent and open the door to other landholders to claim they need new roads in order to make good any damage caused by off-road vehicle use in sensitive habitats and landscapes. We appreciate that precedent setting isn't perhaps a material planning consideration but nevertheless we would suggest that this is a matter the Planning Committee should consider. As we have seen from our work with the Scottish Environment LINK Hilltracks Campaign, there have been some cases of this reasoning being used in track applications in other parts of Scotland, including in a



NSA. This is a recent trend and it seems to be increasing. We consider that the current application could be an important test case; if this road is permitted it could be seen by many communities of interest to invalidate this aspect of the CNP PP and open the doors to unlimited and inadequately controlled and regulated [via Prior Notification applications] uphill road expansion.

The obvious concern is that once a track is “repaired” as a result of such an application being accepted, then ATV use will continue and extend beyond the end of the “repair” and a few years later there will be another application for a road extension/repair and a further intrusion into the landscape, including in WLAs. If this road is consented then we suggest that there should be a condition attached to prevent this happening, and delivery on this should be monitored. The key issue here is the lack of regulation of ATV use, or an agreed code of practice.

A consideration of the CNP PP presumption does not feature in the Committee Report. At the least there should be a section to consider 1.3e to explain why the presumption in this case has not been included as a relevant consideration, an analysis of the reasoning involved, and a consideration of possible consequences and outcomes. SWLG judges that in this case there is no need to deviate from the presumption; because there are no compelling grounds to do so from any of the points in the list of justifications for the road provided by the applicant.

It is particularly difficult to justify any claimed agricultural use; in this case, why would one need a road for livestock that goes over a range of hills and down into another valley? The road is obviously intended for mainly sporting access; the other justifications listed are secondary to this. It should be considered feasible to negotiate and share access roads with the adjacent Pitmain and Dunachtor estates. There needs to be a spatial assessment in such cases to avoid roads that could be considered to be unessential from being constructed in upland habitats and landscapes. The clause in the CNP PP “there will be some instances where the existing and extensive network of tracks does not provide the vehicle access desired for movement” is appropriate in this context as there is already the potential to use nearby roads instead. In this case one has to ask whether there is in fact any intention to apply for a further extension at a future date [especially considering that the road will terminate in an unusual location, and that one of the Applicant’s documents refers to “Phase 1”]. There are apparently already other ATV tracks developing in the close vicinity of this proposal, according to our members, but we intend to visit and check on this for ourselves in the next couple of weeks.

This road will not contribute to the policy statement “provide for the construction of well-designed new tracks where they are part of a programme of works that enhances the special landscape qualities of the national park”. The proposal is in conflict with the NP Policy 5 on Landscape, which should, we suggest, have been considered for inclusion in the Committee Report, especially the “social or economic effects of national importance”.

2. LANDSCAPE

a) The road would be in a WLA. This is not a statutory designation but there is protection for WLAs provided in Scottish Planning Policy [paragraphs 193,215 and200] and wild land is recognised in NPF3 as a “nationally important asset” that “merits strong protection”. We note that SNH have judged that there will be potential to impact on the wild land qualities due to the introduction of construction infrastructure. We very much agree. If the road is consented then there are obvious implications for any conditions set, monitoring of constructor’s adherence to them and the contents of the CMS. We accept that careful siting and design can reduce [but not eliminate] such impacts but statements in development proposals have to be precisely reflected in work on the site, and we have sometimes seen this failing to materialise. This road will probably extend more grouse shooting, [and sporting use is one justification given by the Applicant] which may be intensive, into the WLA. This will also detract from wild land quality.

We note that one justification given by the applicant is that it would be positive for public recreation, yet a road in a WLA does not enhance public access rights or enjoyment but rather

detracts from them. In practice what can tend to happen is that many estates, particularly during the stalking season and despite the existence of the SOAC and the Hillphones system, attempt to restrict access to the roads, even when there is no management activity going on, and deter visitors from exploring other parts of the area.

b] A stretch of this road would be in the Cairngorm National Park and also a WLA. One matter that has not been included in any of the documentation made available to the Committee members to enable them to make a fully informed decision is an evaluation of the cumulative impact of this track in association with the others on the surrounding estates. Due to the orientation and shape of these estates tracks extend from the Spey valley down into the Dulnain catchment and tend to be highly visible – largely due to their width, a general lack of a central vegetated strip, and the use of imported surface material. In addition, there is a virtual network of tracks among the estate lands and much potential to sharing what exists already [we accept that in some cases there may be a greater distance to travel, but this does not justify building another lengthy section of hill road for occasional and intermittent use]. In the documentation provided by the Applicant proposals are described as “repair”, yet there is no pre-existing road in many sections, especially that part in the CNP; this is misleading and these sections should be referred to as being construction of new road sections.

CONCERNS OVER PEAT ISSUES


Peat restoration is given as a justification for the road. However, obviously any road construction on peat rich ground, especially where there are areas of deep peat as in this case, will cause damage along its route and the surrounding area due exposure, drying out and break up, and changes in hydrology. This will impair carbon sequestration capacity [and conflict with Scottish Government policy on peatlands] and also impact, either by flooding or drying, on any sensitive local habitats such as GWDTEs. We have decided not to object on peat concern grounds, however, as we have read the SEPA submission and agree with their points on wetland and peat protection, flood risk, their regulatory advice and the conditions they specify as being necessary, provided their recommendations and stipulations are taken into full account in the CMS, and communicated to and followed by the contractor. There will also need to be monitoring of delivery during construction. SWLG has consulted on these points with one of our members who has extensive professional expertise in this area.

I consent to my personal data being used as you specify on your website.

Should you have any queries about the above, please contact me preferably by e-mail.

Beryl Leatherland

10 January 2019


Email scotland@ramblers.org.uk
www.ramblers.org.uk/scotland

The Cairngorms National Park Authority
Planning and Communities
14 The Square
Grantown-on-Spey
PH26 3HG
planning@cairngorms.co.uk

Dear Sir

**Application Number: 2018/0400/DET Address: Balavil House Kingussie Highland PH21
1LU Proposal: Upgrade to existing hill access for vehicles, including sections of new
track construction, and repair and improvements to existing track, between Allt
Ruighe na Riog and River Dulnain**

Ramblers Scotland is writing to object to the above application on the grounds that it is predominantly a new track in a Wild Land Area, and is contrary to the presumption against new tracks in open moorland as set out in the National Park Partnership Plan. Given that this plan was published in 2017 and the draft local development plan, which is shortly to be consulted upon, sets out a policy to deliver on this ambition, we believe this new track construction should not be permitted to go ahead. Ramblers Scotland co-convenes the Scottish Environment LINK Hilltracks subgroup which has campaigned for new tracks to be brought into the planning system. The reason for this is to ensure that tracks are properly constructed and these standards are enforced, that the public is consulted on new track applications and, crucially, to enable planning authorities to refuse permission for inappropriate tracks.

We have seen the responses already submitted by the North East Mountain Trust and the Scottish Wild Land Group support the more detailed points made.

We disagree with the estate's assertion that the track is necessary and justified to support 'Public access – the Right to Roam'. Members of the public have long enjoyed accessing the River Dulnain and surrounding uplands, particularly due to their special, wild qualities, and we are unaware of any calls from recreational users for this track to be built.

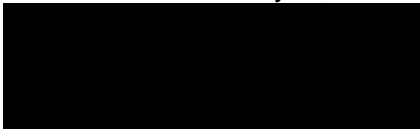
We are aware of the argument that the estate has chosen to drive its vehicles along this route and therefore that the new track would help to repair some of the damage caused by this informal and unregulated use. However, we also have concerns that, if approved, this case would set a further precedent to other landowners, who may also make applications for new and intrusive tracks in areas where they would otherwise be inappropriate on landscape or ecological grounds, on the basis that a new track would reduce the damage caused by sustained vehicle use. We are aware of a large number of existing tracks in this part of the national park and believe that the cumulative impact of this new track within a Wild Land Area needs to be taken into account by the planning committee.

As a suggestion for how the CNPA could tackle this particular aspect of informal ATV tracks causing damage and then being used as the justification for new track construction, the LINK hilltracks group has been discussing a potential national initiative whereby a Code of Conduct on responsible ATV use is developed by Scottish Natural Heritage in association with land management and environmental/recreation bodies. This should set out voluntary commitments to minimise the increasing damage being caused by ATV use, especially when the vehicles are used away from existing constructed tracks. For example, land managers could identify zones within their estates where there is a presumption against any ATV use, or other zones where seasonal use only may take place. Likewise, discussion of varying terrains and the extent of the impact caused by ATV use on these types of ground could be set out. Zoning could ensure sensitive areas are avoided (eg, wet and peaty soils, sphagnum areas, summit ridges, peat hags, etc).

We raise this issue here to demonstrate that as part of efforts to deliver the park's presumption against new tracks in open moorland, the CNPA should take a lead in coordinating the land managers in various parts of the national park to trial such a zoning approach. We hope this would lead to cooperation between neighbouring estates in making use of those tracks which already exist, rather than constructing new tracks running along parallel lines in adjacent estates.

We hope these comments are helpful and would be happy to discuss any aspect of our response in due course.

Yours faithfully



Helen Todd
Campaigns & policy manager

Convener: Alison Mitchell
President: Ben Dolphin
Director: Jess Dolan

The Ramblers' Association is a registered charity
England & Wales no 1093577, Scotland no
SC039799 and a company limited by guarantee,
registered in England & Wales (no 4458492).
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Comments for Planning Application 2018/0400/DET

Application Summary

Application Number: 2018/0400/DET

Address: Balavil House Kingussie Highland PH21 1LU

Proposal: Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, between Allt Ruighe na Riog and River Dulnain

Case Officer: Edward Swales

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: In determining the application the CNPA should be clear that there is NO constructed track along the line of the proposed track, only erosion caused by ATVs which also spreads into other parts of the Wild Land Area. I wish to object to the application because:

- it would introduce a new constructed track into the Wild Land Area. There was no assessment in the original Committee Report of the impact on Wild Land or of National Policy
- it is contrary to the CNPA's presumption against new hill tracks in areas of open moorland adopted in the National Park Partnership Plan, a policy which it is proposed to incorporate into the Local Development Plan
- the current CNPA LDP contains a "presumption against any development that does not conserve and enhance the landscape character and special qualities of the Cairngorms National Park including wildness" unless there are social or economic benefits of National importance. There are no such benefits.
- The Highland Council LDP requires an assessment of the cumulative impact of developments on Wild Land. There are already tracks on the neighbouring estates into the Dulnain which have impacted on Wild Land but which could also be used by Balavil negating any claimed need for this track
- The impact on the landscape has been underestimated and the track will be highly visible from a number of points
- The construction will be highly destructive of peatland & in addition the developer has totally underestimated the number and size of borrowpits needed to construct a floating track
- Where the proposed road crosses Carn Dulnain it will follow the line of the old Drove Rd and destroy its character.
- The justification for the track is contradictory, e.g reducing deer but increasing sheep will not deliver the conservation objectives of the National Park.

Should officers recommend approval of this Application I would request the opportunity to address the Planning Commit

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Application Summary

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Proposal: Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, between Allt Ruighe na Riog and River Dulnain

Case Officer: Edward Swales

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 proposed track for vehicular access. This particular route runs through deep peat and is in a Wild land Area. Approval of the track will lead to a major visual intrusion into the heart of a wild land area.

Proliferation of unnecessary tracks is a major landscape issue addressed in the in the Park's Partnership Plan 2017-2022: there is a presumption against new constructed tracks in open moorland.

The wild qualities of the landscape here are a nationally important asset as noted in SPP and NPF3. The benefits of this track accrue only to the landowner.

The Wild Land Assessment document acknowledges that it is "likely to have a negative effect on some of the wild land qualities" yet dismisses this objective statement with a generalised comment that this is not significant at the WLA scale. The WLA scale would require it to be seen from a distance.

Hillwalkers are sensitive to negative impact on wild qualities, walking through the landscape slowly and absorbing the experience at a local scale. Localised effects within the study area are therefore significant.

There is an existing network of tracks nearby leading over the watershed to the River Dulnain, as acknowledged by the applicant. There is little recognition in the Assessment document of the cumulative impact of a series of tracks. An assessment of the extent of tracks allowing access to the River Dulnain is an essential requirement to place this proposal into context in the landscape.

A track of this design is unlikely to blend in with the landscape. Evidence from existing nearby tracks show the likely outcome from track construction in this sensitive environment.

The Cairngorm National Park Authority is well placed to take a lead to support landowners to share the existing network of tracks to access the hill country and encouraging different ways of minimising ATV damage in sensitive landscapes.

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Application Number: 2018/0400/DET

Address: Balavil House Kingussie Highland PH21 1LU

Proposal: Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, between Allt Ruighe na Riog and River Dulnain

Case Officer: Edward Swales

Customer Details

Name: Mr Keith Miller

Address: Keepers Cottage Catlodge, Laggan By Newtonmore

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application for a variety of reasons These include:

- there are several significant contradictions in the application.
- it is contrary to CNPA stated policy "presumption against new constructed tracks in open moorland"
- the proposed new road lies within the Monadhliath Wild Land Area.
- one of the justifications for its need is that it will reduce damage from ATVs. This is an unacceptable reason as, if accepted by CNPaa, all a landowner has to do to justify a new road is to create damage by using ATVs.
- there are existing hill roads on adjacent estates that run close by and end in the Dunain Glen near to the proposed road.
- CNPA should ensure co-operation between estates to achieve the strategic objectives of the NP.
- the construction of this new road, if consented, would clearly be detrimental to access and the right of responsible access as it would create a n obvious linear scar in the landscape and reduce the wild land qualities of the Monadhliath Wild Land Rea.

I urge you to reject this application outright.

10th January 2019



John Low
Policy Officer
Tower House
Station Road
Pitlochry
PH16 5AN

Cairngorm National Park Authority Reference: 2018/0400/DET

Sent by email : planning@cairngorms.co.uk

Cc The Highland Council: eplanning@highland.gov.uk

The John Muir Trust wishes to object to the proposed construction by Balavil Estate of an access track into the Monadhliath Mountains and the Monadhliath Wild Land Area (as identified by Scottish Natural Heritage SNH). This is not an 'Upgrade' of an existing track with a few new sections as is suggested rather it is new development which in part follows the line of some sections of the existing access tracks.

The John Muir Trust is the leading wild land conservation charity in the United Kingdom. Working with people and communities to conserve, campaign and inspire, the Trust is a membership organisation that seeks to ensure that wild land is protected and enhanced and that wild places are valued by and for everyone. Scotland's wild land is an asset of national and international significance but it is a finite resource. Wild land plays a vital role for carbon storage in trees and peatland, gives us clean air, water and food and is home to valuable wildlife. Wild land also plays a vital role in supporting tourism and a wide range of other economic and leisure activities.

The Trust has considered the application against our:

- Wild Land Policy 2010
- Built Development Policy 2013 and
- National Planning Framework (3) 2014
- Scottish Planning Policy (2) 2014
- Scottish Natural Heritage Wild Land Areas Map 2014
- Scottish Natural Heritage Wild Land Descriptors 2017

1. **National Planning Framework 3 (NPF3) states:** *"Scotland's wild land is an asset of national and international significance but it is a finite resource. Wild land plays a vital role for carbon storage in trees and peat land, gives us clean air, water and food and is home to valuable wildlife. Wild land also plays a vital role in supporting tourism and a wide range of other economic and leisure activities."* It goes on to say: *"We will respect, enhance and*

*make responsible use of our natural and cultural assets.” It also states “Scotland’s landscapes are spectacular, contributing to our quality of life, our national identity and the visitor economy. Landscape quality is found across Scotland and all landscapes support place-making. National Scenic Areas and National Parks attract many visitors and reinforce our international image. **We also want to continue our strong protection for our wildest landscapes – wild land is a nationally important asset (our emphasis).**” The Trust believes that this is a crucial test against which the proposal must be measured for now and the future.*

2. **Scottish Planning Policy (SPP2):** page 47 section 200 states that :*“Wild land character is displayed in some of Scotland’s remoter upland, mountain and coastal areas, which are very sensitive to any form of intrusive human activity and have little or no capacity to accept new development. Plans should identify and safeguard the character of areas of wild land as identified on the 2014 SNH map of wild land areas”*. The Trust believes that this proposal is in conflict with this aim.

3. **Impact on the Wild Land Area:** The proposed tack is in part within Wild Land Area 20 Monadhliath, as identified by SNH in June 2014, and if approved the development would introduce permanent new tracks, into the area. SNH’s Descriptor of Wild Land Area 20 states it has *“ An extensive, simple interior with few human artefacts, contributing to a perceived ‘emptiness’ and a strong sense of naturalness, remoteness and sanctuary”*. It then goes on to say *“The simplicity of the landform and vegetation across the hill and plateaux interior, combined with a lack of dominant foci, conveys a sense of ‘emptiness’. This simplicity, and the vast extent over which it occurs, appears awe-inspiring, and means it is very difficult to navigate within the landscape or perceive size or distances, increasing the sense of risk. Furthermore, these qualities are heightened within the interior where there is an absence of access tracks, as movement over the area tends to be extremely indirect, with a need to weave around and over localised hags, bogs and rough vegetation which are difficult to spot far ahead. These features not only contribute to the local ruggedness of the ground, but the increased distance of indirect movement can amplify the sense of remoteness.”* A wild land area can only be considered as a whole, as was highlighted by the Reporter into the Carn Gorm wind farm. As such even though this development is on the edge of the WLA its impact must be viewed as being an impact on the whole. The proposed track would have a significant impact on the features highlighted above, as it has a wide and hard surface suitable for large 4x4 vehicles not only small ATV’s which would be necessary for agricultural usage. In our view it is therefore over engineered and because of that it will be highly visible which will result in a needlessly significant impact on the wild land area. Furthermore there are already significant tracks on the neighbouring estates whose use could obviate the desire/need by the owners of Balavil to have their own tracks – this would understandably involve partnership working.

We welcome the implication that the existing mess of tracks on the hillsides needs restoration but this does not need to be at the expense of another mess/scar being created. This proposal is ill conceived and poorly designed and should be refused planning permission. This is a unique and inspiring landscape which deserves to be treated with the greatest of respect.

Yours sincerely

John Low

Policy Officer

John Muir Trust

Comments for Planning Application 2018/0400/DET

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Application Number: 2018/0400/DET

Address: Balavil House Kingussie Highland PH21 1LU

Proposal: Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, between Allt Ruighe na Riog and River Dulnain

Case Officer: Edward Swales

Customer Details

Name: Miss Jane Meek

Address: 75 Glasgow Road Blanefield Glasgow

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application for 5 km of new road into the Monadhliath WLA. It is contrary to the CNP Partnership Plan which presumes against new constructed tracks in open moorland. If approved it would create a dangerous precedent allowing estates to build new roads virtually anywhere: create ATV scars first, then follow up with an application for a new road ... The adjacent Pitmain and Dunachton estates already have roads that would serve the area targeted by Balavil's new road. The CNPA should be urging the estates to cooperate and share their existing roads, not bulldoze new ones into WLAs over fragile peatland. Balavil claims "remaining existing track" needs to be repaired, but there is no constructed road here at present, merely a plethora of ATV tracks. A new road will change nothing, might even promote yet more ATV tracks. If CNPA wishes to curb ATV usage it should use byelaw-making powers to control off-road vehicle use, not allow its policy to be undermined. Balavil claims the road is needed for culling deer and increasing sheep numbers: this is plain incoherent, achieving nothing in terms of curbing damage from herbivores. Landowners should be cooperating to control deer, including sharing existing roads, not bulldozing another eyesore into a fragile landscape. Walkers do NOT want bulldozed tracks, these DETRACT from the qualities of the WLA. The application downplays the considerable impact of the track on landscape and peatland: the new road will not "conserve and enhance the landscape character and special qualities of the National Park". Approving this application would set a very dangerous precedent. It has not been justified in any convincing way and should be rejected.

Badenoch & Strathspey Conservation Group

Fiodhag, Nethybridge, Inverness-shire PH25 3DJ

Scottish Charity No SC003846

Email info@bscg.org.uk

Website bscg.org.uk

CNPA
eplanning

10 January 2018

Dear Ed Swales

2018/0400/DET | Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, between Allt Ruighe na Riog and River Dulnain | Balavil House Kingussie Highland PH21 1LU

We welcome the CNPA having required a more accurate description of the application and the extended timescale provided for comments.

BSCG objects to the proposals and we request the opportunity to address the planning committee when this application is considered.

Moorland covers a relatively high proportion, about 40%, of the CNP. Consequently the management standards established in the NP are particularly significant. The CNPA needs to establish standards of management in relation to track provision that are genuinely sustainable and that reflect the urgency of climate-friendly land management.

Impacts on the Monadhliath Wild Land Area

The quality and extent of wildness in WLAs is considered to be of national importance, as is identified in SPP and NPF3.

It is established that WLAs have the following physical attributes:

- ☑ A high degree of perceived naturalness;
- ☑ The lack of modern human artefacts or structures;
- ☑ Little evidence of contemporary land uses;
- ☑ Landform which is rugged, or otherwise physically challenging; and
- ☑ Remoteness and / or inaccessibility.

The proposed track would reduce the 'degree of perceived naturalness'; would introduce a 'modern human structure' and an ATV kept on the track would introduce a 'modern human artefact'; the track, vehicles, medicated grit stations and traps for predators would add significantly to 'evidence of contemporary land uses'; and the presence of a constructed track would reduce both the 'remoteness' and 'inaccessibility' of the WLA.

The cumulative impacts of tracks within the WLA and in the vicinity need to be properly taken account of.

The WLA Assessment document states that the proposal is "likely to have a negative effect on some of the wild land qualities" but also claims that this is not significant at a WLA scale. We disagree with this assessment and we note that hill walkers and runners experience the area they are travelling through at a localised level.

Use of Neighbouring Tracks

Balavil Estate and the neighbouring estates of Pitmain and Dunachton could be making shared use of the existing tracks on all 3 estates. Dunachton already has a constructed track that provides access to the River Dulnain (and across it to the north west). We would like to see the CNPA demonstrate strong leadership over moorland management as a matter of urgency and to make it clear to land managers that the CNPA is fully committed to implementing its stated policy of “A presumption against new constructed tracks in open moorland.”

CNPPP 2017 Agenda for Action and Policy and Emerging CNPLDP 2020 Policy

It is a serious concern that there are problematic environmental issues associated with moorland management in the Cairngorms NP. In this context the CNPA has provided policy statements.

The CNPPP 2017 under Agenda For Action states that:

“The focus for action of this Plan period is: To deliver and recognise good practice in moorland management”; and that

“Partners will support delivery and recognition of good practice in moorland management, which will include ..minimising landscape impacts through a presumption against new tracks in open moorland”.

Policy 1.3 states: “conserve and enhance the special landscape qualities through applying a particular focus on: .. a presumption against new constructed tracks in open moorland.”

The emerging CNP Local Development Plan 2020-25, that is very shortly to be consulted upon, includes a policy to deliver the Action and Policy statements provided in the CNPPP.

These Action and Policy statements should be fully taken account of and it is of concern that they are not referred to in the Planner's 2018 Committee report.

Public Benefits

The CNPPP 2017 establishes that

“moorland .. management is key to delivering several public interest priorities including .. landscape enhancement” and that the CNPA is seeking

“to establish, deliver and promote a shared understanding of what good moorland management looks like in the CNP”; and that the CNPA undertakes to

“work with moorland managers.. to deliver greater public benefits alongside other estate management objectives”.

It is very unclear what public interest benefits the approval of this track would deliver.

The work suggested by the CNPA to seek to improve the habitat of eroded peat gullies and damage caused by ATV use is described as mitigation for the permanent loss of blanket bog. This does not appear to provide meaningful public benefit. Also, the ultimate success of the work is by no means certain; it may fail to fully mitigate for the permanent loss of bog habitat with the result of a public interest loss.

Drainblocking on Meall A' Chocaire

We are concerned at what is proposed by drain blocking on Meall a' Chocaire and are concerned that no specific information is provided at the stage when the public can make comments.

We are deeply concerned at the approach that the CNPA has so far taken with this application in relation to the prominent weighting given in the Planners 2018 Report to peatland restoration works that are proposed by the Peatland Action Officer, to be implemented by conditions and which to date there is almost no indication on the website as to where these would be undertaken.

Impacts on Peat and Blanket Bog

We are concerned that the proposal would have many impacts on peat, bog habitats and associated landscapes and have negative climate change implications.

Significant sections of the proposed track would be through deep peat and blanket bog vegetation, where the proposed track works would have significant impacts on the blanket bog vegetation and habitat, and underlying peat.

Three proposed locations for borrow pits (D, G and I) are in areas of blanket bog vegetation, as shown in the developer's habitat survey, where creating a borrow pit would destroy blanket bog habitat, damage the peat and disturb the underlying hydrology. Digging up peat is liable to have climate-unfriendly outcomes. No information is provided as to what will be done with the dug up peat. However, we are concerned that whatever may be proposed there is a significant likelihood that it will be climate-unfriendly as well as damaging to habitats and probably damaging to landscapes too.

Detailed and specific information on how the track would be constructed through deep peat is not provided. We are concerned that there would be significant damage to adjacent areas of bog beyond the line of the track caused by vehicle movements, and movement and setting down of materials.

The PA Officer has provided details of alternative routes that would reduce the impacts on blanket bog. It is not clear to us why the CNPA is apparently facilitating this application in this manner, that takes the consideration of the application beyond what is proposed by the applicant. It also introduces an element of lack of clarity for the public as to what they should legitimately be commenting on. If the route is to be altered, a new application would be appropriate?

Borrow Pits

All the proposed borrow pits would be intrusive in the landscape.

Compliance with Accepted Standards

We note with concern that the existing track that leads up to the proposal site (from the south east), does not comply with SNH's guidance on tracks, being wider over some of its length.

We are also concerned at the practical difficulties for the planning authority of making sufficiently frequent visits to ensure that standards are being maintained and enforcement carried out if required, and that visits can be achieved in a timely manner so that the authority is not presented with a fait accompli situation where irreversible damage (e.g. to bog habitat) has already occurred.

A Constructed track would not halt ATV damage

We do not accept the arguments made by the developer that the construction of a new track is justified on the grounds that ATV use has already caused damage. Were the CNPA to accept this justification for a newly constructed track, this could potentially encourage landowners to create damage through ATV use and so justify constructing a new track.

We consider it is self evident that the provision of a constructed track would not halt use of ATVs in the general vicinity of the track. It is evident from the locations of current routes used by ATVs that their use extends well beyond the proposed track route (and beyond the boggy valley bottom ground where ATV tracks are numerous, presumably to avoid overly wet ground).

The access provided by a constructed track would enable the storage of an ATV on the track, including at or near the end, where ATV access to the remotest parts of Balavil Estate would be facilitated by the constructed track. An ATV is kept at the end of the present constructed track, which provides access by car to the ATV.

Extension across the River Dulnain

We consider it very likely that the construction of the proposed track would lead to a proposal to construct a further length of track across the River Dulnain to the west extremity of Balavil Estate. If the CNPA cannot find the reasons to justify refusing the present application, it is hard to believe that the CNPA would refuse a further application.

We do not consider that the proposal is in line with any one of the 4 aims of the National Park.

Yours sincerely
Gus Jones
Convener

Application for a new track on the Balavil estate (CNPA no-2018/0400/DET)

I am writing on behalf of the North East Mountain Trust (NEMT. SCIO 008783). NEMT represents the interests of hill-goers and those who enjoy visiting wild land. Through club and individual membership, NEMT represents around 900 people.

NEMT objects because the application is contrary to CNP Partnership Plan 2017-22 (the PPP) - 1.3.e- *a presumption against new constructed tracks in open moorland*). Also there are other aspects of the application which are of concern.

Tracks policy- The CNPA is to be commended for its statement in the PPP regarding tracks. This application is for a new track in a remote part of a Wild Land Area to follow the line of a footpath with stretches of ground damaged by excessive ATV use. As a new track, it is contrary to 'the presumption' in the PPP. The Committee Report does not mention 'the presumption'. This is completely unacceptable. If there are extraordinary reasons why 'the presumption' should be overridden, these must be examined in the Committee Report. Equally worrying is that approval would give the green light to estates to damage ground by persistent ATV use and then apply for new tracks to 'make good' the visual intrusion and environmental impairment caused. This would leave 'the presumption' in tatters.

The Park has yet to provide guidance as to how 'the presumption' will be applied. This can be resolved in the new Local Development Plan. This must include the Park's position on damage by ATV use and give consideration to using its byelaw powers to address this. Until a policy is developed, the Park must stick to the PPP.

Other issues -

- The balance of the use of land accessed by the proposed track is vague. It seems likely that the track will extend highly managed grouse moor, with all that this entails, further into the Wild Land Area.
- The internal 'Landscape Response' report states that the centre line of the track should be revegetated with turves. This recommendation is not included in the proposed conditions in the Committee Report: it must be as this reduces visual impacts significantly. Such a condition should be standard for all new and upgraded tracks in open ground.
- The stated habitat improvements following reductions in deer numbers will be completely undermined by proposed increased sheep densities.
- A justification for the track is (welcomed) peat restoration but this does not require a permanent track.
- It is stated that the track would enable access for walkers but walkers want maintained paths, not visually intrusive vehicle tracks.

- The land is currently accessed but ATVs. What is the justification for a 4x4 width track?

NEMT asks the Park for the opportunity to address the Planning Committee when the application is considered.

With thanks

George Allan

Trustee- North East Mountain Trust (SCIO 008783)

Comments for Planning Application 2018/0400/DET

Application Summary

Application Number: 2018/0400/DET

Address: Balavil House Kingussie Highland PH21 1LU

Proposal: Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, between Allt Ruighe na Riog and River Dulnain

Case Officer: Edward Swales

Customer Details

Name: Mr Ernie Scales

Address: 21 Cygnet Close Ashington

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We have holidayed in Scotland for over 30 years, usually twice annually and continue to be mystified by the proliferation of roads driven into the hills which are, with the lochs, the backbone of Scotland's tourist industry. There are other visual detractors to the landscape e.g. pylons and wind farms but they are a useful service to many not just individual farms and estates, usually the latter.

If Scotland's tourist industry, a major contributor to the Scottish economy, is not to be further disadvantaged there needs to be a moratorium on further road building with the start of that moratorium beginning here. For the sake of the Scottish landscape, please end fatuous road building.

Comments for Planning Application 2018/0400/DET

Application Summary

Application Number: 2018/0400/DET

Address: Balavil House Kingussie Highland PH21 1LU

Proposal: Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, between Allt Ruighe na Riog and River Dulnain

Case Officer: Edward Swales

Customer Details

Name: Dr David Taylor

Address: Muckle Geo Northside Birsay

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

I was resident in the Kingussie area for 36 years, and as a professional historian have studied and written extensively about the area, including walking many of the hills and moors to study the remote grazings and shielings of past centuries. The whole area of the southern edge of the Monadhliaths over to the Dulnain and up to the watershed with the Findhorn was a vast cattle grazing area with numerous shielings - it was also the route of the principal drove road from Sutherland to Falkirk which passed over Carn Dulnain on a similar route to part of the proposed track. As such, the whole area merits protection from further environmental damage, while this ancient drove road across the Monadhliaths could become an excellent long-distance walking route for those seeking a true wilderness experience, but only if the area is not physically and visually ruined.

This area is already heavily served with estate tracks crossing the hills to the Dulnain. For any walkers in the area the visual impact of this new track will last for generations, while the construction will inevitably impact heavily on the surrounding landscape. As tourism constitutes one of the principal industries in the area and as part of the CNP's main advertising drive for the Park is the wild land experience, surely it is imperative to preserve that wildness. Furthermore, it seems to totally contradict the park's own policy statement on landscape: a presumption against any development that does not conserve and enhance the landscape character and special qualities of the Cairngorms National Park including wildness. Every new track further diminishes the wild land experience, hence undermining the CNP's stated objectives. Perhaps it is time to start protecting that 'wild land' experience before the damage is irreversible.

There is also the likelihood that if this track is given the go-ahead, it will be relatively for the estate

to extend it in future.

Deirdre Straw

From: Dave Morris [REDACTED]
Sent: 10 January 2019 16:58
To: Planning
Subject: 2018/0400/DET Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, Balavil Estate

Categories: Comments

I wish to object to this proposed development on the grounds that it does not comply with the current Local Development Plans for both the Cairngorms National Park and adjacent ground in the Monadhliath Mountains. The latter area is covered by the Highland Council's LDP. The Cairngorms LDP (2015) includes a policy which states that there is a "presumption against any development that does not conserve and enhance the landscape character and special qualities of the Cairngorms National Park including wildness" (Policy 5, Landscape). The Highland-wide LDP (2012) includes the statement that "new developments should be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment of the area in which they are proposed", should take account of "potential cumulative effect" and, "where the condition of the landscape characteristics has deteriorated to such an extent that there has been a loss of landscape quality or distinctive sense of place" then measures would be included to enhance the landscape characteristics of the area (Policy 61, Landscape).

The landscape characteristics and special qualities identified by the Highland Council are reflected in the subsequent recognition by the Scottish Government, subsequent to approval of the 2012 LDP, of the Monadhliath Wild Land Area. The proposed new road is entirely located within either the Cairngorms National Park or the Monadhliath Wild Land Area.

There are no national land use or planning requirements which indicate that the above policy requirements should be set aside or over ridden. The sporting and agricultural values attached to this land are entirely local in their significance.

During the last 20 years there has been a serious deterioration in the quality of the landscape and its value for public enjoyment in the proposed development area. This deterioration has been caused primarily through the uncontrolled use of All Terrain Vehicles in sensitive habitats. Parts of the proposed development area now resemble a military training area that has been subject to repeated use by off road vehicles and the creation of multiple tracks over many years. It is one of the worst examples in Scotland of the irresponsible use of off road vehicles. These problems will not be solved by the proposed new road development; alternative measures are necessary.

My objections can be summarised as follows:

1. The proposed new 5km hill road development would have a massive impact on the landscape and wild land qualities of the area and is contrary to the relevant LDP provisions. This is largely due to the fact that the majority of the road construction (80-90%) would be at an altitude in excess of 600 metres, with much of the road visible from surrounding areas as it crossed the main Monadhliath ridge above the Raitts Burn and then traversed the long southern summit ridge of Carn Dulnain (summit at 742 metres) before descending the western flank of the same mountain to the River Dulnain at 550 metres. The start point of the new road would also be at 550 metres, just above the Raitts Burn bothy, and would be an extension of the existing 7 km long hill road which climbs up from the main Balavil buildings at 250 metres.
2. The visual impacts of the proposed road cannot be mitigated to an acceptable extent though good construction techniques. The experience from new hill road construction already undertaken on Balavil estate and its neighbours, Dunachton and Pitmain and elsewhere in the Monadhliath Mountains and other

locations in Badenoch and Strathspey, demonstrates the difficulty of hill road construction in such sensitive habitats and landscapes, especially above 600 metres altitude.

3. The documents provided in support of this planning application do not provide an adequate assessment of the visual impacts of the proposed development. Too many of the photos are taken from vantage points which are not of particular relevance to those who are walking or skiing in the area, with what appears to be an emphasis on using vantage points from which the proposed road would not be visible. Some photos show the existing hill roads but there is no acknowledgement of the intrusive impact of such roads, especially in areas of wild land value and at higher altitudes. In areas of high damage due to multiple track use by ATVs it is doubtful whether the construction of a hill road in the same location would have less visual impact or whether effective control of ATV use could more easily result in ground and vegetation recovery.

4. The documents fail to address alternative ways of meeting the estate requirements for vehicular access to the proposed development area. A particular problem is that the accompanying maps are incomplete, failing to show critically important new roads that have been built close to the proposed development area in recent years. The documents fail to address the issue of whether some of existing road network can be used to meet Balavil estate requirements as an alternative to the proposed new road. Remarkably, even though some of the maps provided with the application cover land on the eastern and northern flanks of Carn Dulnain, these maps do not show the alignment of the new hill roads built on that land in recent years. These include a "connecting road" which joins the Allt Mor, a tributary of the River Dulnain, with the existing road network beside the River Dulnain. The Allt Mor flows down from the southern summit ridge of Carn Dulnain, starting within 200 metres of the proposed new Balavil hill road, and has its own road starting at 570 metres which descends to the junction with the connecting road at 550 metres. From the connecting road another new hill road, a branch road, climbs up the north eastern slope of Carn Dulnain to within 100 metres of the summit area. The connecting road continues down to the River Dulnain, meeting it at a location less than 1 km away from the point where the proposed Balavil road would also arrive at the River Dulnain. None of the connecting road or its branch is shown on the maps accompanying the planning application.

5. The documentation not only fails to give a clear picture of the alternatives which already exist to provide Balavil estate with vehicular access to the Dulnain watershed, or the various possibilities for extensions of the existing road network. It gives no assessment of the cumulative impacts from hill road development in this area both on Balavil and the adjacent Pitmain and Dunachton estates, as well at other relevant locations in the Monadhliath. Before any further hill road development takes place in this area of the national park and its flanks, there is an urgent need for the CNPA to produce a map which shows what hill roads were in place, between Laggan and Aviemore, before the national park was established in 2005, exactly what new hill roads have been built on the hills between Laggan and Aviemore (a distance of 40 km between these communities) since the national park was established and, finally to identify to what extent these new roads have or have not complied with planning requirements or other regulations. Only when such a map has been completed can sensible decisions be made about whether there is any requirement for new hill roads in this area and whether some existing hill roads, or sections of road, should be removed.

6. The documentation makes reference to land use requirements but this raises many questions as to future plans and the relevance of the proposed new hill road. For example, the intensification of sheep management in the proposed development area appears to conflict with the requirements to reduce grazing levels by red deer in the same area. Furthermore the proposed development is accompanied by suggestions that the landscape impacts of the new road, where it descends to the River Dulnain, could be mitigated by the expansion of juniper scrub in that area. This is misleading. The current juniper scrub in this area is currently severely overgrazed by red deer and if measures were taken now to reduce these grazing impacts it would almost certainly be at least 20 years before the new growth of juniper was sufficient to effectively mitigate the impact of a hill road on the lower parts of this slope. At the higher levels the severity of growing conditions would require even more time to achieve any sort of mitigation.

7. It should be noted that most of the existing hill road networks between Laggan and Aviemore lie at altitudes below 600 metres. Where they do climb above this altitude it is usually to cross a ridge for a short distance and then descend to a lower altitude. An exception to this is on Pitmain Estate on Beinn Bhreac. The hill road along its western summit ridge is referred to in the Balavil planning application

documents. This hill road on the Beinn Bhreac ridge should never have been built and has resulted in an unacceptable level of visual intrusion and damage to montane vegetation. It demonstrates how equivalent damage would be caused on Balavil if a hill road was permitted along the southern summit ridge of Carn Dulnain from its junction with the Beinn Bhreac north eastern summit ridge to the point where the new road would turn west to descend to the River Dulnain.

8. There has not been adequate public consultation over the proposed new hill road on Balavil. Such developments in the Cairngorms have become increasingly controversial over the last 50 years and one of the main reasons for the establishment of the national park was to get better control over such developments and to facilitate dialogue between the various interests. In reality, recent years have demonstrated a continuing failure to achieve adequate control and dialogue, as exemplified by a whole series of problems associated with hill roads, both in terms of new construction and maintenance, in the Monadhliath Mountains between Laggan and Aviemore. This situation is not helped by the fact that most of this hill land now appears to be owned by persons who are not resident in Scotland. The opportunity for dialogue and an understanding of what is required, both from local, Scottish and UK perspectives appears to be decreasing with every passing year as land passes into the hands of owners who live in faraway places. This is one reason why statements by the CNPA in the current Partnership Plan and prospective LDP in favour of a presumption against the construction of new hill roads are very welcome. They give a clear signal to landowners, wherever they live, of what is expected of them if they purchase land in a world famous area like the Cairngorms. But plans are not enough. Fine aspirations must be backed up with sound decisions on specific proposals supported by clear evidence and evaluation. The proposed Balavil hill road is one example. A sound planning decision is unlikely to be achieved on Balavil if the CNPA relies on the evidence and evaluation contained within the documentation currently supplied by the applicant.

9. The CNPA needs to be proactive in trying to resolve the issues which arise from this planning application. It needs to recognise that the current level of damage from ATV use on Balavil estate is completely unacceptable and the answer does not lie in constructing yet another new hill road. Ways need to be found of making better use of the existing road network on Balavil and the adjacent estates of Dunachton and Pitmain, as well as a recognition that the altitude, terrain and habitats that lie along the alignment of the proposed new road on the summit ridge of Carn Dulnain, as well as the descent to the River Dulnain, make it nearly impossible to construct a new hill road along such a route without causing massive visual impact and further habitat damage. The CNPA also needs to recognise that it cannot control ATV use from the hill road network through the planning system. It needs to use other measures such as voluntary agreements or byelaws, in cooperation with Highland Council who have responsibility for planning and other issues outside the national park boundary. Agreement is needed on how ATV use can be adjusted so that it mainly takes place on heathery ground or grassland on mineral soils and avoids wet areas with peaty ground and lichen rich summit ridges. The starting point for such a dialogue should be a meeting, convened by the CNPA, which involves the relevant landowning interests on Balavil and its neighbours, local community interests and outdoor recreation and environmental interests. The focus of such a meeting should be to identify exactly what is required in terms of hill road construction, maintenance and use on Balavil and its neighbours and what is required to control ATV use, either by voluntary agreement or statutory regulation. The present planning application on Balavil should not be determined in advance of such a meeting.

The above comments are based on two days of field inspection of the proposed development area, on 2 and 7 Jan 2019, covering approximately 13 hours in total. I also have extensive knowledge of outdoor recreation and environmental issues in the Cairngorms and elsewhere through work with statutory and voluntary organisations over many years.

My comments above also relate to ongoing work involving a formal complaint to the European Commission which is planned for submission before the Brexit deadline of 29 March 2019. This will seek an EC intervention to examine progress in protecting habitats, landscapes and wild land values in the Cairngorms since the establishment of the national park, with reference to previous international studies and the recommendations of the Cairngorms Partnership Board in advance of the national park establishment. I anticipate that the situation over new hill road development in the Cairngorms, including

the Balavil example, will be part of the formal complaint and will require a response from the UK/Scottish Governments. I understand that, providing such a complaint is submitted before the Brexit deadline, it will follow normal EC complaint procedures even if the UK has left the European Union after the complaint has been received.

Dave Morris

10 Jan 2019

[REDACTED]

Dave Morris

2 Bishop Terrace

Kinnesswood

Kinross

KY13 9JW

[REDACTED]

Comments for Planning Application 2018/0400/DET

Application Summary

Application Number: 2018/0400/DET

Address: Balavil House Kingussie Highland PH21 1LU

Proposal: Upgrade to existing hill access for vehicles, including sections of new track construction, and repair and improvements to existing track, between Allt Ruighe na Riog and River Dulnain

Case Officer: Edward Swales

Customer Details

Name: Mr Craig Sadler

Address: Dunan, Craigdhu Road Newtonmore

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There are already enough tracks on the estates either side of Balavil that give vehicles access to the Dulnain Valley. Estates should be made to work together and cooperate for joint access across the high mountain watershed. There are already far too many tracks in these mountains. The planned track is across yet more vulnerable peat land. More tracks will merely encourage more ATVs and further damage vulnerable hillsides and plateaus. If you want to shoot in these areas then walk a bit as well.

Planning bodies and the Scottish Government have vowed to monitor and resist further unplanned hill track development, this application should be refused. This proposal if agreed will be yet more damage on precious wild land has no wildlife conservation value whatsoever, it is merely for the convenience of shooting estates and mainly lazy "sportsmen" not willing to walk for their shooting sport as they would have had to before motorised transport.

The Scottish moor and mountains are already criss crossed with a bewildering number of unplanned tracks that make OS Maps out of date re accuracy. Discovering this inaccuracy on the ground makes walkers and climbers realise how much unplanned spurious development has gone on in recent years. A halt should be called to any further track development.



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Objection to Application 2018/0400/DET Balavil Estate.

The Cairngorms Campaign objects to this application for a number of reasons indicated below:

It contravenes CNPA Policy 5 on Landscape and CNPA's stated "presumption against new constructed tracks in open moorland"

We would also make the point here that the use of the word "tracks" is misleading as the application is about a new surface for motor driven four wheel vehicles and are therefore "roads". This is an important distinction as "track" conjures up images of something far less intrusive to the landscape.

The application and planning report have not evaluated correctly the full visual landscape impact of the new road requested by the estate. This should be done using images of what it would actually look like, from near and far, from different aspects, after construction and longer term, say 10 years out and considering the entire length. Due consideration should also be given and shown as to the effects of road drainage and its impact, particular on existing peatland. A larger picture of its context should also be clearly presented to include neighbouring tracks/roads. Both the application and the planners report have failed to present an accurate image.

The justification presented for the new road must be looked at in much greater depth and the CNPA should require a factually based report on the socio-economic impact. If not then how can CNPA have a case for refusing such applications and therefore its stated presumption against new roads becomes unviable.

How will the new road reduce damage by ATV's since they criss-cross the land anyway and are used by the estates as an addition to their roads? One could equally argue that a new road will increase erosion in use of ATV's. If reducing erosion by ATV's is accepted as a justification for new roads then again how can the CNPA implement its presumption against new tracks?

The justification of right to roam and public access is incorrect. No walker or runner requires a new road for access and we would much rather experience the Cairngorms National Park with no new roads at all. There is a concerted effort by outdoor groups to stop the proliferation of new roads across the hills which have are continuing to reduce the joy of being there.

The other justifications of deer, sheep and forestry operations need to be examined more carefully. What is the forestry plan for the estate and what access does this require? Can this access be provided by existing tracks/roads? Why are the sheep on the hills? How many sheep farmers are there on the estate and what is the actual economic benefit to them. How is this consistent with the need to reduce browser numbers to allow regeneration? What actual routes are needed to remove deer, how many trips and are there alternative means? Can existing routes be used?

Why is there no mention of the driven grouse shooting in the justification since this is clearly an activity carried out quite extensively by the estate? One would expect to see information on the use of the new roads for this activity both by the keepers and shooters.

The claim to be of use for peatland restoration also needs to be detailed and the net effect of a new road crossing peatland compared with the value of the restoration projects planned.

Thank you for the opportunity to comment

Susan Matthews, on behalf of the Cairngorms Campaign.

10th January 2019