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## CAIRNGORMS NATIONAL PARK AUTHORITY

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**Title:** CNPA CONSULTATION RESPONSE –  
ETTERIDGE TO BOAT OF GARTEN  
RATIONALISATION SCHEME

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**DEVELOPMENT PROPOSED:** ETTERIDGE TO BOAT OF  
GARTEN RATIONALISATION  
SCHEME (BEAULY DENNY  
TRANSMISSION LINE),  
SECTION 37 ELECTRICITY ACT

**APPLICANT:** SCOTTISH HYDRO ELECTRIC  
POWER DISTRIBUTION PLC  
(SHEPD)

**RECOMMENDATION:** NO OBJECTION, SUBJECT TO  
MODIFICATIONS

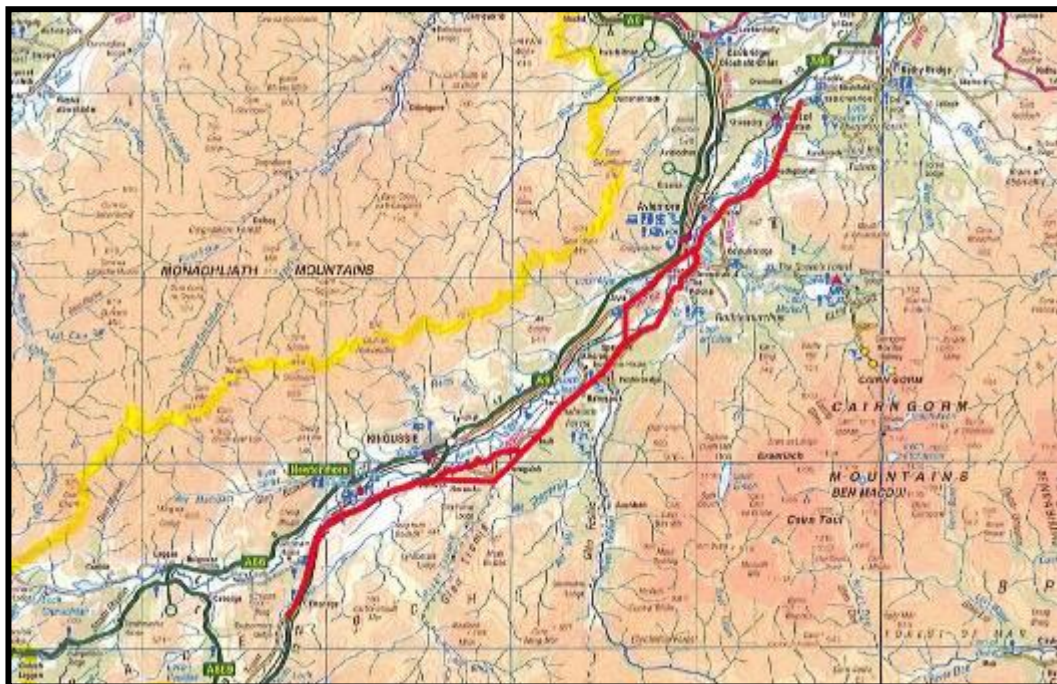


Fig. I - Location Plan

## DEVELOPMENT DESCRIPTION

1. The CNPA has been invited to comment on a proposal which is currently before the Scottish Government's Energy Consent and Deployment Unit. Scottish Hydro Electric Power Distribution Plc (SHEPD) are seeking consent for the rationalisation of existing overhead powerlines. The proposal is located entirely within the Cairngorms National Park and stretches over a length of 40km, from Etteridge which lies to the south west of Newtonmore, to Boat of Garten. The development is proposed in conjunction with the Beauldy Denny 400Kv overhead transmission line project which Scottish Ministers approved in January 2010. Conditions attached to the approval require a number of changes to be made to the existing overhead powerlines. The condition which has given rise to the current development proposal requires the removal of the steel towers supporting the electricity line between Etteridge and Boat of Garten and its replacement with wooden poles or an underground cable.<sup>1</sup> This development is required to be completed prior to the new 400Kv overhead transmission line being made fully operational.
2. There are three distinct treatments of various areas of the line –
  - (a) The line between Boat of Garten and Aviemore would be replaced by a combination of a wood pole overhead line and underground cable;
  - (b) From the south of Aviemore to Kingussie, the line would be replaced by a combination of two wood pole lines and / or underground cables; and
  - (c) The existing line south of Kingussie to the end point at Etteridge would be replaced by a single new wood pole line.

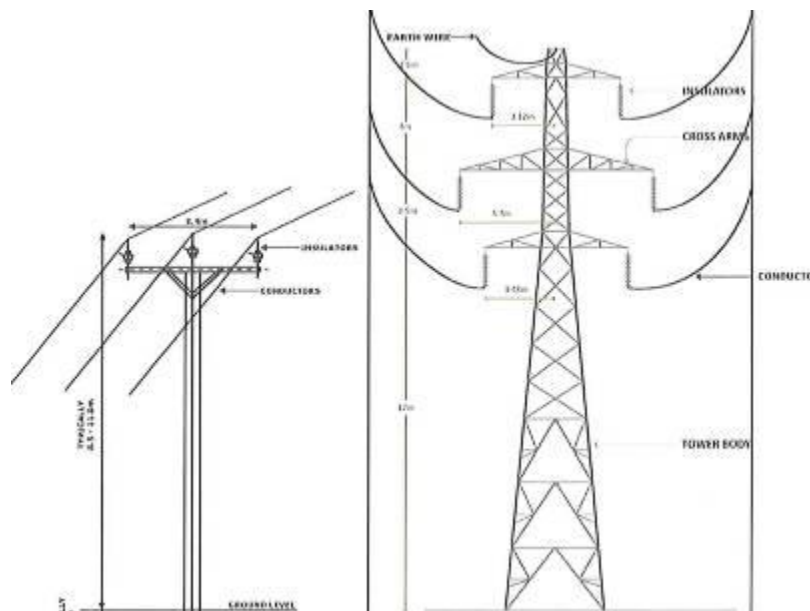


Fig. 2: Typical design detail of wood pole adjacent to steel lattice tower (both as seen from ground level)

<sup>1</sup> Condition no. 19 referred to the Cairngorms National Park Rationalisation Scheme. Part 2 (b) of the condition required the "removal of steel towers supporting the double circuit 132kV route between Etteridge and Boat of Garten and their replacement with wood poles or an underground cable." Condition no. 19 also stipulated that "neither the overhead transmission line nor the towers carrying that line shall be installed or constructed in the area of THC until" a scheme is prepared in accordance with this condition.

*Wood pole overhead line*

3. The wood pole line would be used over a total extent of 28.18km of the 40km line and would involve approximately 350 wooden poles, of light wood construction. The proposed wood pole line is based on a standard SSE design, which has been designed to ensure that it can withstand wind and ice loading, according to the line altitude and location. Poles would vary in height between 8.5 metres and 11 metres (above ground level), and in exceptional circumstances could be up to 18 metres high. The height variation of poles is due to the need to “level out the conductor plain where local landscape features require.” For example, the use of taller poles would be necessary in local depressions. They would also be necessary at areas such as road crossings in order to achieve adequate safety clearance.



**Fig. 3: Examples of single wooden pole and 'H' pole**

4. The poles would be a dark brown colour, with creosote preservation treatment applied. The poles generally weather to a light silvery grey colour over a period of 5 – 10 years.

*Underground cable*

5. The underground cable, which would be either 33kV or 11kV, would be installed directly in the ground at a depth of between 0.9 metres and 1.5 metres depending on the land use. At this depth it would ensure that cables would be below maximum ploughing depth in agricultural land. Ducting would be used in areas where additional protection is required.

*Existing tower line*

6. Although the development proposal is for the new line, the existing steel lattice towers would also be removed in conjunction with this. It is emphasised in supporting documentation that this aspect does not require consent and would be undertaken as permitted development.

*Route description*

7. As referred to in paragraph 2, the rationalisation scheme has three distinct sections. The following provides a brief summary of the characteristics and development proposal within each section.

- (a) Boat of Garten (substation) to Aviemore (primary substation) (See Appendix 1, Map 2): the Boat of Garten substation is located on land on the western side of the B970 a short distance to the east of the settlement of Boat of Garten. The proposed route would generally follow the route of the existing towers in this section, which runs parallel to the B970 public road from Boat of Garten to Pityoulish, with some of the early section of the line running through Abernethy Forest National Nature Reserve. The pylon line crosses the B970 near Pityoulish and runs southwards, with the River Spey located to its west.

The new line would consist of approximately 5.7km of new wooden pole and 4.8 km of underground cable. The underground section would run from the vicinity of the Sluggan Road (track) and the B970 road, adjacent to the public road and crossing that road near Loch Pityoulish. The underground section would terminate approximately 400 metres to the west of Pityoulish Lodge, from where it would resume as an overhead wood pole line. A further section is also proposed to be undergrounded through land on Rothiemurchus Estate, in an area between the B970 road and the River Spey. The final section of the line, past Rothiemurchus fishery to the Aviemore primary substation would be a wooden pole line.



**Fig 4: Boat of Garten substation**



**Fig. 5: Pylon line from substation**



**Fig. 6: Existing pylon line crossing the B970 near Pityoulish**



**Fig. 7: Aviemore substation, Inverdrue**

- (b) Aviemore (primary substation) to Kingussie (see Appendix I, Map 3) : The existing tower line crosses the B970 and the River Spey and runs southwards. It crosses the River Spey for a second time at Tombain and continues through a mix of forest and agricultural land towards Feshiebridge. After crossing the River Feshie and the B970 it continues in a south westerly direction and passes along the eastern side of Loch Insh, through the Drumguish area before meeting the A9 trunk road to the south of Ruthven.

Within this section, approximately 12.9 km of new wooded pole line and 30.2 km of underground cable would be constructed. The area in which underground cables would be used is in the vicinity of the B970 public road towards Dalnavert and this option has been selected in order to avoid potential impacts on the character of the B970, which is acknowledged as being a popular tourist route. The need to minimise the impact on the Doune of Rothiemurchus has also been taken into account, given that this is included in Historic Scotland's inventory of 'Gardens and Designed Landscapes.' Undergrounding would also be undertaken in the Invertromie area (although avoiding transecting the RSPB reserve) and would continue underground through agricultural fields to a location just south of Ruthven Barracks.



**Fig. 8: Existing pylon line from Aviemore substation**



**Fig. 9: Proposed undergrounding close to the B970 from Inverdrue towards Insh**

- (c) Ruthven to Etteridge (see Appendix I, Map 4): the existing tower line runs parallel to the A9 trunk road near Ruthven Barracks, and continues in a south westerly direction, parallel to the A9, through a mix of rough and improved pasture and heath. This section would be replaced with a single circuit wooden pole overhead 33kV line, which would broadly follow the existing tower line. The new line is proposed to switch between the north and south side of the tower line several times for the first 5km to the south from Kingussie. At certain points, such as at Raliabeg, the proposed line would diverge from the existing line, and would run further to the south in order to avoid tree felling. The final part of the line, southwards from Ralia, is proposed entirely to the east of the existing power line. The new route would generally be through areas of rough pasture, wet and dry heath, and marshy grassland. The termination point of the new line would be at Etteridge, approximately 400 metres to the north east of Loch Etteridge.



Fig. 10: Existing pylons adjacent to the A9 (southbound view, near Nuide)

8. The proposed development would pass through or run close to several designated sites. It would pass through or cross :
- a short section (<1km) of Abernethy Forest Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR);
  - Sections designated as part of the Cairngorms SPA and Special Area of Conservation (SAC) at Abernethy and at Rothiemurchus;
  - The River Spey (and tributaries) SAC and SSSI at the River Druie, River Feshie, River Tromie, Burn of Inverton and the River Spey; and
  - The Cairngorm Mountains National Scenic Area.
9. The route would also run in close proximity to other designated sites, including :
- Craigellachie SSSI;
  - Alvie SSSI;
  - Rothiemurchus Pinewoods SSSI;
  - River Spey – Insh Marshes SPA, SSSI and NNR;
  - Insh Marshes SAC; and
  - Loch Etteridge SSSI.

### Route Selection and Alternatives

10. Three key principles were employed by the applicants in planning an initial broad route – the need to maintain the distribution of electricity between fixed locations, to mitigate the wirescape of the National Park and minimise ‘new’ visual impact by following existing routes as closely as possible, and where possible building within existing or slightly widened wayleaves in order to minimise the need for new land requirements and associated habitat change or loss. This initial plan – *the Proposed Cairngorms National Park Rationalisation Scheme* – was presented to Scottish Ministers in October 2010, at which time Ministers consulted with Highland Council and the Cairngorms National Park Authority. Ministers confirmed their approval of the rationalisation scheme at the end of October 2010. Following this, work commenced on the detailed route selection, which included consideration of route alternatives and options.
11. At various locations, alternatives to the principle of following the existing tower line or existing wood pole lines were explored. The locations included Abernethy Forest, Pityoulish, Kinrara and Inshriach, Feshiebridge, Insh Village, Insh Village to Torcroy, and Ruthven. The following provides details of the final option selected in each of those areas :
12. Abernethy Forest: Installation of new underground cable adjacent to the existing towerline. This would not require additional tree felling, would avail of the existing wayleave, and would facilitate installation in advance of the dismantling of the pylon line.
13. Pityoulish: termination of the overhead line at the Sluggan Road, near Kincardine Cottage, and continuation as an underground cable in a north easterly direction parallel to the Sluggan Road, and then following the B970 road and the existing towerline route past Pityoulish Lodge.
14. Kinrara and Inshriach: between Aviemore and Inshriach, underground cable has been identified as the best option, as it “would avoid visual impacts on the Cairngorms NSA, and the Doune of Rothiemurchus Historic Garden and Designed Landscapes. Undergrounding is also proposed on a section between Inshriach Nurseries and Dalnavert. The underground option avoids difficulties such as a wooden pole line traversing the nursery site and requiring extensive tree cutting in the vicinity.



Fig. 11: the Doune of Rothiemurchus



Fig. 12: Inshriach Nurseries

15. Feshiebridge: The existing section of line between Dalnavert and Feshiebridge is primarily through a commercial forest. The main constraint in this area was the forest edge and seeking to minimise the extent of wayleave widening required. The proposed option in this area is the installation of two wood pole lines to the east of the existing towerline. Although in the short term this would require widening of the wayleave, the supporting detail indicates that the wayleave would be allowed to narrow again through natural regeneration following the dismantling of the existing tower line. A number of short sections of undergrounding are also proposed in this area, including through the Frank Bruce Sculpture Trail. Undergrounding in this area has been proposed in recognition of the need to protect and enhance the visual amenity and recreation value of this site.



Fig. 13: Crossing of the River Feshie



Fig. 14: Pylon line near Insh

16. Insh: Factors considered in the vicinity of Insh included the existing pylon line running close to Insh Marshes National Nature Reserve, the proximity of a section of the line to the Badenoch Way walking route, and the proximity of the line to existing residential properties in the settlement. The option selected for this area is the underground solution, where underground cables would run in the B970 road verge from Snowberry House, and then into Forestry Commission land, in a position parallel to the Badenoch Way and to the rear of gardens in Insh Village.



Figs. 15 and 16: Undergrounding in the vicinity of Old Milton, towards the Dell of Killiehuntly



17. Insh Village to Ruthven: underground cables would be installed near Old Milton and running through the open fields above the Dell of Killiehuntly. The installation of a cable under the River Tromie was not considered viable due to the steep embankment on the eastern river bank. The undergrounding option would also be implemented through Gordonhall Farm, to the west of Torcroy. This has been identified as a means of minimising the wirescape around Ruthven Barracks.

**Proposed programme of works**

18. The works are estimated to take approximately 24 weeks to complete, including the dismantling of the existing tower line. Other than the likelihood of the works being separated into the three sections described in paragraph 7, the works are not planned to be undertaken on a phased basis. The work programme will be mostly driven by the need to maintain power supplies during construction work. In order to ensure this, there is a need to construct the new 33kV line prior to de-energising and dismantling the existing tower line. In instances where this is not possible, temporary generation measures would need to be put in place. Other factors, such as seasonal restrictions arising from ecological requirements or land management activities, would also influence the timing of works.
19. *Hours of work:* Supporting documentation suggests that the construction works would be of a low impact nature and due to this, proposals for restrictions on working hours are not generally considered necessary. In the interests of the residential amenity it is stated that working in close proximity to residential properties would be restricted to the hours of 7am to 7pm, from Monday to Friday. Working hours in winter months would be reduced according to daylight hours.
20. *Construction traffic and plant:* Construction and dismantling would give rise to a low number of staff transport movements, with small work crews travelling to the work site areas. A small number of heavy goods vehicles would be involved in the delivery of the wooden poles and conductor materials to the relevant sites. Together with the use of HGV's for the collection of waste materials, journey movements of this type of vehicle is predicted to be less than 8 per week between Boat of Garten and Etteridge.



Fig. 17: Example of a personnel carrier in use during wood pole construction (photo included in Environmental Statement, Main Report, pg. 5-9)

21. Construction activities: The wood pole line construction work is described as being a relatively low impact activity. Excavation would be undertaken at each pole location using an excavator and soils would be temporarily stockpiled to one side.<sup>2</sup> Excavations would occur to a depth of between 1.5 metres and 2 metres and would be kept “as narrow as possible to minimise ground disturbance.” In the event that shallow rock is encountered a pecker attachment would be used, or in some cases a utility pole drill would be used. The pole and cross arm would generally be assembled on site, but in the event of difficult access or potential damage to ground conditions, poles can be assembled off site and would be flown to their location by helicopter.<sup>3</sup> Once the necessary steelworks and insulators are connected, the pole would be erected, and if necessary guy wires<sup>4</sup> would be used to provide added stability. The entire footprint for a ‘H’ wood pole installation would be approximately 3.4m x 2 m,<sup>5</sup> while the majority of poles would be single design and would have a construction footprint area of approximately 2 metres x 1.2 metres.
22. Underground cable installation would be undertaken by one of two methods. The traditional method of mechanical excavators would be used to excavate an open trench on short sections and in areas with certain topographical or ground conditions. On longer sections, a trenchless cable plough / ‘mole plough’ would be used, as this provides the benefits of limiting ground disturbance and results in faster installation. The plough would be used to make a narrow ‘laying groove’ in the ground in a single operation. Cables would then be laid using a chute and the laying groove would close over after the plough has passed.
23. Some of the proposed sections of underground cable would cross watercourses. It is intended that smaller burns would be crossed using an isolated open cut, with a temporary cofferdam installed upstream and downstream of the works. Water would be diverted while an open trench is cut below the river bed, with the cable duct then being laid, prior to the reinstatement of the bed.
24. Access: In general access to the works areas would be taken from public roads and existing access routes and tracks. Para. 5.18 of the Environmental Statement confirms that no new tracks are proposed to facilitate construction, although there is also the caveat that “where ground conditions are particularly wet and boggy it may be preferable to install a temporary track to avoid excessive ground damage.” Although no hard standing is required to accommodate machines for pole erection, it is indicated that in some locations, in order to ensure safe working of plant, that limited temporary flat platforms would need to be established.

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<sup>2</sup> Top soil and sub-soil would be stored separately in order to ensure that they would be reinstated in the correct order.

<sup>3</sup> Subject to distance and weather conditions, a helicopter can be used to lift between 60 and 120 poles per day.

<sup>4</sup> Backstays or angle stays.

<sup>5</sup> The ‘H’ pole would be used in limited instances along the route, specifically where the line terminates to go overhead or underground, or where there are significant changes in slope.

25. Works compound: Reference is made in para. 5.21 of the Environmental Statement to the possibility that the appointed contractor may wish to establish a main compound and one or two smaller satellite compounds. No specific areas have been identified in the submission documentation. The main compound is likely to consist of temporary portacabin type structures to serve as offices and welfare facilities, containerised storage for tools and small plant, parking for cars and construction vehicles, a designated area for the storage of waste and materials, and a bunded area for fuels and grease. The smaller compounds / 'satellite yards' would have a laydown area and a mobile welfare unit.

### **Construction procedures**

26. The proposed construction procedures are detailed in the Environmental Statement and cover a wide range of topics including :
- Public liaison – visible signage would be posted around the works areas advising the general public of the nature and duration of the works, and any access restrictions. Information would also be distributed to a variety of community type facilities, including libraries, doctor's surgeries, and community centres;
  - Working in or near watercourses, private water supplies and drainage management;
  - Soil handling;
  - Oil storage and refuelling;
  - Site waste management;
  - Environmental Clerk of Works (EnCoW) – an EnCoW would have the responsibility of preparing and implementing specific Environmental Management Plans for all the construction and dismantling works;
  - Protection of archaeology – sites of archaeological sensitivity in close proximity to the construction works would be fenced off prior to works commencing. Method statements would also be prepared in advance of works starting and written guidelines would be incorporated into an Environmental Management Plan; and
  - Protection of biodiversity – ecological management is intended to form a key part of the Environmental Management Plan for the works. The EMP will set out the measures required to protect ecology during works, including pre-construction surveys, applications for licenses required from SNH, timing of works, marking out or fencing off sensitive areas, and supervision of works by an ecological specialist.
27. The following table provides a brief summary of the potential environmental impacts which the applicants have identified in relation to the development proposal<sup>6</sup> and the associated mitigation measures which are proposed to be put in place:

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<sup>6</sup> Summarised from Table 5.1 of the Environmental Impact Statement.

**CAIRNGORMS NATIONAL PARK AUTHORITY**  
**Planning Paper I 25 May 2012**

<b>Receptor</b>	<b>Potential impacts</b>	<b>Mitigation</b>
Ecology	<ul style="list-style-type: none"> <li>• Potential to kill, injure or disturb birds, mammals, reptiles, fish;</li> <li>• Potential damage or loss of habitat due.</li> </ul>	Appoint Environmental Clerk of Works (EnCoW) to supervise construction activities and appoint specialist surveyors for necessary pre-construction checks; Development of an ecological management plan as part of the Environmental Management Plan (EMP) to control any potential impacts; Schedule work to avoid bird breeding season.
Archaeology and Cultural Heritage	<ul style="list-style-type: none"> <li>• Potential to accidentally damage or destroy known or unrecorded archaeological remains during ground breaking works.</li> </ul>	EnCoW to supervise construction activities and appoint specialist surveyors for pre-construction checks; Clerk of Works to fence off known archaeological sites; EMP to include specific management procedures to cover actions required in the event of discovered unrecorded remains; A watching brief to be maintained in sensitive locations.
Water resources	<ul style="list-style-type: none"> <li>• Accidental spills and releases of fuels or construction materials;</li> <li>• Silt from excavations into watercourses;</li> <li>• Potential silt pollution when installing cables under watercourses.</li> </ul>	EnCoW to oversee work; All vehicles to carry spill kits and works to be trained in spill response; Use silt mitigation measures when necessary; All works to be carried out to comply with CAR Regulations.
Landscape and visual	<ul style="list-style-type: none"> <li>• Temporary increased visual impact due to new lines built before dismantling of existing towers;</li> <li>• Visual impact of ground disturbance during construction;</li> <li>• Localised tree felling to facilitate dismantling works.</li> </ul>	Reinstate land as close as possible to original condition; Minimise felling activities and allow natural regeneration following works.
Access, recreation and sporting	<ul style="list-style-type: none"> <li>• Temporary disturbance to access in some tourist areas on the B970 between Aviemore and Feshiebridge;</li> <li>• Temporary diversions on the Badenoch Way.</li> </ul>	Preparation of a management plan (as part of the EMP) to control public access and provide suitable diversions during works; EnCoW to supervise activities and ensure compliance with EMP; Liaise with CNPA Access Officers to ensure works are timed to avoid impacts on local events.
Agriculture and forestry	<ul style="list-style-type: none"> <li>• Temporary disturbance to farm and forestry operations</li> </ul>	EnCoW to supervise construction activities; EMP to include specific measures for managing forestry activities; Liaise with landowners to schedule works to minimise impacts on land management operations.

**Table I: Potential Environmental Impacts**

### **CNPA involvement**

28. As detailed in paragraph 1 of this report, one of the conditions of the consent relating to the construction of the Beaully Denny overhead transmission line was a requirement to remove the steel towers supporting the transmission line between Boat of Garten and Etteridge. Since the Scottish Government issued consent in 2010, the CNPA has participated in the Environmental Liaison Group (ELG) which was established to oversee the progress of the Beaully Denny line and its associated works. As part of this, CNP officials have been involved in providing advice from an environmental perspective, as well as outlining the principles of compensation measures.
29. Screening and scoping was undertaken as part of the preparatory work prior to the applicants submitting this current application to the Scottish Government. The applicant considered the proposed development in the context of EIA<sup>7</sup> Regulations and concluded that the project falls within Schedule 2(e) of the Regulations, where an EIA is not mandatory, but may be required if there is potential for significant effects. Due to the nature and scale of the proposed development and given its location within the Cairngorms National Park, the applicants accepted that there may be potential for significant environmental effects and consequently opted to voluntarily submit an Environment Statement without seeking a formal screening opinion from the Scottish Government.
30. Following this decision, the scoping process commenced. A number of stakeholders including the CNPA, the Highland Council, Scottish Natural Heritage and RSPB Scotland<sup>8</sup> were involved at the scoping stage. The stakeholders' engagement included detailed exchanges of ideas, exploration of issues and the undertaking of a number of site visits. Requirements were set out for baseline studies which were required to accompany the proposal. The CNPA provided a response to the scoping consultation in July 2011, expressing general acceptance of the content of the proposed scope of landscape and visual impact assessment that would be covered in the Environmental Statement. The CNPA also highlighted at that time that ecology impacts should consider species within the Cairngorms Local Biodiversity Action Plan (LBAP).

## **DEVELOPMENT PLAN CONTEXT**

### **National policy**

31. **Scottish Planning Policy<sup>9</sup> (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish

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<sup>7</sup> EIA = Environmental Impact Assessment

<sup>8</sup> The applicants made a formal request for a 'Scoping Opinion' to the Scottish Government in June 2011 and statutory and non statutory consultees were also invited at that time to provide comment on the information to be included in an Environmental Statement.

<sup>9</sup> February 2010

Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:

- The constraints and requirements that planning imposes should be necessary and proportionate;
- The system should .....allow issues of contention and controversy to be identified and tackled quickly and smoothly; and
- There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.

32. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government’s central purpose of increasing sustainable economic growth.” Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that “the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
33. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
34. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
35. *Rural development*: SPP recognises that the character of rural areas and the challenges they face vary greatly across the country. It advises that developments which provide employment or community benefit should be encouraged. All new developments are expected to respond to the specific local character of the location, fit into the landscape and seek to achieve high design and environmental standards.
36. *Landscape and natural heritage*: The **Scottish Planning Policy** document recognises the value and importance of Scotland’s landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on

development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.

37. **Scottish Planning Policy** concludes with a section entitled 'Outcomes' in which it is stated that the "planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets."

### Strategic Policies

#### **Cairngorms National Park Plan (2007)**

38. The Cairngorms National Park Plan sets out the vision for the park for the next 25 years. The plan sets out the strategic aims that provide the long term framework for managing the National Park and working towards the 25 year vision. Under the heading of 'conserving and enhancing the special qualities' strategic objectives for landscape, built and historic environment include maintaining and enhancing the distinctive landscapes across the Park, ensuring that development complements and enhances the landscape character of the Park, and ensuring that new development in settlements and surrounding areas and the management of public spaces complements and enhances the character, pattern and local identity of the built and historic environment.
39. Under the heading of 'Living and Working in the Park' the Plan advises that sustainable development means that the resources and special qualities of the national park are used and enjoyed by current generations in such a way that future generations can continue to use and enjoy them.

### Structure Plan Policy

#### **Highland Council Structure Plan (2001)**

40. **Highland Council Structure Plan** is founded on the principles of sustainable development, which are expressed as –
- Supporting the viability of communities;
  - Developing a prosperous and vibrant local economy; and
  - Safeguarding and enhancing the natural and built environment.
- A variety of detailed policies emanate from the principles.
41. The following provides a brief summary of the policies applicable to a development of this nature. **Policy NI – Nature Conservation** advises that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Plan refers to the socio-economic benefits of the nature conservation resource and advises that it should be optimised by a high level and standard of interpretation and understanding wherever possible.

42. The Structure Plan also includes a section on biodiversity, defining it as “natural richness and diversity of nature – the range of habitats and species and the uniqueness of each and every organism.” Biodiversity is not the same as natural heritage, but is one of the key functional components. As a key part of the natural heritage of an area it is important to protect, and where possible enhance biodiversity and to monitor any change.
43. Section 2.4 of the Plan concentrates on the subject of landscape, stating that “no other attribute of Highland arguably defines more the intrinsic character and nature of the area than its landscape.” Similar to national policy guidance, there is a recognition that landscape is not a static feature and that the protection and enhancement of landscape and scenery must be positively addressed. **Policy L4 Landscape Character** states that “the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.”

### **Local Plan Policy**

#### **Cairngorms National Park Local Plan (2010)**

44. The Cairngorms National Park Local Plan was formally adopted on 29<sup>th</sup> October 2010. The full text can be found at :  
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
45. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
  - Chapter 3 - Conserving and Enhancing the Park;
  - Chapter 4 - Living and Working in the Park;
  - Chapter 5 - Enjoying and Understanding the Park.
46. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The policies are intended to meet the sustainable development needs of the Park for the Local Plan’s lifetime. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
47. *Policy 4 Protected Species*: development which would have an adverse effect on any European Protected Species will not be permitted unless there are imperative reasons of overriding interest, including public health or public safety; there is no satisfactory alternative solution; and the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. The policy is intended to ensure that the effects of development proposals on protected species are fully considered by the planning authority. Developers will be required to undertake any necessary surveys for species at their own cost and to the satisfaction of Scottish Natural Heritage and the planning authority.



48. Policy 5 – Biodiversity: development that would have an adverse effect on habitats and species identified in the Cairngorms Biodiversity Action Plan, UK Biodiversity Action Plan, or by Scottish Ministers through the Scottish Biodiversity List, will only be permitted where
- (a) The developer can demonstrate that the need and justification for the development outweighs the local, national and international contribution of the area of habitat or population of species; and
  - (b) Significant harm or disturbance to the ecological functions, continuity and integrity of the habitats or species populations is avoided, or minimised where harm is unavoidable, and appropriate compensatory and / or management measures are provided and new habitats of commensurate or greater nature conservation value are created as appropriate to the site.
49. Policy 6 – Landscape: there will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular the setting of the proposed development. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
50. Policy 16 – Design Standards for New Development: this is one of a number of policies which is intended to encourage developers to consider how they can best include the principles of sustainable development in their proposals, and consider the impact on the environment, economy and community. Policy 16 requires that all proposals are accompanied by a design statement which sets out how the requirements of the policy have been met. The design of all development is encouraged to :
- Reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and materials;
  - use materials and landscaping that will complement the setting of the development;
  - demonstrate sustainable use of resources; and
  - be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.

## CONSULTATIONS

51. The CNPA is a consultee on this proposal and is providing a consultation response to the Scottish Government alongside other consultees.<sup>10</sup> Given that the response from each consultee will represent their individual areas of interest, the extent of consultation informing this report has been limited to CNPA Internal Specialists. Natural heritage interests have been considered by

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<sup>10</sup> Other consultees include Highland Council, Scottish Natural Heritage, SEPA, RSPB Scotland, Transport Scotland, Historic Scotland, Forestry Commission Scotland and a variety of Community Councils.

the CNPA Landscape Officer and Ecology Officer. Similar to the mechanism employed in the consideration of planning applications as outlined in the Protocol Casework agreement between CNPA and Scottish Natural Heritage, the advice of CNPA Internal Specialists is confined to non designated natural heritage features.

- 52. Ecology:** The consultation response from the Ecology Officer included comment on the impact of the rationalisation proposal on juniper. It is noted that the accompanying Environmental Impact Assessment (EIA) states that “the construction of the new wood pole lines, underground cable and dismantling of existing towers will avoid stands of juniper wherever possible due to their high biodiversity value and extremely slow growing lifecycle. However, in some locations, the stands of juniper are too extensive to avoid completely. In these locations, the Environmental Clerk of Works would advise on the least impact approach to be taken so that the most important specimens are avoided.” The Ecology Officer recommends in such instances where it is not possible to avoid juniper, that translocation should be considered. In the event that this is not possible, an alternative would be to undertake compensatory planting.
- 53.** The Ecology Officer has also raised some concern regarding wood ants, noting that no consideration appears to have been given to the species along the proposed line. The CNPA had previously advised that Cairngorms LBAP species should be considered in the EIA. The Ecology Officer notes that the narrow headed woodant, Scottish woodant (*Formica Aquilonia*) and Hairy woodant (*Formica Lugubris*) are Cairngorms LBAP species and are likely to present along some of the proposed new line. It is recommended that a species protection plan is created for wood ants and that this incorporates suitable mitigation measures.
- 54. Landscape:** The CNPA Landscape Officer provided landscape and visual comments. The Landscape Officer agrees with the level of baseline sensitivity which has been noted in documentation supporting the application – the National Park has a high sensitivity to the proposed development. The Landscape Officers agrees with the general conclusion of the applicant that the proposal will result in a low magnitude of change to the overall characteristics of the National Park landscape, but that there are some areas in Strathspey where localised change will be of medium magnitude. There is also agreement with the conclusion that the removal of the existing tower line will result in a permanent beneficial impact.
- 55.** Notwithstanding the acceptance of the general conclusions above, there are a number of specific areas where the development proposal could give rise to landscape or visual impacts and the Landscape Officer has consequently suggested mitigation measures. The following table provides a summary of the landscape / visual impact issues and the recommended mitigation measures.

**CAIRNGORMS NATIONAL PARK AUTHORITY**  
**Planning Paper I 25 May 2012**

<b>Character area</b>	<b>Viewpoint</b>	<b>Residual landscape impacts / visual impact</b>	<b>Mitigation</b>
Inverdrueie to Pityoulish	Viewpoint 8 – Rothiemurchus fishery	<p>Significant benefit from the removal of the tower line;</p> <p>New wood pole line will not form a visual focus at the moment;</p> <p>Likely to form a visual focus from parts of the An Camas Mòr access road in the future (proposed line would introduce visual clutter, particularly the above ground section between the An Camas Mòr site and the fishery at Rothiemurchus. The end H pole on the river terrace is likely to be particularly prominent)</p>	<p>Suggested option no. 1 : underground this section</p> <p>Suggested option no. 2: locate the new wood pole line closer to the An Camas Mòr access road. This offers potential for it to relate better than currently proposed to the existing and future road infrastructure.</p>
Insh Marshes	Invertromie : Viewpoints 4 and 15 - west and east side of the River Tromie	<p>Likely to be a moderate adverse impact near Invertromie, where two 33kV lines and one 11kV line would be seen together crossing the Tromie.</p> <p>From the eastern end (Dell of Killiehuntly) the terminal H poles for all three lines could be very prominent;</p> <p>From the western end (Invertromie), the two 33kV lines would cut across and add clutter to the foreground of a diverse and sensitive visual resource. An area of tree felling along the line would further add to this. The Environmental Statement acknowledges that the proposed changes would greatly detract from the scenic quality of the view (from a point on the Badenoch Way on the RSPB Reserve)</p>	<p>Acceptance that the River Tromie prevents undergrounding of the section across the river.</p> <p>Suggestion 1: Underground a further 200m westwards, to reduce the visual clutter of lines close to the B970 road and would result in the 3 H poles being closer to a wooded backdrop and away from the 18<sup>th</sup> / 19<sup>th</sup> century field dykes;</p> <p>Suggestion 2 : Underground both wood poles lines on the Invertromie side of the river;</p> <p>Suggestion 3 : Consider whether or not additional undergrounding is feasible, in conjunction with careful on the ground micro siting of the H poles and associated felling.</p>
Insh Marshes	Inshcraig – Balnespick View point 6 : views from the B970 in this area	<p>Medium magnitude of impact on a section where two 33kV lines and an 11kV line would cross open farmland, and add to the visual clutter.</p> <p>Fields are open to views from the B970 road, which is heavily used by walkers and cyclists</p>	<p>Suggestion : Underground the two new 33kV woodpole lines to reduce the visual clutter and prominence of linear elements in this open landscape;</p> <p>And</p>

		<p>and is part of a circular walk that includes the Badenoch Way.</p> <p>The sensitivity of the visual resource is higher than the 'low' noted in the Environmental Statement.</p>	<p>Careful on the ground micro siting of the H-poles, lines and associated felling in relation to existing landscape features such as walls, individual trees, groups of trees and farm buildings.</p>
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**Table 2: Landscape and visual impacts and recommended mitigation measures**

- 56. Access:** The Access Officer considered the proposal in the context of public access and its potential impact in disrupting access during the construction / dismantling phase, as well as the potential loss to the visitor experience in locations where the new lines could obstruct a view. It is however accepted that the impacts have the potential to be addressed by appropriate mitigation measures. For example, on the subject of potential disruption to access during the construction / dismantling stages, the applicants have identified a need to include measures in an Environmental Management Plan to address public access issues. A commitment has also been given to consult with the Access Authority. The CNPA Access Officer considers that this will provide sufficient opportunity to address any public access concerns. It is recommended that the Environmental Management Plan should identify local diversions for public access during the period of works if access cannot be managed on the site. It should also identify if there are any events on the route and works should be timed to avoid them. It is also recommended that details would be provided of signage proposals to notify the public in advance of reaching the sites of the proposed works.



**Fig. 18: The Badenoch Way is in the vicinity**

- 57.** In considering the impact of the development proposal on the visitor experience in the area, the section of the existing Badenoch Way (and planned future Speyside Way extension) between Insh and Drumguish is of most concern. It traverses an area of high open ground, from where there are views over Insh Marshes and towards the Monaliadith. The existing pylons are to the east of the track and as such are not in a position which interferes with the views.

## REPRESENTATIONS

58. Given the role of the CNPA as a consultee in this application process, the Authority is not in a position to receive or take into account representations on the development proposal. Any parties wishing to make a representation have been afforded the opportunity to do so directly to the Scottish Government.

## APPRAISAL

59. Previous sections of this report have highlighted the engagement of the CNPA in this process to date, including involvement in the scoping process. Through that engagement, the CNPA have sought to identify a range of special qualities. The natural and cultural qualities combine to give the National Park its distinctive identity. The details provided in support of this application display the applicants' acceptance of the special qualities of the National Park and a commitment to fully consider potential impacts and provide appropriate mitigation measures. The CNPA expressed general acceptance at the scoping stage of the proposed approach to assessing the impacts and set out the expectation that the scope of works would be defined to mitigate and enhance landscape and visual impacts.
60. The existing overhead powerlines between Boat of Garten and Etteridge are prominent features in the landscape. The fact that the overall project will result in the dismantling of this extensive wirescape and its replacement with smaller scale, less obtrusive wooden pole lines, as well as undergrounding in the most sensitive areas, will deliver long term beneficial effects in landscape terms. The development can be considered compatible with the long term vision for the National Park, as expressed in the Cairngorms National Park Plan (2007). The long term benefits that would result from the project accord with strategic objectives of the Plan which include maintaining and enhancing the distinctive landscapes of the Park and achieving development which complements and enhances the landscape character of the Park.
61. In accepting that the development would assist in delivering some of the strategic objectives of the National Park Plan, it is logical to then conclude that the overall beneficial landscape effect that will be achieved also accords with Highland Council Structure Plan policy on Landscape Character (Policy L4) and Cairngorms National Park Local Plan policy on Landscape (Policy 6). Both policies seek to ensure that development maintains, complements and enhances the landscape. Structure Plan and Local Plan policies also include a range of policies to ensure that development minimises the impact on nature conservation, and ensuring that development does not adversely impact on important habitats and species. The Environmental Statement which has been submitted in conjunction with this application includes a detailed section on ecology and ornithology. However, as detailed in the consultation response from the CNPA's Ecology Officer consideration should be given to wood ant species along the proposed line, and measures should also be put in place for the translocation of juniper (or the undertaking of compensatory planting if translocation is not possible).

62. The information which has been submitted places heavy emphasis of the preparation of an Environmental Management Plan as a means of dealing with in depth issues associated with the project. This is generally acceptable, and the range of issues proposed to be covered addresses CNPA interests. It would however be beneficial for the CNPA to be afforded the opportunity to consider the contents of the Environmental Management Plan once prepared. It is also suggested in the interests of clarity and orderly development that the applicants also provide clarification to the CNPA on a number of matters prior to the commencement of works.

## **IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK**

### **Conserve and Enhance the Natural and Cultural Heritage of the Area**

63. The rationalisation proposal would result in the removal of highly prominent steel tower double circuit power lines which run through a significant area in the west of the National Park. The rationalisation proposals would result in the powerlines being carried by a combination of smaller wooden poles, as well as undergrounding in the most visually sensitive areas. The route and works have considered the impacts on the natural and cultural heritage of the area, and adequate measures are proposed to ensure that such interests are protected. In overall terms the proposal presents the opportunity to offer some enhancement to the visual amenity of the area.

### **Promote Sustainable Use of Natural Resources**

64. The basic infrastructure involved in the development proposal i.e. the wooden poles, is a sustainable natural resource.

### **Promote Understanding and Enjoyment of the Area**

65. The dismantling of the steel tower pylon line over the extent of the route from Boat of Garten to Etteridge and its replacement with less obtrusive wooden pole lines, as well as the undergrounding proposals in some of the more visually sensitive areas, will all assist in increasing the general public's enjoyment of the special qualities of the area.

### **Promote Sustainable Economic and Social Development of the Area**

66. The work involved in the development of the new powerline infrastructure and the associated dismantling of the existing pylon line, is likely to generate employment opportunities during the period of construction. As such the development has the potential to generate increased economic activity in the area during that time.

## RECOMMENDATION

**That Members of the Planning Committee raise NO OBJECTION to the Etteridge to Boat of Garten Rationalisation Scheme, subject to the following:**

1. The CNPA being afforded the opportunity to provide comment and advise on the completed Environmental Management Plan, prior to the commencement of development;
2. The undertaking of discussions with the CNPA on access and signage, prior to the commencement of development;
3. Clarification on and identification of all new temporary tracks prior to the commencement of development, and supported by comprehensive proposals for the reinstatement of such tracks;
4. The identification of the locations and full extent of all main and satellite compounds, prior to the issuing of any consent for the development;
5. Amendments to be undertaken to the Environmental Statement prior to the issuing of any consent for the development, to include
  - (a) Consideration of the impact of the development on juniper species, together with associated proposals for translocation, or the undertaking of compensatory planting where translocation is not possible; and
  - (b) The creation of a species protection plan for woodants and the incorporation of suitable mitigation measures;
6. Consideration being given to wider range of landscape mitigation measures, in accordance with the advice provided in Table 2 of this report, by the CNPA's Landscape Officer, in relation to further areas of undergrounding and the micrositing of H poles.

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**15 May 2012**

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