

Planning Application 16/01281/FUL, validated 21/03/2016

Land 2425M west of Glen Kyllachy Lodge, Tomatin. Construction of hilltrack for ATV access to the open hill [formerly Prior Notification 15/03588/PNO of 15/10/15]

I am writing on behalf of the Scottish Environmental LINK Hilltracks sub-group. The members of this group include the Association for the Protection of Rural Scotland, The Badenoch and Strathspey Conservation Group, the Cairngorms Campaign, the National Trust for Scotland, the North East Mountain Trust, the Royal Society for the Protection of Birds, Ramblers Association Scotland, Scottish Campaign for National Parks, and the Scottish Wild Land Group.

Our attention has been drawn to the above full application to the Highland Council. We have decided that although we may not make a formal objection to this development proposal, we have some comments to make [see bulleted list below]. It is appropriate that the Applicant has now submitted a full application, given the proposed use of the track [access to grouse moor, and presumably it can be assumed to be for shooting purposes].

- The applicant has not given adequate construction details, or environmental protection measures.
- No peat damage avoidance or mitigation measures have been specified; over this length of track and at this altitude, it is probable that areas of peat will be present.
- There is a lack of clarification on the purpose or intended use of the track.

In short, the applicant [despite his application stating that the proposal has been discussed with THC] does not appear to have followed the excellent Highland Council December 2014 guidance concerning hilltrack construction, specifically failing to clearly state the tracks proposed use, full details of the design and construction methods to be used, drainage provision, waste material disposal and whether peat is present and how it will be protected.

There is a very minimalist culvert location and specification document which states that "Care will be taken during the construction phase to avoid damage to protected species and habitats and to reduce the risk of pollution" – but does not specify the local species and habitats, or the precise actions that will be taken to avoid creating sources of pollution, most especially silting. This document also states "The culvert placement will adhere to SEPA guidelines and good practices" – again, it is easy to make a statement like this but it needs to be supported with the appropriate details.

We feel that the Applicant should be expected to follow your very helpful and clear guidance. This particular application raises concerns that expected standards may not be met. We should appreciate your feedback on our observations.

Beryl Leatherland

Co-convenor [06/04/2016]