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## CAIRNGORMS NATIONAL PARK AUTHORITY

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**Title: REPORT ON CALLED-IN PLANNING APPLICATION**

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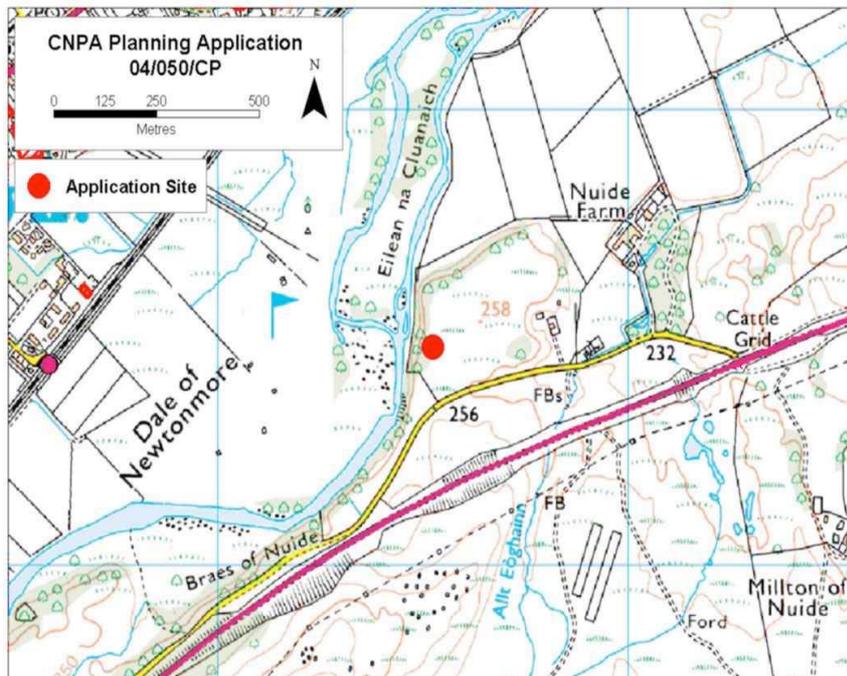
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**DEVELOPMENT PROPOSED: TELECOMMUNICATIONS MAST AT LAND ADJOINING RIVER SPEY, WEST OF NUIDE FARM, NEWTONMORE**

**REFERENCE: 04/050/CP**

**APPLICANT: ORANGE PCS LTD, 6 MASTERTON WAY TANOCHSIDE PARK, GLASGOW G71 5PT**

**DATE CALLED-IN: 13<sup>TH</sup> FEBRUARY, 2004**



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. The proposal is for the erection of a 15metre high (slimline) lattice telecommunications tower and the installation of associated equipment, with the site surrounded by fencing. The tower will have 3 dual polar antennas at the top of the mast and 2 transmission dishes. 6 equipment cabinets will be located adjacent to the base of the mast, plus a meter cabinet, all surrounded by a 1.1metre high stock-proof fence of timber post and mesh to match existing fencing in the area. The compound area is 6m by 6m in size, and is largely within a field used for grazing. Another approximate area of 7.5m by 10m is included in the application site where it is indicated there will be landscape planting. An existing grassy access track to the location of the mast follows a field boundary from the roadway to Nuide Farm, and this is to be upgraded for the construction of the development.
2. The proposed site is on a river terrace on the east side of the River Spey, across the river from the village of Newtonmore. The terrace is on the outside of a meander of the river, and on the side of the river where there is some erosion to the riverbank – undercutting of the bank and landslips. The slopes to the River Spey are largely vegetated, with rough grasses and scattered mature birch trees. The scattered birch woodland, which exists between the mast site and the riverbanks, is of ancient semi natural origin. The trees are 5-7 metres tall. No natural regeneration is taking place in the locality of the mast site.
3. A total of 9 sites were investigated, including this application site and Ralia tourist centre, a site opposite the junction of the B9150 with the A9, a site above and north of Banchor Mains Farm and a site at a tree belt north of Banchor Mains Farm. Alternatives were also considered at Milton, south of the A9 and Glentruim. Consideration was also given to areas north east of Craggan Farm, above Newtonmore where consent for a mast exists but is currently considered not to be implementable as the estate and local croft township have not agreed to grant access, or permission for the power supply route. This is the reason behind the current application.
4. The applicants have provided a Declaration of Conformity with ICNIRP Public Exposure guidelines, to confirm that the development is designed to be in full compliance with the requirements of European guidelines.

## DEVELOPMENT PLAN CONTEXT

5. **NPPG19** (Telecommunications) and **PAN62** (Radio Telecommunications) set out the national policy, and siting and design principles for new telecommunications infrastructure. This guidance is incorporated in the new **Interim Planning Policy No.2** Document recently produced for consultation within the Cairngorms National Park Area.

6. The **Highland Structure Plan Policy U4 Telecommunications** states that the Council will give favourable consideration to proposals for the erection of radio masts and other telecoms structures provided that there is compliance with Strategic Policy G2, and subject to a number of conditions such as - other masts cannot be shared, existing services are not interfered with, there is no discernible risk to public health, the operator is licensed, the proposal forms part of a network, and redundant masts and equipment are removed. **Policy G2 Design for sustainability**, talks of assessing new developments on the extent to which they may be accessible, they maximise energy efficiency, are affected by significant risk from hazards such as flooding or land instability, make use of brownfield sites, impact on individual and community residential amenity, and impact on non-renewable resources.
7. The site for the mast is close to the **River Spey - Insh Marshes, Special Site of Scientific Interest (SSSI)** which is also a candidate Special Area of Conservation (cSAC) and a Special Protection Area (SPA), and a Ramsar site. With particular reference to the locality of the application site, the SSSI designation covers broad-leaved woodland and goldeneye; the cSAC has been identified for its populations of Atlantic salmon, otter sea lamprey and fresh water pearl mussels; the SPA designation includes whooper swans and osprey, and the Ramsar designation covers wildfowl.
8. In **The Badenoch and Strathspey Local Plan (September 1997)** there are several relevant policies. **2.5.4 Woodlands and trees** policy gives protection to existing trees and established woodland areas which are important to the landscape, wildlife and amenity of the countryside (including significant areas of ancient and semi-natural woodlands). Measures to ensure the continuity and regeneration of these features will be encouraged; and generally development should not be sited within 20 metres of the trunks of large or mature trees, with careful consideration given to the effect of related access and services on their stability. **2.5.5 Nature Conservation** policy states that there will be a presumption against development that would have a significant detrimental effect on any of the listed designated nature conservation sites, e.g. River Spey – Insh Marshes. **Policy 2.5.6** states that the Council will have regard to the local nature and wildlife conservation value of nominated areas when considering future proposals for development or interpretation (including the Insh Marshes). Policy **2.5.10** covers **Landscape Conservation**, and indicates that the Council will conserve areas of landscape importance including waterside land, open areas, and scenic views particularly over open water from the main tourist routes. Development proposals will be considered carefully in respect of their impacts on conservation and the environment.

## CONSULTATIONS

9. As the site lies approximately 0.15km from the River Spey – Insh Marshes special designation areas, SNH were consulted for their comments and advice. In relation to the European Interests (special designations) SNH consider that the impacts of the proposals are not likely to be significant, and the integrity of

the conservation interests can be safeguarded. They would advise however that specific measures are adopted during the construction of the development to ensure that the works do not destabilise riverbank slopes and precipitate slumping of terrace sediments into the River Spey.

10. SNH do not object to the application, but consider that there will be local landscape impacts, and comment that the developer has not demonstrated that there are not other more suitable sites.
11. The CNPA Natural Resources Group concur with the SNH comments and indicate that the wildfowl and whooper swan interests in the adjacent River Spey natural conservation designations will not be affected by a mast here as the main flight of the important birds in the locality is along the river axis. With regard to tree cover, the Section advises the planting of alder in this location for targeted screening. Alder are fast growing and will grow to reasonable height. The landscape concerns of SNH are recognised but given that local consultation as been undertaken with no objections received the proposal is considered not to be controversial. The proposal would offer some welcome reinforcement for the immediate woodland in terms of additional planting.

## REPRESENTATIONS

12. The application was advertised in the local press, and no representations have been received. The Vice-Chair of the Newtonmore Community Council has indicated that the Council has no objections to this proposal.

## APPRAISAL

13. The issues to consider on this proposal, are those of - the need for this mast, the location chosen, and if the principle is acceptable, what precautions are required for, or special measures required to mitigate, the development of this site.
14. The mast is one of a series of communications masts along the Spey Valley. A planning consent was granted (on appeal) for a similar mast at Craggan Farm in 2002. However due to difficulties in being able to gain access to the site, it has not been possible to develop that site. There is therefore a gap in the chain of masts to optimise communications coverage in the Newtonmore area, the A9 and the railway line. As noted above a planning consent exists that covers this sector of the Spey valley, but it appears not to be implementable at present. It is not good planning to grant another permission in the locality, whilst an existing consent exists as this could result in a proliferation of masts in the area having a cumulative impact upon the landscape. Consequently, consideration should be given to obtaining a revocation of the existing planning consent at Craggan Farm before any new implementable consent is granted.
15. The area of search for a mast has extended from Glentruim in the south to Craggan Farm to the north. In all, 9 sites were investigated (including the

Craggan Farm site). Some of the sites had problems with technical effectiveness, visual intrusion from the town, or for traffic on the A9 or walking trails. Discussions with planning officials were held to look at the options, and to seek an appropriate site that took account of objections raised by local community groups to the previous mast application (at Craggan Farm). The application site is able to satisfy the applicants technical needs and has not resulted in objections from the local community. A slightly lower siting adjacent was considered also, but there were problems of ground stability for the mast construction. Nature conservation, and Local Plan policies highlight the need for minimal ground disruption, and so a siting on the periphery of the woodland area, set back from the river banks has been chosen, and this meets with the approval of SNH in terms of protecting recognised nature conservation interests and no objection is raised on Natura 2000 grounds.

16. SNH consider that the proposal will result in local landscape impacts and that the proposed mast will be highly visible from Newtonmore. The response goes on to state that alternative sites have not been considered. However, as set out previously several sites have been assessed all of which are considered to either have a greater visual impact than this site, or do not provide the coverage required by the operator. The upper part of the mast would be likely to be visible from parts of Newtonmore, including sections of the golf course. However, the mast is sited at least 700 metres from the nearest main built part of the settlement and it must be recognised that at this distance and set partly behind trees the overall landscape impact from Newtonmore would be limited. In the background of the site is the A9 overhead power line, which in visual terms would be likely to draw the eye away from the mast. It should also be noted that no objections from the local community have been received on landscape grounds. The site may be glimpsed from a section of the A9, but is largely hidden from the road by intervening higher ground.
17. The applicants have allowed for some new planting in the area of ground between the mast position and the river (and Newtonmore). The ancient semi-natural woodland does not have any evidence of regeneration and new fencing around the landscaping area may have to be specified to reduce grazing from stock or rabbits in order to encourage new growth and / or to protect new planting.
18. The applicants have not specified any colouring for the mast, and as the mast will largely be visible set against the distant hills, then a dull mid to dark green colouring should be used for all the structures. The application has not specified any arrangements for power and telecoms lines to the site itself and a part underground/part overhead solution has latterly been suggested by the agent. However, it has been pointed out to the agent that in accordance with the proposed policies for telecoms masts in the Cairngorms National Park area, the applicants should underground all new cabling to the site and a condition is proposed to ensure this.
19. In conclusion, there is a need to provide a modern communications tower in this part of the Spey valley, and this siting has not raised the level of objection

as a previous proposal on higher ground. Following careful consideration of a number of alternatives, the site chosen is a more reasonable proposal on lower ground. There is some semi-natural woodland to assist in screening the lower part of the structure and the associated equipment. Careful choice of colouring will help to reduce the visual impact of the mast. New planting is an important additional measure, but will have little short to medium term effect. This application also offers the opportunity to revoke an existing planning consent which was refused by Highland Council, but ultimately successful upon appeal to the Scottish Executive for a mast at Craggan Farm which was highly controversial in local terms and of itself considered to have significant landscape impacts by the local community. This consent should be revoked, in order that there is no unnecessary duplication of masts resulting in cumulative landscape impact in Newtonmore's vicinity.

20. Planning conditions are recommended to cover the time period of planning consent, the time within which planning consent can be implemented, the colouring of all structures, adequate measures to avoid any ground slumping, and providing details on the planting and implementation of landscaping proposals.

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

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

21. The erection of the mast etc. itself does not have any discernable positive or negative impacts in this respect. The landscaping commitment associated with the development, may assist in the regeneration of a small part of the semi-natural woodland.

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

22. Not applicable to this proposal.

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

23. This proposal is not particularly relevant to this aim.

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

24. The development of a more efficient and effective telecommunications services is considered to have positive economic and social benefits for Scottish businesses and for individuals, as well as for the emergency services. This proposal will fit into a national network, and will provide a positive benefit to the local community, and to travellers staying locally and passing through this area.

## **RECOMMENDATION**

That Members of the Committee support the following recommendations to:

**A: Seek a REVOCATION of the existing planning consent at no cost to the Cairngorms National Park Authority for a Telecommunications Mast at Craggan Farm, Newtonmore, and**

**B: Delegate to the Planning Manager, following the Revocation in A above, the GRANT of Full Planning Permission for the erection of a 15 Metre High Lattice Telecommunications Mast, associated antennas, dish and other equipment, at land adjacent to the River Spey, west of Nuide Farm, Newtonmore, subject to the following conditions:**

- i. The development to which this permission relates must be begun within 2 years from the date of this permission.
- ii. That the permission hereby granted is for a limited period of 15 years from the date of this planning consent.
- iii. That the lattice tower and associated fixings shall be finished in a matt green colour, of an exact colour (a British Standard colour) which has been agreed in writing with the National Park Authority. This colour will be applied to the column and fixings prior to the operation of the Telecoms system.
- iv. Prior to the commencement of any development on the site, the following shall be submitted for the consideration and approval of the National Park Authority – (a) site management proposals to ensure that measures are adopted during the construction period to prevent any works from destabilising local ground slopes, (b) measures to be taken to protect all existing trees on and adjacent to the site, and (c) the landscaping proposals for the site for the regeneration of semi-natural woodland and / or new planting adjacent to the mast.
- v. No other antennas or dishes, others fixings, or any signs shall be attached to the approved mast without the express written consent of the National Park Authority.
- vi. That all service cabling from existing infrastructure networks to the site shall be undergrounded, unless specifically agreed in writing with the National Park Authority.
- vii. That all infrastructure and equipment, hereby approved, shall be completely removed from the site and all land relative to the development shall be restored to its original natural condition, within six months of the termination of this temporary planning consent, or the communications system becomes redundant (whichever is the sooner), unless otherwise agreed in writing with the Planning Authority. Prior to the development becoming obsolete, the date from which the six month period shall run, shall be notified to and agreed with the National Park Authority.