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By e-mail to: DPEA@gov.scot

Dear Sir/Madam,

**RE: 21/00033/REFIN – NOTICE OF APPEAL TO SCOTTISH MINISTERS - PLANNING REFERENCE
20/05073/FUL**

FURTHER COMMENTS BY THE SCOTTISH WILD LAND GROUP

Having received notification of the above appeal, the Steering Committee of the Scottish Wild Land Group (SWLG) wishes to submit the following comments to be considered in conjunction with the points raised in its objection of 10/2/2021 to the proposal to site a temporary meteorological mast on land near Tomich by Cannich.

These comments are submitted by SWLG as a registered wild land charity and are separate from any comments which might be submitted by individual committee members in their own name against this same appeal.

1. PEAT

The Appeal Statement of Case makes assertions about peat, notably peat depth, that contradict the statements made in the Supporting Information provided with the original application.

In the Supporting Information (Section 5, Page 9 of 8) it is clearly stated: “The Site itself is generally flat with peat depths estimated between 1.01 m and 1.5 m, based on peat probing undertaken for the wind farm development.”

According to the Appeal Statement, however, “The Development is proposed to be located in an area interpolated as having peat depths of 1.0 m or less.” (Appeal Statement of Case, page 18, Section 5 PEAT, paragraph 5.2) It continues: “ ... the detailed probing at the location of the Development recorded all peat depths between 0.5 m and 1.0 m, indicative of shallow peat ... “ (Section 5, paragraph 5.3)

Quite apart from the conflict between the two data sets, we are concerned to see the appellant refer to peat depths of 0.5 – 1.0 metre as “shallow peat”. It is our understanding that Nature Scot (formerly SNH) has defined “deep peat” as starting at a depth of 0.5 metres.

Furthermore, in February 2020 the Scottish Government, through Nature Scot, announced a peatland restoration project (Peatland Action Project) with funding of some £250 million over the next 10 years. They stated: “Restoring peatlands is one of the most effective ways of locking in carbon, offering a clear nature-based solution to both the climate crisis and biodiversity loss.” (Ref.: <https://www.nature.scot/climate-change/nature-based-solutions/peatland-action-project>)

Erecting a meteorological mast on deep peat would thus run counter to the goals of the Scottish Government in regard to climate change. Within a 5,000 acre site that includes places with little or no peat there must surely be other locations that could be used.

2. LANDSCAPE AND VISUAL IMPACT – PATHS AND AMENITY

The Appeal Statement of Case fails to address our concerns with regard to landscape and visual impact.

- By virtue of its height and elevated position the mast will be clearly visible to anyone visiting the Glen Affric National Nature Reserve, whether by car or on foot. The appellant seems unaware that there is only one route for vehicular traffic into and out of the area: car-borne visitors cannot fail to see the mast as they arrive and again as they depart. The presence of the mast will therefore impact adversely on the special character of the area, as acknowledged by The Highland Council in its Decision Notice.
- The same Decision Notice also refers to the risk of significant visual impact on recreational users of the Affric-Kintail Way and “the nearby well used path network”. By choosing to specify “the nearby well used path network”, The Highland Council demonstrates concern for the impact on all paths, not just those with Core Path or other special status. The appellant, on the other hand, seems to think that only Core Paths are of any importance. They omit several well-known path networks from their study, including those serving nearby Plodda Falls and the path to Corrimony.
- As we noted in our original objection, the mast will be highly visible from far and wide, dwarfing all other structures including pylons. The dominating feature in the landscape at present is the historic Tweedmouth Monument, deemed to be of Regional Importance and with a sensitivity of setting graded High by THC Historic Environment. Section 4.30, page 16, of the Appeal Statement tells us that “the mast would rise just over 40m higher than the cross” – if this is not a

significant impact, what is? The Highland Council evidently shares our view, observing in their Decision Notice that “the disparity in heights with the nearby Tweedmouth Memorial will be most evident”.

- Since submitting our objection in February of this year we have been made aware of the response of the Ministry of Defence to the original application. This clearly states that the mast would require lighting, rendering it even more visually intrusive in an area whose scenic qualities depend to a large extent on perceived naturalness and wildness.
- The Appeal Statement refers repeatedly to forestry and tree cover as helping to mitigate the visual impact of the mast. This is disingenuous. Forestry is not a permanent feature in the landscape - it can be felled. Indeed, we understand that there are areas of nearby forestry and woodland which are earmarked for felling due to the presence of disease. As this could happen within the 5-year lifespan of the mast it would be unwise to rely on trees to provide a screen.

3. POTENTIAL IMPACT ON RAPTORS

Our original objection made reference to the potential impact of the mast - and its 16 guy wires - on birdlife, including important species such as eagle and osprey. Whilst we acknowledge the appellant’s intention to install bird diverters (Appeal Statement Section 5.1, Page 9 of 8), we remain unconvinced that such measures will suffice to protect the local raptor population. Having read the objections raised against the original application by the Scottish Raptor Society and by Roy Dennis, a recognised authority on golden eagles, we consider the risk to golden eagle, osprey and, potentially, hen harriers to be unacceptable.

4. OTHER CONSIDERATIONS

Following on from the points raised earlier in this letter with regard to the siting of the mast on deep peat, we understand that the appellant has LIDAR wind monitoring equipment in operation just 800 metres from the location of the proposed mast. This installation has been collecting wind data since February 2020. It does not disturb deep peat. It is not visually intrusive. Why does the appellant additionally require a met mast in the same area, within a site of 5,000 acres? We have seen no convincing argument for this.

We are aware that the appellant is trying to link the mast application to the Scottish Government’s policy of promoting renewable energy developments and that their ultimate goal is to secure consent for a large wind farm on the site. These are not material considerations, however, and the application must be judged on its own merits – as indeed it has been once already by The Highland Council.

Lastly, having read all the objections, we note that the temporary nature of the structure should not be taken as grounds for upholding the appeal. Circular 4/98, Annex A, paragraph 105 states that a development should be acceptable in its own right, which does not seem to be the case here.

For the reasons detailed above, the Scottish Wild Land Group upholds its objection to this proposal and urges the Reporter to refuse the appeal.

For and on behalf of the Scottish Wild Land Group,

Yours faithfully,

Jane M. Meek