

**Consent Number: 03399442**

**THE ENVIRONMENTAL IMPACT ASSESSMENT (FORESTRY) (SCOTLAND)  
REGULATIONS 1999 ("the Regulations")**

**DETERMINATION OF AN APPLICATION UNDER REGULATION 4 OF THE  
REGULATIONS FOR CONSENT TO CARRY OUT A RELEVANT PROJECT**

**Background and Statement of Reasons Supporting the Decision to Grant  
Consent**

**Purpose**

To explain the background to Forestry Commission Scotland's decision to grant consent, subject to conditions, to the above application. This will include the main reasons for granting consent and any considerations on which the decision is based and describe, where necessary, the main measures that have been agreed to avoid, reduce and, if possible, offset the major adverse effects of the project. The applicant is Forest Enterprise Scotland (FES), an agency of Forestry Commission Scotland (FCS).

**Site and Ownership**

Cruach Tarbeirt forest is in the heart of Loch Lomond and the Trossachs National Park (LLTNP), and is located on the flanks and upper slopes of a hill called Cruach Tarbeirt. The forest overlooks Loch Lomond and rises up from its western shore. Cruach Tarbeirt dominates the head of Loch Long. The forest forms part of the National Forest Estate managed by Forest Enterprise Scotland on behalf of Scottish Ministers.

**Proposal**

The proposal is to construct a forest road within Cruach Tarbeirt forest. This is a first rotation plantation forest largely planted between 1967-1976, which does not currently have any internal forest road infrastructure and therefore no harvesting or forest restructuring activity has taken place within it.

**Legislative background**

The Environmental Impact Assessment (Forestry) Scotland) Regulations 1999 ("the EIA (Forestry) Regulations") prohibit the carrying out of any work or operations in relation to a "relevant project" unless consent has been obtained from Forestry Commission Scotland. This proposal constitutes forest road and quarry works covered under section 3 of the regulations.

**Application Details – Environmental Statement**

The non-technical summary in Volume 1 of the applicant's Environmental Statement (ES) dated 6 November 2015 provides a useful summary of the project.

The construction of the road network to extract timber is a fundamental component of Forest Enterprise Scotland's Forest Design Plan (FDP) for Cruach Tarbeirt. Although this plan, covering the years 2015-2025, is not subject to assessment under this application, it is very pertinent to it, particularly for the phasing of harvesting and restocking of the forest, and its future design and structure.

Accordingly, the forest design plan was assessed and consulted upon following normal FCS procedures, concurrently with this application.

The proposal which is the subject of this application was first discussed with consultees in 2006. However, it was screened formally for the purposes of the application in 2013. The applicant recognised that it was highly likely consent would be required for the project. Forestry Commission Scotland confirmed this in June 2013.

### **Reasons for project requiring consent**

The main reason for the project requiring consent was:

#### Landscape

Cruach Tarbeirt forest lies within the Loch Lomond and the Trossachs National Park and the Loch Lomond National Scenic Area. Cruach Tarbeirt is a very visible landform in an area popular with local people and visitors and the road is likely to have a significant impact on the landscape.

Secondary reasons were:

#### Archaeology/Cultural heritage

The proposals may have an impact on an abandoned settlement at the southern end of the forest and on other archaeology and cultural heritage remains within the proposal area.

#### Natural heritage

The proposals could have significant effects on breeding birds. Other protected species (including otters, bats and red squirrels) could also be affected by the proposal.

#### Water quality

The proposals could have an effect on local water quality. Loch Lomond is a public water supply and a proportion of the proposal lies within the catchment. Additionally, there is one private water supply in the proposal area.

## Peat

The proposals are likely to have an impact on areas of peatland within the forest.

## **Background**

The application for consent and an Environmental Statement were submitted to Forestry Commission Scotland on 12 November 2014. Forestry Commission Scotland asked for further information and the application was returned to the applicant for revision on 4 February 2015. The further information covered a range of issues but included a request for more detail on both the potential likely impact of the proposals and the proposed mitigation.

A revised application, suitable for consultation, was received on 8 May 2015. The consultation period began on 1 June 2015 to run for 28 days. Adverts for the consultation were placed in the Helensburgh Advertiser and the Dunoon Observer/Argyllshire Standard.

Following consultation, Forestry Commission Scotland advised the applicant that amendments were required to the application to address comments received from stakeholders during the consultation process. A final Environmental Statement was submitted to Forestry Commission Scotland on 6 November 2015.

## **National policy context relating to Cruach Tarbeirt forest**

National and regional policy documents provide general context for considering applications under the EIA (Forestry) Regulations. They help to inform the decision by setting down the contemporary standards that should be applied when determining whether or not an environmental impact is likely to be significant, what mitigation should be carried out to minimise the impact, and to assess the value of any compensatory benefits.

### The Scottish Forestry Strategy<sup>1</sup>

The Scottish Government's Scottish Forestry Strategy was published in 2006 and sets out government priorities for forestry in Scotland. The vision of the strategy is:

*"By the second half of this century, people are benefiting widely from Scotland's trees, woodlands and forests, actively engaging with and looking after them for the use and enjoyment of generations to come. The forestry resource has become a central part of our culture, economy and environment."*

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<sup>1</sup> <http://scotland.forestry.gov.uk/supporting/strategy-policy-guidance/forestry-strategy>

Seven key themes to help achieve the vision are identified:

- *Using forestry, and adapting forestry practices, to help reduce the impact of climate change and help Scotland adapt to its changing climate.*
- *Getting the most from Scotland's increasing and sustainable timber resource.*
- *Strengthening forestry through business development to underpin sustainable forest management and support economic growth and employment across Scotland.*
- *Improving the quality of life and well-being of people by supporting community development across Scotland.*
- *Making access to, and enjoyment of, woodlands easier for everyone - to help improve physical and mental health in Scotland.*
- *Protecting the environmental quality of our natural resources (water, soil and air), contributing to and improving our scenery, and helping to make the most of our unique historic environment.*
- *Helping to restore, maintain and enhance Scotland's biodiversity, and increasing awareness and enjoyment of it.*

#### UK Forestry Standard

The UK Forestry Standard (3<sup>rd</sup> edition, 2011) (UK FS) sets out the Scottish Government's (and the other governments' in the UK) approach to sustainable forest management. The UK Forestry Standard is supported by Guidelines and other relevant policy and information documents.

The Standard provides the benchmark for judging the performance of the forestry sector in Scotland and defines the standards and requirements, providing a basis for regulation and monitoring. The UK FS together with the UK FS Guidelines and other supporting documents cover all the areas identified by Forestry Commission Scotland as reasons for requiring an Environmental Statement.

### **Regional policy context relating to Cruach Tarbeirt**

#### General

There are a number of regional policies which are relevant for the assessment of this application.

#### Loch Lomond and the Trossachs National Park's core principles<sup>2</sup>

- Conservation - ensuring our natural heritage, land and water resources are sustainably managed and protected.

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<sup>2</sup> What We Do, *Loch Lomond and Trossachs National Park Authority* [online] Available at: <http://www.lochlomond-trossachs.org/looking-after/what-we-do/menu-id-433.html> [Accessed 17 November 2015]

- Visitor Experience - establishing and promoting the National Park as one of Scotland's premiere sustainable tourism destinations where our special qualities are respected and enjoyed by all.
- Rural Development - enabling and promoting sustainable development that supports and enhances local distinctiveness and sense of place, encourages enterprise and innovation and improves the quality of life for our local communities.

### LLTNP's Local Woodland and Forestry Framework<sup>3</sup>

The framework states how the contribution of woodland and forestry contributes to the four aims defined for national parks in Scotland:

- To conserve and enhance the natural and cultural heritage of the area
- To promote sustainable use of the natural resources of the area
- To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public
- To promote sustainable economic and social development of the area's communities.

The framework's vision for woodlands and forestry in Loch Lomond and the Trossachs is:

*"Woodland and forestry will make an increasing contribution to the special qualities of the National Park and to achieving the National Park aims, including benefits for local communities, the economy, land management, recreation and tourism and the area's natural and cultural heritage.*

*Managing existing woodland and forestry and establishing new woodland will reinforce the character and quality of the National Park's landscape. Productive conifer forests will be restructured to increase variations in age and types of tree and the amount of open space. More and more, landscape, nature conservation and recreational benefits will grow in importance alongside timber production. New woodland will be designed to secure scenic, ecological, land management and recreational benefits. Existing broadleaf woodlands will be brought into positive management and the establishment or expansion of native woodlands, both broadleaf and conifer, will be encouraged.*

*The forestry sector will aim to demonstrate best practice in land use in Scotland. Consultation arrangements will continue to be more inclusive and there will be real opportunities for communities to become involved in the planning, establishment and management of woodlands and forestry. The economic benefits flowing from employment, timber processing, timber industries and recreation provision will increase. Woodland and forestry management will work with other land uses to co-ordinate land management across the National Park.*

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<sup>3</sup> Loch Lomond and Trossachs National Park, 2004. *National Park Framework* (2003). Local Woodland and Forestry Framework. Available at: < <http://www.lochlomond-trossachs.org/images/stories/archive/file/news/forestry%20summary.pdf> >

*Harvesting and timber transport will be managed to ease impacts on residents and visitors to the National Park."*

For coniferous forestry such as at Cruach Tarbeirt, the framework notes:

*"Conifer forests make up the largest part of the National Park's woodland cover. Most are publicly owned and were established in the second half of the twentieth century to provide timber. These forests contribute much to the special landscape qualities and recreational enjoyment of the National Park. Harvesting these forests as they reach the end of their first rotation offers an excellent opportunity to restructure their composition and character to reflect the more diverse management objectives now accepted as part of forestry in the National Park in the twenty-first century."*

The framework divides the park into 9 action areas and Cruach Tarbeirt sits within Area 6, Loch Lomond Central and North, which sits to the north of the highland boundary fault. The framework sets out key issues and a recommended approach and emphasis for this part of the park. Two of the key issues identified are:

- Productive coniferous forests are a prominent feature along the shore of the loch. Restructuring and replanting proposals will significantly enhance the landscape and biodiversity value of these forest areas.
- Productive woodland (both broadleaf and coniferous) has long been a characteristic of this area. There may be opportunities to increase awareness and understanding of this aspect of the area's cultural heritage.

### Landscape

Cruach Tarbeirt forest sits within the Loch Lomond National Scenic Area. Cruach Tarbeirt forest is also part of the Argyll Forest Park which is an area recognised for the high quality of the scenery and the recreational facilities the forests provide. Established in 1935, Argyll Forest Park is Britain's oldest forest park.

The LLTNP Landscape Character Assessment (LCA) commissioned by LLTNP Authority and Scottish Natural Heritage (SNH), was published in 2009. This LCA incorporates the special qualities of the National Scenic Area and it is the principles in the LCA which are considered in this assessment.

The LCA assessment divided the Park into four landscape areas, and Cruach Tarbeirt forest falls into two areas. The eastern side of the hill, and the longest stretch of the proposed road, lies within the Loch Lomond landscape area. The west facing hill slopes lie within the Argyll Forest landscape area.

### Key landscape characteristics

The relevant landscape character types are described in the LCA. Most of Cruach Tarbeirt lies within the 'Forested Hills' landscape character type, although the south facing slopes above Tarbet and Arrochar lie within the 'Forested

Upland Glens' character type and the slopes immediately above Loch Lomond lie within the 'Forested Glen Sides' landscape character type.

### Special qualities

The relevant Special Qualities of the Argyll Forest Landscape Area (west facing slopes of Cruach Tarbeirt) are:

- A remote area of high hills and deep glens.

The relevant special qualities of the Loch Lomond landscape areas (east facing slopes of Cruach Tarbeirt) are:

- Ben Lomond, widely known, popularly frequented.

### **Summary of Consultation Responses**

A public consultation process was undertaken, beginning on 1 June 2015. The Environmental Statement was made publicly available at the following two locations: Arrochar Village Hall and at the Loch Lomond and the Trossachs National Park Authority headquarters in Balloch. The Environmental Statement was sent to the following consultees:

- Loch Lomond and the Trossachs National Park Authority
- Scottish Environmental Protection Agency
- Scottish Natural Heritage
- RSPB
- West of Scotland Archaeological Service.

Five responses were received and these are summarised below:

The Loch Lomond & the Trossachs National Park Authority commented on both the Environmental Statement and the forest design plan, which was attached to the Environmental Statement. The Park's comments principally focused on the landscape impact of the proposals with broad acceptance of the outcome of the Landscape and Visual Impact Assessment (LVIA). The Park asked for additional information with a request for an independent Landscape Clerk of Works and an independent ecological clerk of works to be appointed to oversee the project and the implementation of the proposed mitigation.

Scottish Natural Heritage provided comments on deer management, rhododendron control and control of other non-native species in and around the Glen Loin Site of Special Scientific Interest (SSSI) together with advice on the opportunities for improved access to facilitate deer management.

The Scottish Environmental Protection Agency advised that the proposals should not have any negative effect on the waterbodies and that appropriate pollution control measures must be employed.

RSPB replied to the consultation request but made no comments on the application.

The West of Scotland Archaeological Service gave broad acceptance to the archaeological survey and considered that the impact of the proposals on archaeological sites was unlikely to be significant.

A detailed record of the comments made throughout the whole process is within the Issues Log attached to this document.

### **Basis of the Environmental Impact Assessment**

The EIA process provides the framework for assessing whether the project will have a significant impact on the environment. The decision on whether or not to grant consent takes account of the environmental impacts of a proposed project and takes into consideration the environmental information, representations received in relation to the application and any other material consideration. In particular, these include the assessment of direct and indirect effects of the project on the environmental factors listed in Schedule 4 to the EIA (Forestry) Regulations.

Following the end of the consultation period, on 13 July 2015 Forestry Commission Scotland asked the applicant to add further information and detail to the Environmental Statement. The applicant provided this supplementary information, which has been reviewed with the relevant consultees to ensure successful resolution of the issues raised at consultation.

The following paragraphs outline:

- The main reasons and considerations on which the decision is based
- A description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the project
- The conditions which are attached to the approval.

### **Assessment – consideration of the main issues and determination**

Schedule 4 of the EIA (Forestry) Regulations 1999 requires Forestry Commission Scotland to consider the impacts of the proposals on:

- i) Human beings, fauna and flora
- ii) Soil, water, air, climate and the landscape
- iii) Material assets and the cultural heritage
- iv) The interaction between the factors mentioned in (i) to (iii) above.

In assessing the proposal's impact on these factors, Forestry Commission Scotland has considered the factors both individually and the interactions between them. The following specific issues were considered as set out above:

- Landscape
- Archaeology/Cultural heritage

- Natural heritage
- Water quality
- Peat.

### General

Time conditions, as required by the regulations, will be applied to ensure that the work consented is begun and completed within an appropriate time period.

### Landscape

The most important issue addressed by the Environmental Statement is the landscape, visibility and visual amenity impact of the proposals. The applicant commissioned a Landscape and Visual Impact Assessment (LVIA) which forms Volume 2 of the Environmental Statement. This considered the impact of the proposed forest road on both the LLTNP's special qualities and landscape characteristics.

The LVIA also considered the impact of the road in respect of visibility and visual amenity. This part of the assessment looked at the effect of the proposed road on the views available to people and the likely loss of visual amenity.

Eight viewpoints were used to assess the visual impact of the proposed road.

The key consultee for this issue was the Loch Lomond & the Trossachs National Park Authority. The provision of additional information by the applicant and conditioning of key mitigation proposals has been very important in addressing this issue of landscape and visual amenity. This has resulted in stakeholder agreement with the conclusion of the LVIA, that whilst the introduction of the road and associated works into the landscape will be negative and significant in the short term (<10 years), in the long term the impact would not be significant, largely because of the mitigation outlined in the Environmental Statement.

There will be significant compensatory benefits derived as a result of the proposed road which could not occur without the construction of the road. Restructuring provide opportunities to resolve landscape and visual amenity issues caused by the initial afforestation through redesigned restocking shapes, more open space and increased species diversity. There are economic and carbon sequestration benefits derived from the harvesting and processing of the timber and the work associated with replanting.

The proposal helps meet the aims of both national and regional priorities as set out in the Scottish Forestry Strategy and the LLTNP Local Woodland and Forestry Framework.

The key landscape and visual amenity mitigation measures are set out in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures; and Volume 2 of the Environmental Statement - Landscape and Visual Impact Assessment, in particular Chapter 9 - Landscape and Visual Assessment: Mitigation Measures and maps D, E, F and G in that chapter.

### Archaeology/Cultural heritage

The proposed road-line initially passed very close to the ruins of Creag t-Searraich at the southern end of the forest. However, the road-line was moved at an early stage of planning to avoid the possibility of damaging these remains.

Two head dykes a short distance from Creag t-Searraich will be breached by the road. It is recognised that these are linear features that are impossible to avoid but it does not represent a significant impact.

### Natural heritage

The Environmental Statement details a range of potential natural heritage impacts, with a focus on European Protected Species (EPS). The mitigation to be carried out is set out in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures.

There are a number of environmental benefits of forest restructuring as set out in the above chapter. These include:

- Creation of new native woodland and restoration of PAWS sites and other fragments of native woodland, strengthening forest habitat networks
- Increase in woodland edge habitat benefiting black grouse, woodland insects and birds
- Benefit to red squirrels from greater proportion of the trees in the forest being of species other than Sitka spruce
- Increase in native species and internal open ground, especially in riparian zones.

### Water quality

The potential for negative impacts on waterbodies has been assessed. The mitigation measures relating to water quality are also set out in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures. These are appropriate to the issues highlighted and represent best practice.

The applicant is committed to following best practice and has a track record of successfully delivering projects in sensitive areas in accordance with approved Environmental Statements for road projects.

The design and specification for the road in the Environmental Statement is for all watercourses crossed to be culverted and no bridges constructed.

### Peat

As part of the preparation of the Environmental Statement, the proposed road-line was assessed to determine the extent of peat that would be encountered during construction of the road. Only one small area of wetland covering 250m of the roadline was found to contain deep peat (>1m).

Volume 3 (Scoping Responses and Technical Appendices) of the Environmental Statement provides a specification of the road construction techniques to be used for this area.

### **Other issues**

Although not detailed in the primary and secondary reasons to be considered in the Environmental Statement, the Environmental Statement covered two additional issues.

#### Access and recreation

The short term impact on visitor access and experience is negative due to operational closures of formal paths for safety reasons during construction of relevant parts of the forest road. However, the creation of a planned road network which accesses a significant proportion of the forest will create greater opportunities for access to the forest for recreation, once road construction is complete. Mitigation measures are identified in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures and in the Recreation Plan in Appendix 3 of Volume 3 (Technical Appendices) of the Environmental Statement.

#### Local communities and noise pollution

The short term impact on local communities of noise from the construction of the road has been lessened through reduced working hours in the southern section of the forest as conditioned.

The impact on local communities from timber traffic as a result of restructuring the forest will not be significant. Harvesting and timber haulage would be carried out over an estimated 28 year period and it is not anticipated that the additional traffic resulting from harvesting operations would have any noticeable effect on traffic flows along the trunk roads.

### **Summary and conclusions**

In considering whether to grant consent for the proposed project, Forestry Commission Scotland's primary concern has been to establish whether the project would result in any significant environmental impacts, particularly on landscape and visual amenity.

The information contained in the Environmental Statement has been examined in detail, consultees' responses have been investigated and further information and advice sought to determine whether the evidence presented by the applicant in the Environmental Statement was fit for purpose.

The conclusion of this process was that the evidence presented in the Environmental Statement was sound and of an adequate standard on which to base consideration of the impacts of the project.

The proposed new forest road will have most effect on both landscape character and visual amenity where there is significant cut and fill, where the road is

located on current open land or where it is combined with felling when the road is in a relatively raw state, soon after construction.

The most significant negative effects therefore occur at the time of construction and the early years thereafter. Construction of the road will take place over a period of ten years. Mitigation proposals identified in the Environmental Statement will substantially mitigate against the most significant negative impacts as a result of construction of the new road but there will be a significant negative impact in landscape terms in the short term (up to 10 years).

However, after careful consideration it is clear that the short term negative impacts are outweighed by the non-practicality of other options such as doing nothing, the mitigation benefits set out in the Environmental Statement and the positive compensatory benefits of the road construction.

The major compensatory benefit is the opportunity to restructure the forest to produce a more diverse but still productive forest (sustaining employment), which will enhance the landscape in a visually prominent part of the national park in the medium (10-20 years) and long term (20+ years). The restructured forest will also deliver improved habitats and enhanced settings for the archaeological remains as well as provide new and better recreational access to the forest which will benefit both local communities and visitors. The creation of the road network also provides the opportunity for Forest Enterprise Scotland to haul timber from Coiregrogain Forest, west of Glen Loin through Cruach Tarbeirt forest rather than taking it through the village of Succoth.

Increased areas of native woodland, more open space, species diversification, increasing separation in tree age classes and the use of differing sizes of irregularly shaped coupes as set out in the forest design plan and Environmental Statement will provide a more mixed and less uniform appearance to the forest. All of these actions will enhance the landscape characteristics and special qualities of the area as identified above, in the long term.

In summary, the negative environmental impact on landscape and visual amenity is significant in the short term. However, the mitigation measures set out in the Environmental Statement together with the requirements set out in the UK Forestry Standard and its associated guidelines and guidance notes combined with the important compensatory benefits, outweigh these short term negative impacts.

As a result of the work carried out for the Environmental Statement and the mitigation measures identified within it, together with the conditions set out below, the secondary reasons for requiring consent for the project:

- Archaeology/Cultural heritage
- Natural heritage
- Water quality
- Peat
- And other issues around communities and recreation.

Are assessed as not significant.

## **Forestry Commission Scotland Determination**

Having considered the Environmental Statement, national and regional policy contexts, the advice received from statutory and other bodies and the views of consultees, **Forestry Commission Scotland grants consent for the project subject to the conditions below.**

### **Conditions of consent**

#### General

1. Work in relation to the project shall commence within 5 years of the date of this consent.
2. No work shall be carried out in relation to the project after the expiry of 10 years from the date of this consent.

Reason: To ensure that the work consented is begun and completed within an appropriate time period.

#### Landscape

3. An Ecological Clerk of Works and a Landscape Clerk of Works, approved in advance by Forestry Commission Scotland, will be appointed by the applicant before operations commence.

Reason: To ensure that the mitigation measures included in the Environmental Statement are undertaken.

4. Monitoring procedures for project implementation will be carried out in accordance with that set out for monitoring in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures.

Reason: To ensure that structures are in place to ensure that the road construction and all related works are carried out in accordance with the Environmental Statement.

5. Mitigation relating to landscape and other aspects of the project will be delivered as set out in Volume 1 of the Environmental Statement (dated 6 November 2015) - Chapter 6: Mitigation Measures.
6. The roadline, which will be no greater than 10km in length and will follow that set out in Map 1, Volume 6 (ES Maps) of the Environmental Statement, using the natural topography to screen the road or break up its impact.
7. All forest roads will be constructed in accordance with Appendix 3 (Forest road construction: specifications, guidelines & plans) of Volume 3 (Scoping Responses and Technical Appendices) of the Environmental Statement.

8. Road-lines can be moved up to 60m either side of the approved line without seeking approval from Forestry Commission Scotland, if this has been appropriately assessed for landscape, visibility and visual amenity purposes and does not breach any other conditions.
9. The location of quarries, passing places and turning points to be constructed as part of the project are identified on Map 8 in Volume 6 of the Environmental Statement. Any alterations proposed must be approved in advance of construction by Forestry Commission Scotland.
10. The total area of quarries within the approval area will be no greater than 0.5 ha.
11. Quarries no longer required to provide stone for construction or maintenance of the road will be re-instated. Quarry management and reinstatement will be carried out according to the Quarry Management Appendix in Volume 8 (Post Consultation Feedback) of the Environmental Statement together with the mitigation measures for quarries set out in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures.
12. In respect of the road construction works, the mitigation measures set out in:
  - Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures; and
  - Volume 2 of the Environmental Statement - Landscape and Visual Impact Assessment, in particular Chapter 9 - Landscape and Visual Assessment: Mitigation Measures together with maps D, E, F and G in that Volume;will be applied.

This includes the hydro-seeding of all sections of road-line marked as having high or medium-high visual significance as set out in those maps, or other areas of such significance identified during the road construction process.

On natural rock outcrops, small randomly positioned horizontal rock shelves will be cut into the rock and topsoil cast over the rock to promote vegetation.

Where ground is liable to slumping, built rock outcrops emulating natural rock formations will be constructed and topsoil cast over to promote vegetation.

Reasons for conditions 5-12: To ensure that the road construction and associated works minimise the negative landscape and other impacts of the new road.

13. All works will be carried out in accordance with Forest Enterprise Scotland's Cruach Tarbeirt Forest Design Plan 2015-2025 approved by Forestry Commission Scotland on 18 December 2015 as set out in Volume 5 of the Environmental Statement, or any subsequent or revised plan approved by Forestry Commission Scotland.

Reason: The forest design plan is a fundamental part of the mitigation measures identified in the Environmental Statement to minimise the impact of the road.

14. Restocking must be undertaken in accordance with Map 7 of Forest Enterprise Scotland's Forest Design Plan in Volume 5 of the Environmental Statement and as set out in the section "Future habitats and Species" of that plan.

Reason: Restocking of the forest in the way set out in Map 7 and in the design plan is an important mitigation measure to diversify the structure of the forest to improve the landscape.

15. An area of up to 2 hectares of new native woodland creation is identified in Map G of Volume 2 (Landscape and Visual Assessment) of the Environmental Statement. This planting must be carried out within two years of completion of construction of phase 2 of the road and the trees must be established within 10 years of planting.

Reason: This particular area of planting is in a particularly visually sensitive area and is required to minimise the visual impact of the road and loss of amenity.

#### Natural heritage

16. Mitigation measures for the natural heritage will be carried out in accordance with those for natural heritage set out in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures.

Reason: To protect the natural heritage during road construction works.

#### Water quality

17. All watercourses that cross the road will be culverted. Water quality mitigation measures will be carried out in accordance with those set out in Volume 1 of the Environmental Statement - Chapter 6: Mitigation Measures.

Reason: To protect watercourses from diffuse pollution and damage in construction and use of the road.

#### Peat

18. Where the road line crosses areas of deep peat, as identified in Volume 6, Map 8 of the Environmental Statement, or any other area of deep peat on the road-line, the road will be floated over the deep peat, negating the requirement to remove the peat, in accordance with the text set out in Volume 3 of the Environmental Statement.

Reason: To protect areas of deep peat in the proposal area from disturbance during road construction.

#### Access and recreation

19. The recreational path network will be managed as set out in the Recreation Plan in Appendix 3 of Volume 3 of the Environmental Statement together with

the mitigation measures set out in Volume 1 of the Environmental Statement  
- Chapter 6: Mitigation Measures.

Reason: To minimise the loss of recreational amenity during the construction of the road and to maximise opportunities to enhance recreational access to the proposal area as a result of the construction of the road network.

#### Communities

20. Working hours during road construction (including quarrying) operations in the area south of the summit of Cruach Tarbeirt is restricted to 0800 – 1800 hours each day, with no Sunday working.

Reason: To minimise the disruption and loss of amenity, including noise, to local communities and visitors.