
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: KATHERINE DONNACHIE
(PLANNING OFFICER, DEVELOPMENT
MANAGEMENT)

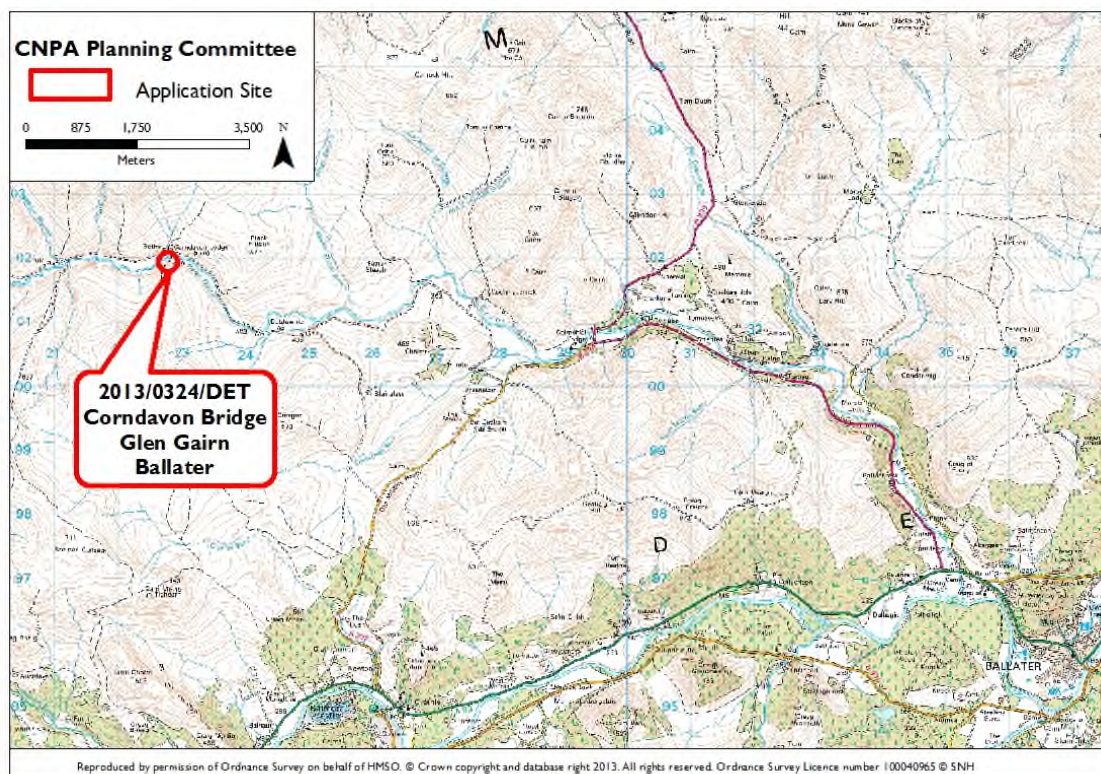
DEVELOPMENT PROPOSED: ERECTION OF REPLACEMENT OF
EXISTING BRIDGE AT CORDAVON BRIDGE
GLEN GAINR BALLATER

REFERENCE: 2013/0324/DET

APPLICANT: SIMON BLACKETT - INVERCAULD ESTATE

DATE CALLED-IN: 14 OCTOBER 2013

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS



Grid reference: 322837 E / 802021 N

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This application seeks full planning permission to replace a dilapidated wooden footbridge which crosses over the River Gairn beside Cordavon Lodge. The site is situated in a remote upland location in Glen Gairn, some 5 miles west of the Crathie to Gairnshiel road. It is located to the south of an access track leading up Glen Gairn past Cordavon Lodge and into the hills beyond. **Figure 2** below shows the layout.

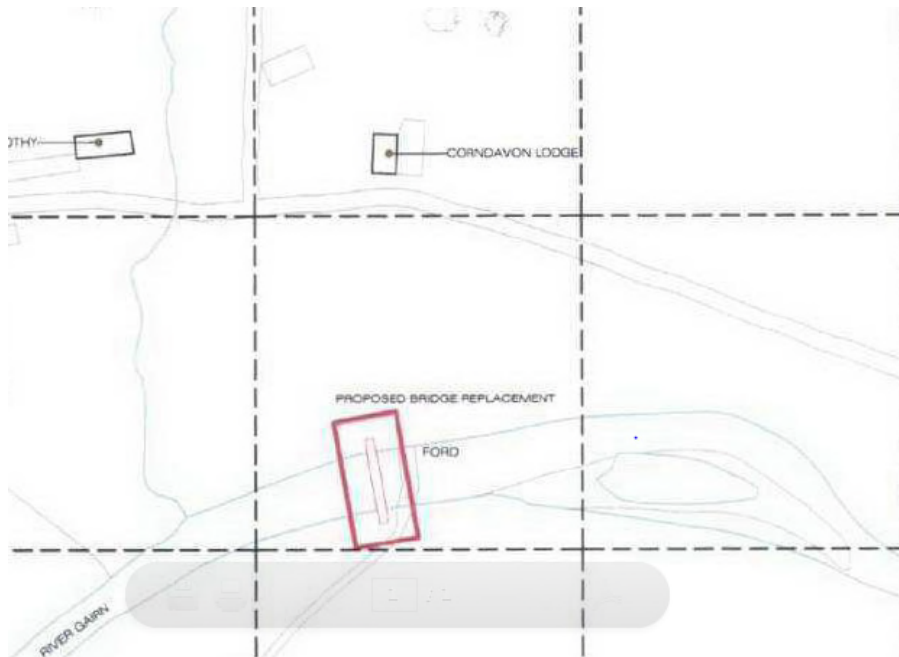


Figure 2

2. The existing bridge cannot be readily used due to its poor condition, and the river must be forded here. Replacement of the bridge will enable safe pedestrian access southwards to the hills (Tom Breac). **Figure 3** shows the existing bridge.



Figure 3

3. This site lies within a Special Area of Conservation, designated for the qualifying interests of otter, fresh water pear mussel and Atlantic salmon.

Development Proposal

4. The proposed new bridge is of simple functional, yet elegant, appearance wooden clad on a steel frame. The wood will be larch sourced from the estate, and this wood will fade to silver grey over time. The bridge will measure some 17 metres in span, with decking width of just under 2 metres. Timber clad railings will be provided at the sides of the bridge. No other changes are proposed to the informal grassed access tracks serving the site and the bridge will be built upon the existing abutments with a central V support fixed onto existing structure. It will be suitable for walkers, cyclists and argo cats. **Figure 4** below shows a visualisation of the bridge in the landscape.



Figure 4

5. A supporting design statement has been submitted. This outlines the design background and rationale for the development, and includes visualisations of the proposal. The pattern of bridges in the area is described, together with an assessment of the precarious nature of the current bridge and the need for replacement to provide safe access for the estate and the numerous walkers who frequent this area.
6. A phase I habitat survey has been provided which considered habitat types and protected species. This concludes that there will be no ecological impacts, or further surveys required. This survey noted a single otter spraint in the vicinity, but no resting places or holts. Accordingly recommendations were made to ensure no disturbance to otter using this area.

7. A construction method statement has also been recently submitted which explains that the bridge will be constructed off site and then assembled on site by bolting the two main pieces together. This will minimise both traffic movements and any potential for environmental pollution as a result of construction activities on site. The majority of works will be undertaken from the river banks, the only exception being the installation of the central support onto the existing concrete base which will be carried out over a matter of days with a sandbag “cofferdam” created around the concrete during a period of low water. This construction method statement has been passed to relevant consultees for comment (Dee and District Salmon Fishery Board).
8. It is anticipated that local contractors and locally sourced materials will be used.

Site History

9. There is no specific planning history on this site, although members may recall approving an application earlier this year for a lunch hut further north along this track on the same estate (reference: 2013/0017/DET).

DEVELOPMENT PLAN CONTEXT

National policy

10. **Scottish Planning Policy (SPP)** is the statement of the Scottish Government’s policy on nationally important land use planning matters. It sets out that 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 and has the basic aim “to achieve the right development in the right place.”
11. 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, which sets out that Planning Authorities should support opportunities for enjoyment and understanding of the natural heritage with siting and design to be informed by local landscape character.

Strategic Policies

Cairngorms National Park Partnership Plan (2012-2017)

12. The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. It sets out the strategic direction and priorities for the Park.

13. Three long term outcomes for the Park are set out as follows:
- a) A sustainable economy supporting thriving businesses and communities;
 - b) A special place for people and nature with natural and cultural heritage enhanced;
and
 - c) People enjoying the park through outstanding visitor and learning experiences.
14. These outcomes address the interaction of the three main characteristics of the National Park these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. Specific policies of the Plan seek to promote and enhance the special qualities of the Park.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

15. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at:
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
16. The Local Plan contains a range of policies and new development requires to be assessed in relation to all policies contained in the Plan. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
17. Policy 1: Natura 2000 Sites which sets out that any development likely to have an effect on a Natura 2000 site will be subject to an appropriate assessment and where this is unable to ascertain that the development will not adversely affect the integrity of the site, the development will only be permitted where there are no alternative solutions or there are imperative reasons of overriding public interest including those of a social or economic reason.
18. Policies 4: Protected Species and 5: Biodiversity which presume against any development which would have an adverse effect on habitat or species identified in the Cairngorms Local Biodiversity Plan or upon European Protected Species. These policies are supported by natural heritage supplementary guidance.
19. Policy 12: Water Resources – this policy seeks to promote good use of water resources and to ensure that criteria are met in relation to flooding.
20. Policy 6- Landscape seeks to ensure that development complements and enhances the landscape.
21. Policy 16: Design Standards which sets out design standards to be met in order to reinforce and reflect the pattern and character of the surrounding area. This is supported by the sustainable design guide.
22. Policy 34: Outdoor Access which seeks to improve opportunities for responsible outdoor access.

Supplementary Planning Guidance

23. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted. Key for the current proposal is the sustainable design guide which sets out guidance on design and guidance on natural heritage expand.

CONSULTATIONS

24. **The CNPA Ecology Advisor** is satisfied that there are no significant ecological issues, noting that as suggested in the ecology reports contractors will need to ensure that measures are taken to avoid disturbance to otters and any sedimentation/pollution issues relating to the river.
25. **Scottish Natural Heritage** note that there are natural heritage interests of international importance within the River Dee Special Area of Conservation, but do not consider that these will be adversely affected by the development whereby an Appropriate Assessment will not be required.
26. The main potential impacts of this development would arise from the potential for silt and other pollutants to be mobilised in the water column as this could adversely affect salmon. They advise that the works should be carried out outwith the salmon spawning season and in accordance with the construction method information which was provided to SNH by the applicants, which will minimise the impact of construction activity on the river bed.
27. In relation to freshwater pearl mussels they are satisfied that there will be no impacts as mussels are largely absent from this part of the Gairn. Otter are also a qualifying interest of the SAC and a European Protected Species, with records showing that the Gairn is well used by otters. Accordingly an otter survey is required and if any otter are affected then a species protection plan will be required and if any holts or resting places are found then the CNPA must be satisfied that the three tests for eventual grant of a license are met before issuing planning permission.
28. **Dee and District Salmon Fishery Board** notes that the River Dee SAC is of international importance with one of the qualifying interests being Atlantic Salmon which are known to be present on this stretch of river along with other fish. They recommend that in order to avoid any potentially negative effects on the salmon that works are undertaken between 1 June and 15 October to avoid the spawning period; are in accordance with an agreed construction method statement which identifies pollution protection measures; and that the Fishery Board are given a copy of this method statement.
29. **Scottish Environment Protection Agency (SEPA)** has no objections noting that the applicant will require to seek authorisation from SEPA under the controlled activities regulations (CAR) for a simple license.

30. **Aberdeenshire Council's Flood Prevention Unit** has no objection, and consider that the possible increase in flood risk as a result of this development is low. They recommend that the applicant considers the effects of extreme flood events as part of the structural design.

REPRESENTATIONS

31. No representations have been received. The applicant's agent has requested to be **heard** at Committee.

APPRAISAL

Principle

32. The principle of this development to replace a dilapidated bridge does not raise any particular planning issues, but rather is welcomed as providing for improved access to estate workers, walkers and tourists. As such in principle this development helps to support economic and social development in the area. It is therefore the detail of the design, siting and environmental impacts that require to be assessed in this case to ensure compliance with Local Plan policies.

Design

33. The use of traditional timber railings and deck is proposed, and the scale and style of bridge is entirely appropriate to its location. Replacing the existing derelict structure with one of suitable design as proposed will improve visual amenity and help to complement and enhance the landscape as required by Local Plan policy 6.

Environmental Impacts

34. The site is located within a Special Area of Conservation and the impacts upon these qualifying interests have been fully considered in consultation with our consultees. The method of construction will help ensure there are no adverse impacts upon atlantic salmon whilst working practises can be carried out to ensure no impacts upon otter which frequent this area.
35. Accordingly I am satisfied that there will be no adverse environmental impacts providing works are carried out in accordance with an agreed construction method statement, and as per with the recommendations of the applicant's otter survey. Appropriate conditions are proposed to ensure this is the case although as a construction method statement has now been submitted it is anticipated that agreement on its contents may be reached by the date of the Committee meeting.

Technical Issues

36. There are no particular technical issues with the proposal which does not alter any existing servicing arrangements, nor propose any new access tracks.

Conclusion

37. Overall the application is welcomed as an opportunity to improve both public access and visual amenity. Any potential impacts upon the special environmental qualities of this part of the National Park can be protected by appropriate planning conditions, and in the overall circumstances the application is considered to comply fully with Local Plan policies. Consequently approval subject to appropriate conditions is recommended.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

38. The design of the proposed bridge is in keeping with the rural character of the area and will replace an unsightly dilapidated bridge. The development can be constructed in a manner which will conserve the important natural heritage here and overall will help conserve and enhance the natural heritage.

Promote Sustainable Use of Natural Resources

39. Locally sourced materials will be used for the new bridge, promoting the sustainable use of natural resources. Whilst new materials will be required to construct the bridge this is preferable to the collapse of the existing bridge and subsequent damage to the environment.

Promote Understanding and Enjoyment of the Area

40. The development will readily support this aim as the provision of a new bridge will enhance access and recreation opportunities in the area by improving public access and supporting enjoyment of the area by walkers and visitors to the Estate.

Promote Sustainable Economic and Social Development of the Area

41. It is intended to use local contractors for the construction of the bridge which will promote economic development, whilst the provision of improved access for both the Estate and the public visiting the area will help support a local employer, and tourism and recreation in the area.

RECOMMENDATION

That Members of the Committee support a recommendation to grant full planning permission for Erection of Replacement of Existing Bridge at Cordavon Bridge Glen Gairn Ballater subject to the following conditions:

- I No work shall commence on site until a site specific construction method statement (CMS) has been submitted to and approved by the Cairngorms National Park Authority (CNPA) acting as Planning Authority, in consultation with the Dee and District Salmon Fishery Board. This CMS shall reflect the details set out in the e mail from Moxon Architects to Scottish Natural Heritage dated 26 October 2013 in relation to methods of construction and pollution

prevention. The works shall thereafter be undertaken in accordance with the approved CMS

Reason: To ensure that there is no adverse impacts upon protected species and the qualifying interests of the River Dee Special Area of Conservation, in accordance with planning policies

2 Any in river works shall take place between 1 June and 15 October in any year and there shall be no “in river” works outwith this time period.

Reason: To ensure that there is no adverse impacts upon protected species and the qualifying interests (Atlantic salmon) of the River Dee Special Area of Conservation, in accordance with planning policies.

3 The bridge hereby approved shall be clad (parapets, bridge and decking) in locally sourced larch in accordance with the supporting design statement.

Reason : To ensure the development complies with Local Plan policies on design.

4 Throughout construction the following measures shall be taken to prevent any disturbance to otters: construction work shall be limited to between the hours of 0800 and 1800 hours or 2 hours after sunrise to 2 hours before sunset, whichever is the later; all persons involved in construction shall be made aware of the potential presence of otter; any machinery or materials left unattended shall be secured so as to not present a danger to otters (e.g. all exposed pipes shall be capped) and hazardous chemicals shall be stored securely and out of reach of animals.

Reason: To ensure that there is no adverse impacts upon protected species and the qualifying interests of the River Dee Special Area of Conservation, in accordance with planning policies.

Advice notes:

1 Authorisation is required from the Scottish Environment Protection Agency (SEPA) under the controlled activities regulations (CAR) for a simple license – please contact SEPA (you will require to submit a form A and E for simple license details available on SEPA website).

2 Aberdeenshire Council Flood Prevention Team recommend that the effect of extreme flood events is considered as part of the structural design.

Officer Name: Katherine Donnachie

planning@cairngorms.co.uk

Date: 20 November 2013

The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.