
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT PROPOSED: CONSTRUCTION OF NEW FOOTPATH; FOOTBRIDGE AND TIMBER DECKING AT KYLINTRA WOOD AND GRANT PARK LOCHAN, GRANTOWN ON SPEY (FULL PP)

REFERENCE: 07/465/CP

APPLICANT: ANAGACH WOOD TRUST C/O PIERS VOYSEY, TOWNHOUSE, THE SQUARE, GRANTOWN-ON-SPEY, PH26 3HF

DATE CALLED-IN: 14 DECEMBER 2007

RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

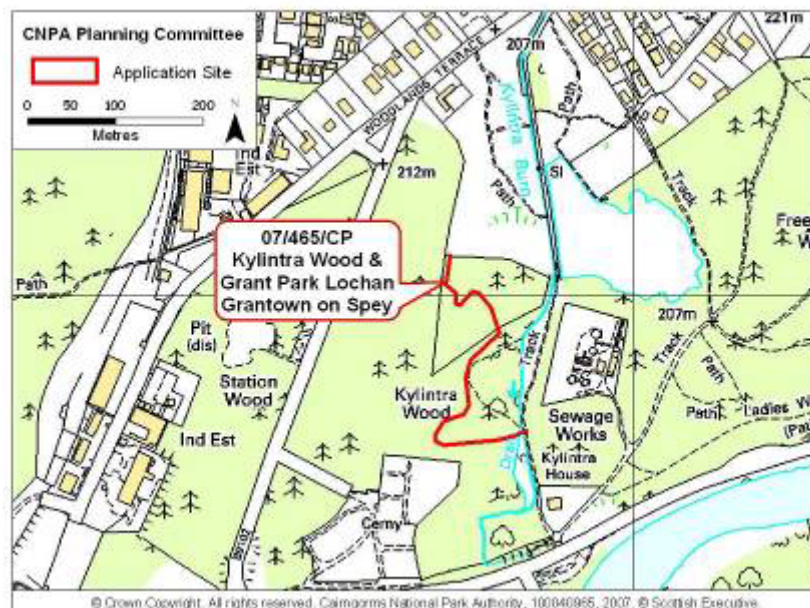


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Full planning permission is being sought for the realignment of an existing path, construction of a new footpath, footbridge, timber decking and the removal/replacement of interpretation panels at Kylintra Wood and Grant Park Lochan in Grantown-on-Spey.
2. Kylintra Wood and Meadow lies to the west of Grantown-on-Spey, and is located adjacent to the Grant Park Lochan, Kylintra Burn, the Grantown WWTW to the east and the Cemetery to the south. The main entrance to the proposed site is from Woodlands Terrace. Kylintra Wood is designated Ancient Woodland.
3. Supporting documentation, including a project background document and specification drawings, submitted in conjunction with the development proposals, identifies 5 elements of the proposal;
4. **Realignment of an existing path through the Kylintra Meadow.** The path realignment would involve redirecting the existing path by using the topography of the site in order to allow an all abilities path to be easily accessible. The width of this section of path will be 1.5 metres. In relation to the construction of the path, the applicants have stated in the Construction Method Statement that surface vegetation and top soil removed during the extraction of the new path will be laid on the old and redundant sections of path.



Fig. 2 – photo taken towards Woodlands Terrace, showing the meadow area and the exiting path

5. **Formation of a new all abilities path through Kylintra Wood.** This proposal involves construction through native pine woodland with mature 250 year old Scots Pine, some younger pine trees, Juniper, Aspen and Birch. Ground vegetation is largely Moss, Heather, Blaeberry and Cowberry. The path will cross a small esker and run along beside an area of bog woodland. Some sections of the path will also cross an old field dyke, which predates the pine woodland. The

path is proposed to have a finished width of 1.5 metres with some sections finished to 1.2 metres to reduce environmental impact, with passing or resting bays at appropriate locations. Spoil is to be used to form path edges and surplus material is to be landscaped appropriately into the site. The material used to create the footpath will be Quarry dust. Where there are surface roots of mature Scots Pine, these are to be overlain by the path material without excavation.

6. The development of a new path in Kylintra Wood will create a formal link with the existing path network in Kylintra Meadow. At present there are signs of informal paths being developed within the Kylintra Wood by walkers using their own desire lines and the old timber extraction routes.



Fig.3 – Photo taken south showing the Kylintra Wood.

7. **Construction of Footbridge over Kylintra Burn.** This will formally link the new path with the existing all abilities Burnie Path, by creating a circular route. The footbridge will be constructed using timber larch, treated timber post and rail, with ramped entry on to the bridge to allow for all abilities access.



Fig. 4 – Photo taken looking east, Showing the location of the proposed footbridge.
The path on the opposite side of the burn is Burnie Path.

8. **Construction of a 2 metre squared, decking area at the Grant Park Lochan.** This feature is designed to give all abilities access to the water edge, which at present is on a slight incline. The decking is to be constructed using timber.



Fig. 5 – Photos showing the location of the proposed decking area

9. **Replacement or removal of the existing interpretation panels.** The panel near to the entrance of the meadow will be removed and a new panel to be placed at a suitable height for accessibility for all abilities. The panel situated on the Burnie Path route near the proposed decking will be replaced.
10. At the outset the supporting documentation from the applicant acknowledges the importance of the natural and cultural heritage of the site and the issue of localised flooding. The funding which has been

secured by the applicant for the proposed works is only available for work completed in this financial year (2007/008). Due to the tight timescale for which this development must be completed by and to ensure that the integrity of the site is not compromised, a number of measures have been proposed. In the event of the granting of planning permission it is proposed that the applicant mark the detailed route of the path with wooden pegs and ensure that a site visit by the **CNPA** is undertaken to confirm the precise route prior to any turf being cut. In addition, other proposed measures include the final design and construction method of the decking area to be approved by the **CNPA** prior to commencement of development and the finalised design of the Footbridge to be submitted for the further approval of the **CNPA**.

DEVELOPMENT PLAN CONTEXT

Highland Council Structure Plan 2001

11. One of the strategic themes of the **Highland Council Structure Plan** is 'adopting a proactive approach to the wise use of the natural environment.' The environment is recognised as a key strength of the Highlands and the Plan acknowledges that it makes economic sense to promote good stewardship of the natural environment. The Plan suggests that there is huge potential to maximise economic opportunities from supporting better interpretation and investment in public access, amongst other things.
12. **Section 2.5.10** of the Plan concentrates on the subject of informal recreation and access, noting that it is of very high importance, underpinning a range of recreational pastimes and their associated quality of life benefits. **Section 2.5.13** of the Plan notes that the "protection of rights of way and provision of an integrated system of well maintained and signposted paths catering for walking are a valuable resource for local communities and visitors, both in terms of providing access and heightening appreciation of the wider environment.
13. **Policy G2** identifies the list of criteria that a proposed development will be assessed on, of which the impact of the development on habitats, landscape and scenery are an important factor for this particular development.
14. **Policy G5** of the Structure Plan aims to support measures that link the protection, enhancement, understanding and enjoyment of the natural and cultural heritage with the sustainability and vitality of local communities.
15. **Policy F5** aims to support the maintenance and expansion of amenity woodland, which offers important visual amenity and biodiversity values in addition to it being a local recreational resource.

16. Proposals for the interpretation, enjoyment and otherwise positive management of the nature conservation resource will generally be supported, under **Policy N2**.
17. The **Highland Structure Plan** also includes policies on Landscape and Archaeology, which are relevant to the development proposal. **Policy L4** of the Plan will have regard in maintaining and enhancing present landscapes character in the consideration of development proposals. **Section 2.15.7** highlights the potential for archaeological and historic features to contribute to the economic and social wellbeing of the community through tourism and educational initiatives.

Badenoch and Strathspey Local Plan (1997)

18. The **Local Plan** details a number of pertinent conservation objectives and states that the priority is to promote sustainable development of the areas' resources and ensure an acceptable balance between economic growth and safeguards for the outstanding heritage.
19. The subject site is identified as being within Amenity Woodland, of which the formation of the new path runs in designated Ancient Woodland in the **Badenoch and Strathspey Local Plan**.
20. **Section 2.5.4** of the Plan states the need to protect existing trees and established woodland areas including small groups of trees or individual granny pines, which are an important landscape, wildlife and amenity features of the area.
21. Within the Grantown-on-Spey Settlement section of the Plan, **Section 3.3.4** highlights the importance of safeguarding footpaths and Rights of Way within and adjoining Grantown and identifying opportunities for further routes.

Cairngorms National Park Plan (2007)

22. The Strategic Objectives that provide a long term framework for managing the National Park are set out in the **Cairngorms National Park Plan** under three broad headings – (i) conserving and enhancing the Park; (ii) living and working in the Park; and (iii) enjoying and understanding the Park. In terms of conserving and enhancing the Park, section 5.1.2 refers specifically to natural and cultural heritage, particularly landscape and the built and historic environment. The Plan advises that all new development and management of the landscapes and settlements within the Park should be based on a sound understanding of the natural and cultural heritage of the area. Strategic objectives for landscape, built and historic environment include ensuring development complements and enhances the landscape character of the Park, understanding and conserving the archaeological record, historic landscapes and historic built environment, and raising

awareness and understanding of the influences of natural processes, land management and culture on the landscape character.

23. In relation to the broad heading of 'enjoying and understanding the Park', the Plan alludes to the fact that the Cairngorms National Park is known for its outstanding environment and outdoor recreation opportunities and that visitors come from many different places, with different interests and levels of knowledge about the area. It acknowledges that the experiences of residents and visitors enjoying the National Park should be of the highest quality. On the theme of enjoying and understanding the Park, section 5.3.3 of the Plan deals with outdoor access and recreation. Strategic objectives of relevance to the current proposal include encouraging people of all ages and abilities to enjoy and experience the outdoor environment; the promotion of high standards of responsible enjoyment of the Park so that its special qualities are understood and appreciated; to safeguard now and for future generations to enjoy and the respecting the interests of others; and planning for future outdoor recreation needs and opportunities in a co-ordinated way across sectors.

CONSULTATIONS

24. **SEPA** have assessed the proposal and have no objection. However, in relation to the construction of the Footbridge, SEPA have advised the applicant they require a CAR licence to carry out the engineering works.
25. **SEPA** notes from the application form the surface water run-off from the paths will be disposed of via separate soakaway. In this particular case, from a water quality perspective **SEPA** finds this acceptable.
26. **SEPA** have recommended an amendment to the design of the footbridge, in order to mitigate the impact it would have on the watercourse. They have stated a preference for an arched bridge construction, which would be less obtrusive to flood water and less prone to blockage caused by debris. Other technical recommendations include a request for the whole structure to be sited a minimum of 600mm above the top of the bank, if the arched bridge can not be achieved. The abutments being at least 1m from the top of the bank, which will allow any out of bank flow to occur and also to prevent the banks from being disturbed too much. Finally, any ramps should be, where possible, parallel with the potential flood flow and should be of open construction so as not to create a 'damming' effect.
27. The proposed footpath will affect a section of stone dyke that is considered to be of local historical significance. **Highland Council's Archaeological Unit** has requested a visual record to be made prior to commencement of development, and therefore request that a condition to this effect be attached to any consent issued.

28. The CNPA's **Natural Heritage Group** has examined the proposal from a landscape perspective and a detailed response has been provided which generally supports the principle of the development proposal. The response notes that the impact upon the grass area (Meadow) within the park is acceptable as the existing path will be restored to grassland using turf from the new alignment.
29. During the site visit, no red squirrel dreys were noted, and in any case no mature Scots pine trees would be felled by the proposal. No wood ant nests were noted during the site visit. The only Cairngorms LBAP priority plant species likely to be encountered in Anagach Woods is the twinflower, which is known to occur only considerably further north-east within the wood, and not in the area of the proposed footpath.
30. **NHG** are satisfied with the applicants' construction method statement in relation to the protection of trees and the burn during construction. Reference is made to the loss of birch trees. However, the loss of trees are not significant in this situation as there are many emerging birch trees in the vicinity. In assessing the proposed footbridge, some concern is raised on its visual impact. However, **NHG** have stated the footbridge's close proximity to other man-made timber structures, such as fencing and the adjacent tarmac footpath, will give the proposal context.
31. **NHG** welcome that some of the felled birch timber will be left *in situ* to provide valuable deadwood habitat for a range of organisms. It is hoped that a formalised path in this part of the wood may help to concentrate walkers, cyclists etc on one particular route rather than being spread throughout this part of the wood on informal trails. This effect may help to reduce erosion on other informal routes and may reduce disturbance to wildlife away from such a formalised route. One result of this however, may be that there are increased levels of usage on the formalised route, which could create an increased source of disturbance for animals using the willow carr area for seclusion. Therefore, the applicants are advised to create more wet areas in Anagach Woods with similarly good cover. This would not only increase the area and occurrence of a valuable habitat type, but could provide quiet refuges for wildlife, such as ground-nesting birds and roe deer. Such a move would very much be in line with the 1st National Park aim to conserve and enhance the natural heritage of the area. This could be achieved at minor cost by damming a small stream in an area of suitable topography, and encouraging the growth of willows.
32. The CNPA's **Visitor Services and Recreation Group** has no objection to the proposed development. However, **VSRG** have made a comment on the nature of the path specification, and suggest a reduction of the width of the path from 1.5m to 1.2m with passing places every 100m (being 1.5m wide by 2m long across the path) and a rest area every 300m. The reason for this suggestion is to make the path less obtrusive, whilst remaining fully accessible.

REPRESENTATIONS

33. No representations have been received in respect of the proposed development. However, the applicant has submitted information on the background of the project, which is attached at the back of this report

APPRAISAL

34. The main issues to be considered in this application relate to the principle of the development, the nature of the proposal including its construction and associated implications, and consideration of its contribution towards the provision of all abilities access in the area.
35. On the basis of regional and local planning policy as outlined in earlier sections of this report, the principle of this type of recreational development is acceptable, and indeed supported by policy. However, as detailed in foregoing sections the proposed new footpath in Kylintra Wood lies within a designated Ancient Woodland. Consequently it has been necessary in the assessment of the development proposal to consider the impacts of such a development on the interests of this designated area, which includes large numbers of mature Scots Pine.
36. The advice given by **NHG** in relation to the enhancement around the path, clearly while beneficial, it can not be justified by the scale and nature of this planning application. It is therefore, recommended that a separate letter is sent to the applicant suggesting that they consider implementing **NHG** habitat enhancement proposals.

Realignment of footpath through Kylintra Meadow

37. In relation to the realignment of the existing path, the development would not involve the felling of any trees. Due to the exposure of the meadow from the surrounding area, especially Woodland Terrace, the redundant path lines will be covered over by top soil taken during the excavation of the new path. This reduces the visual impact this section of the proposal will have on the meadow and the surrounding area.

New all abilities footpath through Kylintra Wood

38. The visual impact upon the woodland setting of the path and its necessary revetment works will be marginal. In the area there are a number of formal and informal paths and this additional one will be seen in this context. In addition, the provision of the formalised route will encourage users to stick to this alignment and allow other areas to recover from erosion. The revetment works will have a slight impact but again in such an intensively used area this is acceptable and will further 'weather' naturally, thus reducing its visibility still further. Adjacent to the pond the footpath will be defined by the revetment and this will reduce the erosion to the pond edge, this will in turn allow a more naturalistic

edge to establish which will be a minor enhancement to this small section.

39. The formation of the new all abilities path through Kylintra Wood will involve the loss of a number of birch trees. Of these only two are mature. The timber will be retained on site to enhance the biodiversity value. The loss of these trees is not significant in this situation as there are many emerging birch trees in the vicinity and the proportion lost is very small.
40. A detailed archaeology record has been undertaken by the applicant on the impact the proposed footpath will have on the stone dyke, which meets the **Highland Council's Archaeological Unit's** minimum standards. Therefore, the **Archaeology Unit** have confirmed that the archaeological condition required by any planning permission granted has been met and no further work is required.
41. During the construction of the footpath where the roots of mature Scots Pines are exposed, mitigation measures will be taken by overlaying the path material without excavation. This will involve the use of treated soft wood pegs inserted into the ground at an appropriate distance from the roots of the affected pine. Timber edging will also be used as required to contain path material over these areas. On side slopes the path line will need to be bench cut into the slope.
42. Due to initial concerns raised by the NHG, details on the final path route have still to be agreed. In the event of the granting of planning permission it is proposed that the applicant mark the detailed route of the path with wooden pegs and ensure that a site visit by the **CNPA** is undertaken to confirm the precise route prior to any turf being cut.

Construction of Footbridge over Kylintra Burn

43. Some issues on the design of the footbridge in relation to its impact on flooding have been raised. At present the drawing of the proposed footbridge shows a flat timber construction set on concrete pads at least 700mm from the burn edge. The Bridge beams will be 200mm above the level of the east bank, while the west bank can be lowered 200mm to create a level bridge. The bridge will connect to the Burnie Path with a 5m ramp turning upstream, the embankment reinforced on the upstream side and handrails on the downstream side. A 200mm culvert will be installed in the ramp to provide additional flood relief for the footbridge, with a ramp access to allow greater use by all abilities. The deck will be made from profiled larch for a non-slip surface.
44. **SEPA** initially advised that an arched deck bridge structure would be preferable to a horizontal decked bridge from a flood risk perspective. This would be less obstructive to flood water and less prone to blockages caused by debris. **SEPA** have also advised that the bridge

structure chosen should be at least '600mm higher than the highest bank at its mid point'

45. However, due to site constraints and its need to allow all abilities access, the guidance as stated by SEPA can not be achieved. After seeking further advice on this matter from SEPA, they have indicated that the aforementioned suggestions were only guidance and therefore they will not be objecting to the proposed bridge as proposed.
46. The construction of the footbridge is necessary and in the public interest, providing a crossing of the burn usable by all abilities. Without a bridge, the all abilities aspect of the new path and the amalgamation of the wider network of paths in the area could not be achieved.
47. The mitigation measures taken to avoid contamination of the burn, as set out in the construction method statement are satisfactory.

Construction of decking area

48. In respect to the proposed decking area on Grant Park Lochan, the applicants have submitted an amended site plan. They have also agreed to minimise the use concrete footings so that it does not interfere with existing pine tree roots and the deck will be supported by treated timber or 'plaswood' posts. The footing will help secure the deck to the bank and ensure air circulation around the timbers. However, further details are still required.
49. Although recognising that the viewing platform will appear somewhat prominent, the provision of the viewing platform at the culmination of the new path is also a logical addition. The platform would provide enhanced opportunities of views over the lochan and, would take the individual further into the lochside environment in a far safer manner than would be possible by merely standing on the shoreline as far as water levels would allow (an unstable shoreline could present difficulties for the less sure footed user). Finally it would also serve as an effective place for users of the path to rest securely.

Replacement or removal of the exiting interpretation panels

50. In addition to creating increased all abilities recreational opportunities in the area, the final aspect of the proposal, the development of interpretation panels, is also to be welcomed as it would provide an opportunity to heighten the general public's awareness of the cultural and natural heritage of the area. As mentioned in foregoing sections of this report, details of the information content on the new interpretation panels and their structures have not been provided at the present time. However, in the event of consideration being given to the granting of planning permission, this is an issue which could be easily addressed by way of a condition requiring agreement with the CNPA on the

content of the panels and their structure, prior to commencement of development.

Conclusion

51. In conclusion, the overall proposal represents the opportunity to provide enhanced access, and the all abilities aspect is therefore to be particularly welcomed. It would also serve to highlight the cultural and natural heritage of the area and allow the general public to gain a greater insight into the special qualities of the Kylintra area and the National Park as a whole.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

52. In terms of landscape the proposed development is a relatively small project, which with the exception of the proposed viewing platform and footbridge resembles the existing path network in the area. It will not have any detrimental visual impact. Consultation response from **NHG** has indicated that the development would not adversely affect natural heritage designations in the area.

Promote Sustainable Use of Natural Resources

53. No details have been provided as to where the actual material will be sourced from for the footbridge and decking construction and also for the surfacing of the path. However, it is likely that the timber component will be sourced locally. It is also understood that it is the intention of the applicants to employ locally based contractors to carry out the proposed works.

Promote Understanding and Enjoyment of the Area

54. The proposed all abilities path and decking area would provide enhanced opportunities for all abilities access in this area of the National Park and would therefore contribute to the opportunity for the general public to access and enjoy the area.

Promote Sustainable Economic and Social Development of the Area

55. The all abilities path and associated new footbridge and decking area is a project undertaken by the Anagach Woods Trust. Such work helps to raise the profile of the organisation which in a small way contributes to this aim. The improvement to the existing route and formation of a new all abilities path may result in more walkers in the area which could have spin-offs for local shops and services.

RECOMMENDATION

56. That Members of the Committee support a recommendation to: **Grant Full Planning Permission** for the construction of a new all abilities footpath; footbridge and timber decking at Kylintra Wood and Grant Park Lochan, Grantown-on-Spey, subject to the following conditions : -
1. The development to which this permission relates must be begun within 5 years from the date of this permission.
 2. That the construction of the development hereby approved shall be undertaken in accordance with the agreed construction method statement.
 3. The footpath shall be constructed in accordance with the standards for All Abilities paths as set out in "Countryside for All, Good Practice Guide". Prior to the commencement of development, a detailed site layout plan, indicating the provision of rest areas every 300 metres and passing places every 150 metres, shall be submitted for the further written approval of the CNPA acting as Planning Authority.
 4. Prior to the commencement of any development in relation to the provision of the realigned and new footpaths, hereby approved, the exact route shall be pegged out on site for the inspection and further written approval of the CNPA acting as Planning Authority.
 5. Prior to the commencement of any development in relation to the provision of the footbridge, exact and specific details for the footbridge shall be submitted for the further written approval of the CNPA acting as Planning Authority.
 6. Prior to the commencement of any development in relation to the provision of the decking area, exact details and specifications for the decking at Grant Park Lochan shall be submitted for the further written approval of the CNPA acting as Planning Authority.
 7. Prior to the commencement of any development, in relation to the provision of the interpretation panels, exact details and specification for panels shall be submitted for the further written approval of the CNPA, acting as Planning Authority.

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31 January 2008

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