
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT: INSTALLATION OF A 23.5M SPAN FOOTBRIDGE OVER THE RIVER DON, A 5.0M TIMBER FOOTBRIDGE ALLIED TO A 560M AGGREGATE PATH, 1.5 M WIDTH, CONSTRUCTED TO AN ALL ABILITIES SPECIFICATION AT LAND SOUTH WEST OF LONACH HALL, STRATHDON

REFERENCE: 09/194/CP

APPLICANT: CAIRNGORMS OUTDOOR ACCESS TRUST

DATE CALLED-IN: 30 JUNE 2009

RECOMMENDATION: GRANT WITH CONDITIONS

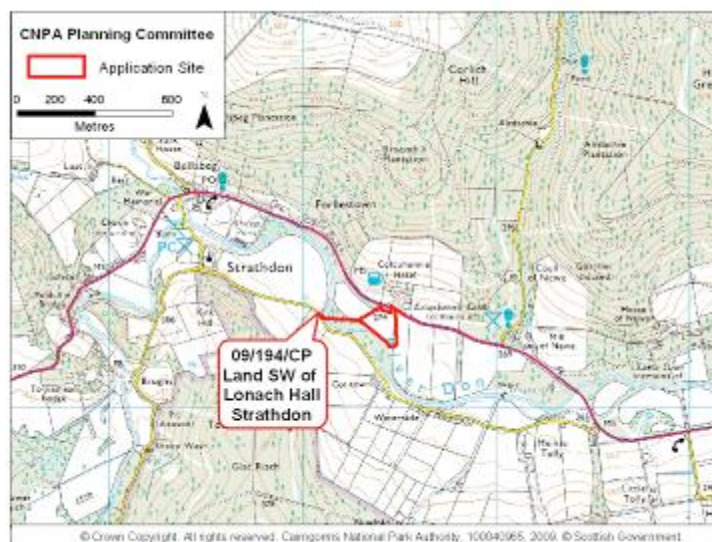


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The site is located near the River Don, within Strathdon, to the south west of the Lonach Hall and the Culquhonnies Hotel, comprising an area of river bank, conifer shelterbelt and agricultural fields. The site is immediately adjacent to the remains of a former footbridge, built circa. 1900 and washed away in the 1970's, reportedly as a result of flood damage to the north bank abutment.
2. It is proposed to construct a new footbridge linking Waterside Road on the western side of the Don to the eastern bank, close to the site of the previous bridge and provide a footpath leading to the Lonach Hall. The proposed footbridge would be of a single span, 23.5 metres long and of a steel beam construction (of a matt dark colour such as graphite grey) with timber posts and balustrades of a natural finish, while the deck would be constructed of aluminium grill sections. The abutments would be set back 3.0 metres from the river bank edges and formed of concrete finished with a stonework masonry facing, the approach ramps would be compacted gravel. It is proposed that the existing bridge remnants would remain in place. No works are proposed to take place within the river bed.

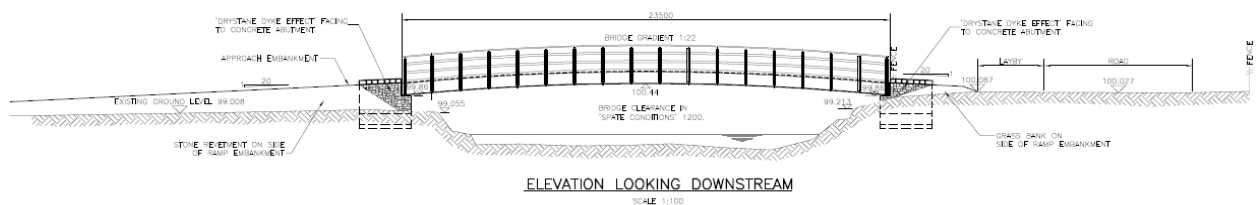


Fig. 2 – Footbridge Elevation

3. In addition to the bridge, a 1.5m wide, 560m long aggregate footpath is also proposed. It would be finished with a top gravel dusting to allow for all-abilities access, connecting the north bank of the River Don and traversing the conifer wood, utilising natural areas of clearing where possible (approximately 3no. trees would require to be removed) before following the fence line of an agricultural field - a new fenced area would be erected to separate the path from the field. A small 5.0m timber footbridge would be built to cross over a ditch directly south of the Culquhonnies Hotel; the path would then join up with the A944 road opposite the access to the hotel and Lonach Hall. A small roadside path would be installed to ensure pedestrian safety.



Fig. 3 – Bridge Location



Fig. 4 – Path Location

4. A full supporting statement has been submitted to justify the proposal and outline the construction methods to be utilised. The aim of the project is to create a high quality link path over the River Don to the Lonach Hall, providing greater opportunities to connect a number of walks in the area and provide safe access to the hall. The statement highlights that the proposed path has been identified as one which the local community aspired to see brought forward within the Core Paths planning consultation, undertaken by the CNPA in 2006 and 2007 and would reinstate linkages from Strathdon/Bellabeg on the western side of the river to the Lonach Hall on the eastern side. The pathway is identified within the Core Paths Plan as path UD05 'Strathdon Bridge path'.



Fig. 5 – Example of 5m footbridge

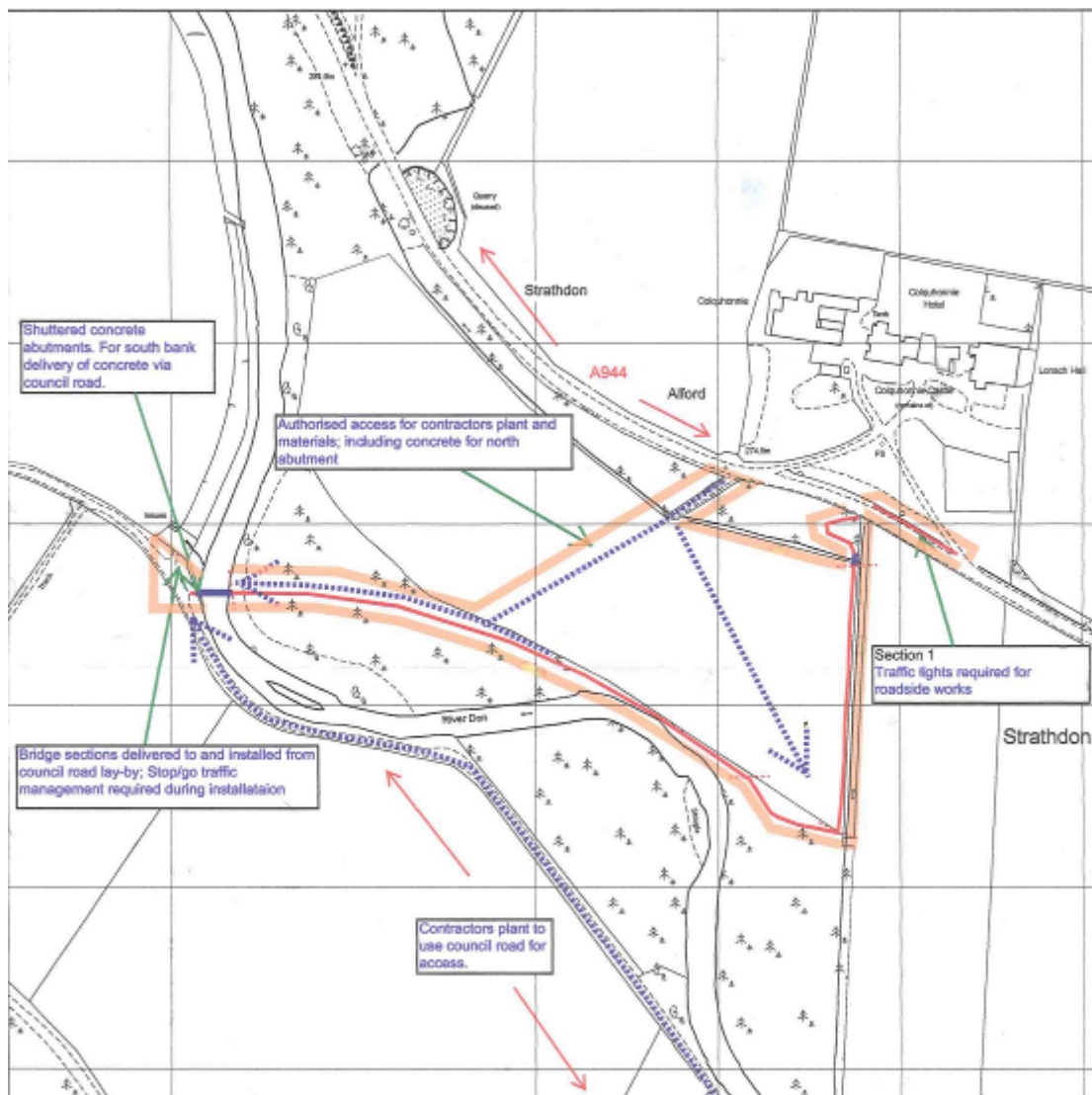


Fig. 6 – Path Alignment

DEVELOPMENT PLAN CONTEXT

5. Section 25 of the Planning etc (Scotland) Act 2006, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan covering the application site comprises the Aberdeen and Aberdeenshire Structure Plan 2001 (NEST) and the Aberdeenshire Local Plan 2006.

National Planning Policy and Guidance

6. **SPP II – Sport, Physical Recreation and Open Space** states that people residing in rural areas have a need for sport and recreation facilities. In addition, **SPP II** highlights the fact that the provision of recreation facilities in rural areas has a significant purpose “in contributing to the retention of population and in promoting tourism, hence having an impact on the rural economy.”

7. **NPPG 14 - Natural Heritage** advises that conservation and development can often be fully compatible, and with careful planning the potential for conflict can be minimised. **NPPG 14** details the various national and international statutory designations and the objectives of designation. Para. 46 also makes reference to the fact that natural heritage is not confined to the statutorily designated areas, but is found throughout the countryside.

Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 (North East Scotland Together, NEST)

8. NEST includes a section on Sport and Recreation which notes that the plan seeks to increase accessibility to facilities for all. Paragraph 3.34 describes how Council's are committed to promoting better access to open space and the countryside through a network of footpaths, bridleways and cycling routes. **Policy 17** focuses on Countryside and Open Space Access advising that local plans should encourage and protect responsible access to open space and countryside. However it also advises that care must be taken to minimise detrimental impact on the environment.

Aberdeenshire Local Plan (2006)

9. The proposed site lies within an Area of Landscape Significance (Marr area). Areas of Landscape Significance have been identified as being important not only for their physical landforms, but also for the flora and fauna which they support and the environmental assets which they represent.
10. **Policy Env\5B** states that development within or adjacent to an Area of Landscape Significance will not be permitted where its scale, location or design will detract from the quality or character of the landscape, either in part or in whole. In instances where development is acceptable, the highest standards of design will be expected, in terms of location, scale, siting, aesthetics and landscaping.
11. **Policy Env\5B** specifically mentions that within the Cairngorms National Park greater weight will be given to the conservation and enhancement of the natural and cultural heritage of the area of the Park.
12. **Policy Emp\10** of the Local Plan focuses on the subject of Sport, Leisure and Recreation. The policy indicates that new or improved facilities will be approved in principle if amongst other things they respect the character and amenity of the surrounding area, are located close to where people live and reduce the need to travel. In justifying the policy the importance of sport and recreational facilities to the quality of life, health and well being of both local communities and visitors is highlighted, as well as their being a recognition of the contribution of such facilities to the local economy of the area.
13. **Policy Env/22** addresses access issues. The policy is intended to ensure that existing public access is protected and that future development does not restrict future opportunities for the extension of the public access network. The policy also states that encouragement will be given to new access routes

which promote 'green transport' while not adversely affecting the land concerned.

Cairngorms National Park Plan (2007)

14. The **Cairngorms National Park Plan** sets out the strategic objectives that provide a long term framework for managing the National Park and working towards a 25 year vision. Under the broad heading of **Conserving and Enhancing the Park**, some of the strategic objectives include maintaining and enhancing the distinctive landscapes of the Park and also ensuring that development compliments the landscape character of the Park. Under the theme of **Living and Working in the Park**, the National Park is recognised as being a national asset and a place of recreation and enjoyment.
15. Under the final theme of **enjoying and understanding the park** there is recognition that the Cairngorms National Park is known for its outstanding environment and outdoor recreation opportunities. The vision for the Park involves developing a world class destination, which requires a sustainable approach to developing tourism, and an excellent quality provision of outdoor access and recreation opportunities.

CONSULTATIONS

16. **Scottish Natural Heritage (SNH)** originally reserved its position on the proposal on the grounds of insufficient information. SNH requested further information on the likely effects on bats and otters. This has been provided detailing appropriate mitigation, SNH are satisfied and have no further comments.
17. The CNPA **Heritage and Land Management Group (HLM)** has no objections to the proposal, commenting on breeding birds, pollution control and river bank protection.
18. **SEPA** has no objections. A detailed construction method statement as submitted by the applicants was found to be satisfactory.
19. **Aberdeenshire Council Flood Prevention and Coast Protection** originally returned comment requesting clarification over maintenance and ownership responsibilities for the bridge, concerns over the long term stability of the river banks, risk of bank collapse through scour, suggesting the span is lengthened to 23.5 metres and that the headroom for the deck be raised to 1.0m for adequate clearance during flood events. The applicant has amended the proposals in line with these aspects, both lengthening and raising the bridge overall. Other information providing an outline flood risk assessment and other supplementary information was found to be satisfactory.
20. **Aberdeenshire Council Transportation and Infrastructure (Roads)** has no objections, and recommends a number of conditions related to the A944 crossing point, requiring warning signs, vegetation clearance and the

need to ensure the verge side footway of 1.6m would suffice and is completed to adoptable standards.

21. The CNPA **Visitor Services and Recreation Group** has no objections.

REPRESENTATIONS

22. No representations have been received.

APPRAISAL

23. In determining this planning application regard is to be had to the development plan and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
24. The main issues to consider in this application relate to the principle of the development, the nature of the proposal including its construction and the associated implications, particularly on natural heritage, adjacent to the proposed development area, and also consideration of its contributions towards the provision of access in the area.
25. In terms of the principle of the development, there is general support in planning policy contained within the Development Plan. The policies which have been detailed in paragraphs 6 to 13 of this report all generally encourage increased recreational opportunities in rural areas, where they can be reconciled with the need to conserve the natural heritage of an area.
26. The site is located immediately adjacent to the River Don and would involve the construction of a 23m footbridge, 5m bridge and pathway on the river banks. With regard to Otters SNH note that the area has been checked for signs of holts and resting places. Appropriate mitigation has been identified and SNH are satisfied that there would be no impacts. No other protected species were recorded during the period of which the surveys were undertaken. SNH and HLM have no objection to the scheme, providing that the bridge is constructed in accordance with the method statement as submitted. It is considered that the proposal will not adversely impact on natural heritage.
27. The footbridge is designed along similar principles to a bridge recently erected at Shiel of Glentanner, in the National Park area. The design is intended to ensure the minimum of works to the embankment by utilising a shallow arched structure so that natural strength is gained from the shape of the bridge. This results in no need to provide piers in the river bed and no significant works being required on the embankments as the abutments at each end of the bridge would be set back 3.0 metres from the river edges. This would result in the minimum disturbance to the river and its immediate environs. In terms of materials the footplate of the bridge will be steel mesh decking set on a steel spine beam, both elements would be painted in a subdued colour such as graphite grey to blend in with the wider landscape.

The parapets and handrails for the bridge would be constructed in larch which would not be colour treated.

28. The appearance of the footbridges is considered to be sympathetic and appropriate to the local area, of a simple and functional design. It is considered that the location of the bridge, adjacent to the remains of the previous bridge, within an Area of Landscape Significance (Marr area) is appropriate and would not impact on the character and nature of the area or detract from its setting.
29. The 5.0m bridge is a low level footbridge, of 1.5 m width, fully of a timber construction, it is considered to appear typical of many bridges in the National Park area and of a satisfactory appearance, unobtrusive and inkeeping with the area. The proposed pathway would follow gentle terrain, utilising a sympathetic and sensitive route through the woodland and thereafter following the perimeter of the fields, it would create a high quality, all-abilities route carefully integrated with the surrounding area.

Draft Core Paths Plan

30. The proposed path is identified as one which the local community aspired to see brought forward and would reinstate linkages from Strathdon/Bellabeg on the south side of the river to the Lonach Hall on the north side. The pathway is identified within the Core Paths Plan following extensive consultation in 2006 and 2007 as path UD05 'Strathdon Bridge path'. The Outdoor Access Strategy identifies a need to develop safe walking and cycling routes to school and work places, especially near Bellabeg, and for leisure. The Draft Core Paths Plan suggests that the proposed core path UDO5 should go a long way toward achieving this and should cater for a range of activities and abilities.

Conclusion

30. It is considered that the proposal is acceptable in terms of planning policy, design and natural heritage impact including otters and bats. The site is not subject to any further designations. The scale, location and design of the bridges and the pathway would not detract from the quality or character of the landscape, either in part or in whole and is considered to be acceptable.
31. The proposed bridges and associated footpath would bring forward a core path as outlined in the Draft Cairngorms Core Paths Plan and one highlighted by the community following extensive consultation, bringing about enhanced recreational opportunities and greater interconnectivity between a number of existing walks in the area. The proposals would lead to the creation of a high-quality, all-abilities link path which the applicants state is likely to be popular with local people and visitors alike, providing a safe route to the Lonach Hall.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

32. The development is not considered to have adverse implications for this aim; the proposals have a minimal landscape and natural heritage impact, in cultural heritage terms the proposal would allow for the reinstatement of a former crossing point of the river, thereby assisting in conserving and enhancing the cultural heritage of the area.

Promote Sustainable Use of Natural Resources

33. It is not clear where all the material will be sourced from.

Promote Understanding and Enjoyment of the Area

34. The bridge would form a crossing of the River Don creating a new route for walkers and bring forward a path identified within the Core Paths Plan, so would contribute to the enjoyment for walkers in the area.

Promote Sustainable Economic and Social Development of the Area

35. The proposed footbridge is a project undertaken by the Cairngorms Outdoor Access Trust. The improvement to the route would result in improved facilities for locals and visitors and may bring more walkers into the area which could have economical and tourism spin-offs for local shops and services.

RECOMMENDATION

That Member's of the Committee GRANT Full Planning Permission subject to the following conditions:-

1. The development to which this permission relates must be begun within three years from the date of this permission.

Reason: To comply with the relevant legislation.

2. Prior to the commencement of development, a programme of works for the on-going maintenance of the proposed footbridge and pathway shall be submitted to and agreed in writing with the Cairngorms National Park Authority (CNPA), acting as Planning Authority.

Reason: To ensure that the trail does not become liable to deterioration and in the interests of public safety.

3. The bridge hereby approved shall be constructed strictly in accordance with the submitted method statement unless otherwise agreed in writing by the CNPA acting as Planning Authority in consultation with SNH and SEPA.

Reason: To ensure that there is no environmental pollution or sedimentation of the adjacent watercourse or destabilisation / scour of the watercourse embankment.

4. Prior to the footbridge and pathway hereby approved, becoming publicly accessible, vegetation at the A944 crossing point should be cut back on the south west side to maximise visibility, advance warning signs shall be erected and maintained to the east and west, and a footway constructed as per the indicated drawings, the footway should be at least 1.6 metres wide, kerbed and finished to an adoptable standard.

Reason: To ensure drivers and pedestrians have adequate visibility to cross the public road safely and to ensure approaching vehicles are aware of possible crossing movements and to provide a satisfactory roadside footway.

5. Clearance work of trees or vegetation should avoid the recognised bird breeding season (March – July inclusive) unless otherwise agreed in writing with the CNPA acting as Planning Authority. In the event that work is required in exceptional circumstances to be undertaken during the period from March to July, a nesting bird survey shall be undertaken immediately prior to any work. If nesting birds are recorded the works shall stop until the birds have ceased nesting or a license had been obtained from the Scottish Government to permit disturbance.

Reason: In order to protect nesting birds and in the interests of conserving and enhancing the natural heritage of the area.

Advice Notes:

- (a) In the event that evidence of breeding by otters is found near the site, a licence is likely to be required, under the terms of The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007. SNH would recommend that no night working or lighting of the work area at night should take place.
- (b) Care should be taken to avoid the spread of invasive, non-native plant species to the site either through planting, or because of construction activities, e.g. the importing to the site of soil contaminated with seeds of any of the above species. Should it be clear that any of the above species have arrived at the site because of the development, then effectively removing them as soon as possible and disposing of them responsibly should be made the responsibility of the applicant. Equally, if any of these species occurs on the site already, then the development should not allow the species to spread off-site.
- (c) The proposal may require registration with SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR). The applicants are advised to liaise with SEPA for further information on this matter. The applicant should also refer to the Engineering in the Water Environment Good Practice Guide for best practice requirements.

- (d) The applicant is advised to contact the Road's Authority and appropriate Building Control Authority prior to work commencing on site to ensure appropriate notifications are in place.

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25 November 2009
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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.