
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: FULL PLANNING PERMISSION FOR THE ERECTION OF A CHILDREN'S MINI-FUN RIDE AT LANDMARK, CARRBRIDGE

REFERENCE: 09/197/CP

APPLICANT: LANDMARK FOREST ADVENTURE PARK, CARRBRIDGE, C/O NORTEC CONSULTING ENGINEERS LTD., INVERNESS

DATE CALLED-IN: 26 JUNE 2009

RECOMMENDATION : APPROVE WITH CONDITIONS

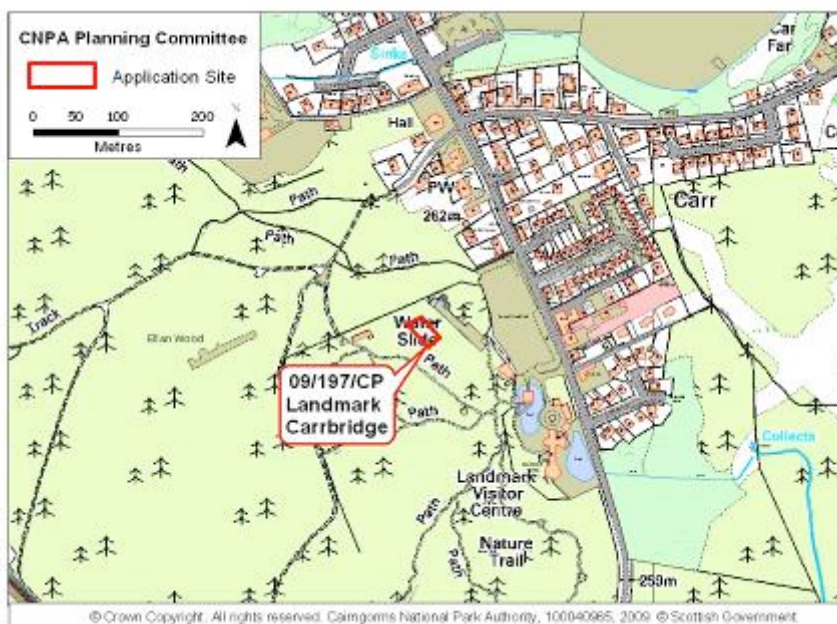


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Full planning permission is sought in this application for the erection of a children's mini fun ride within the grounds of the Landmark Forest Adventure Park in Carrbridge. The 'mini mega coaster' is a gravity coaster ride, contained within an area measuring 29 metres x 17 metres. The actual track length extends to approximately 233 metres, and at its highest point would be 9.4 metres above ground. A roller coaster train, with a seating capacity of 24, would traverse along the rails. The train would operate at a maximum speed of 24.6 miles per hour, with each ride lasting 50 seconds. The ride apparatus would be enclosed by 1.8 metre high fencing consisting of weld mesh panels, framed in galvanised tubular steel sections. The main structure steelwork of the proposed ride would also consist of tubular steel sections, painted in a combination of 'forest green' and 'russet brown' colours. A passenger waiting / loading platform is also proposed at one end of the facility. It is essentially a raised platform, accessed by a set of steps and covered by a monopitch roof of single skin aluminium cladding.¹ The floor of the loading station would be a galvanised steel plate.



**Fig. 2 : Looking into the site from the north west,
with the Landmark waterslides in the distance**

2. The mini ride is proposed in a partially wooded area of the Landmark site, between the existing waterslide facility to the north east and the former sawmill to the west. A network of gravel paths traverse close to the site. The access arrangement to the ride would be via a 2.0 metre wide entrance and exit path on the east side of the ride leading to / from the loading station. In addition, to the west of the proposed ride a 3.0 metre wide access area would also be created to facilitate maintenance operations. The construction of the paths would be by compacting and levelling existing ground, which would be covered in bark.

¹ No colour choice has been specified for the roof structure at present.

3. Details have been provided on the method of construction of the proposed mini fun ride. The structure is designed to be easily assembled and removed. It has no permanent foundations and would be founded on the surface of the levelled ground. It is intended that the area would be allowed to seed naturally from the surrounding flora. Supporting information also offers that the area could be covered with bark chips if considered to be more aesthetically acceptable. The various components of the ride would be brought to the site by flat bodied lorries. It is anticipated that this would occur during the winter months when the Landmark centre has a much reduced level of operation. The area around the intended works would be closed and cordoned off from the public while construction operations are on going. Any crane required to erect and assemble the structure would be operated from the paths immediately adjacent to the site.

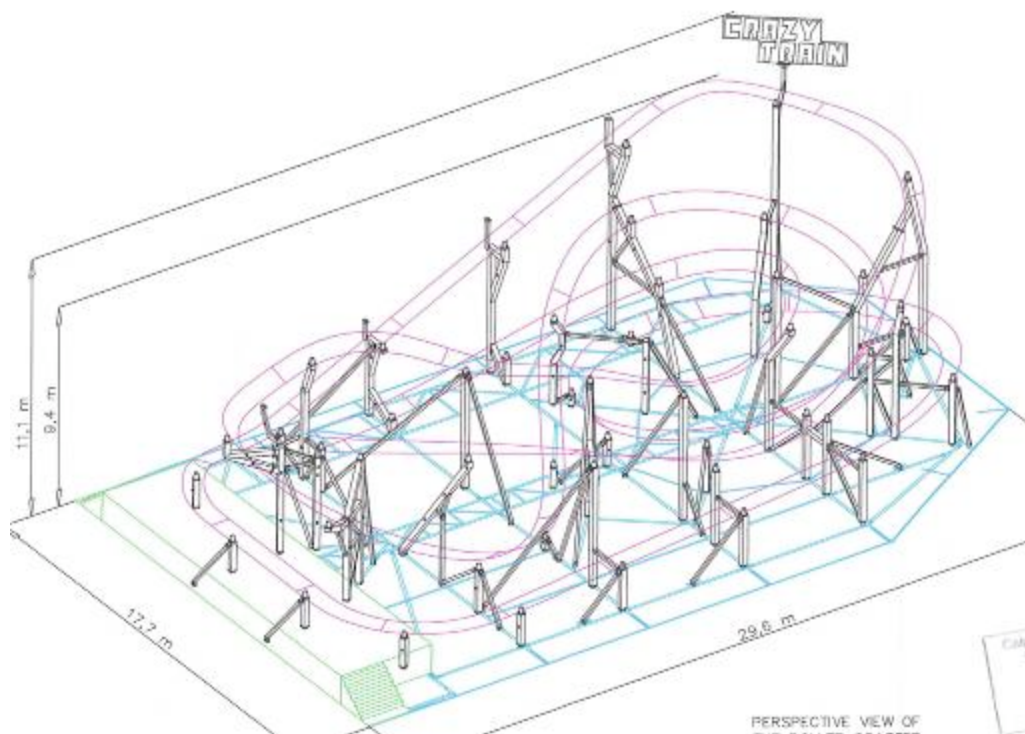


Fig. 3 : Perspective view of proposed mini fun ride

4. Tree species within the proposed site area are predominantly Scots pine and Norway spruce, together with a ground layer of heather, blueberry and juniper. The woodland forms part of the surrounding wider woodland area, much of which is within the overall boundaries of the Landmark Adventure Forest Park. The applicants have elaborated on the reasons for selecting the proposed site, referring to it being within an area where there is little impact on the wildlife of the wood, as well as it being in close proximity to other recreational installations. Landmark consider this a suitable area for the development of leisure based attractions, distinct from other areas within their overall landholding, where the site operators carry out a 'no significant development' policy.

Supporting Information

5. A bat survey was undertaken at the site and the report has been submitted with the application. No evidence of bat use was found during the survey and it has therefore been concluded that no bat roosts will be destroyed or disturbed during the proposed works. Notwithstanding the survey findings, the report also contains a number of 'good practise' recommendations. Where felling of trees occur any part that it is thought could contain a cavity should be 'soft felled' and the part containing any cavity should be left undisturbed for 24 hours before removal. It is also advised that if bats are discovered during any future work all operations in that area should immediately cease and contact should be made with a licensed bat worker and Scottish Natural Heritage.
6. Information has been provided on how the visitor centre at Landmark operates, as well as providing background to the requirement for the proposed mini fun ride and how it is considered to fit with the existing concept. At the time of opening in 1970 Landmark was the first purpose built centre in Europe, initially trading as an interpretative centre. However, following a period in the 1980's where its viability was questionable, it became necessary to add new attractions, with the business consequently growing over the past 25 years. The visitor facility is marketed as 'Landmark Forest Adventure Park' with its concept being summarised in its promotional statement of 'fun, discovery and adventure in an ancient forest.' Information submitted in support of this application suggests that Landmark is a rare type of park, positioned "between a country park with passive / active play elements and some interpretational content, and a theme park with pure fun and adventure elements." The diverse range of attractions within Landmark includes the Watercoaster, the RopeworX and Tarzan Trail high level challenge courses, the Skydive parachute jump simulator and the Pinnacle Climbing Wall, as well as the tree top squirrel trail and a variety of indoor attractions. The applicants consider that the proposed mini ride would fit with that existing concept without changing the perceived status as a Forest Adventure Park.
7. Positive aspects of the mini ride which have been identified in the supporting submission include reference to its small footprint and the fact that it would be a low level, lightweight, relatively quiet and compact ride, which is considered to meet Landmark's criteria for "fun and adventure focus but without tipping the balance into the pure fun and amusement park area." It is also pointed out in the submission that the proposed fun ride has no foundations and is removable, which would therefore provide Landmark with the opportunity to renew their attraction stock on the same site with minimal upheaval. It is also intended to allow the site to partially regenerate to a natural state within the operational limits of the ride. The supporting information also sets out how the proposed attraction is envisaged to fit with the aims of the National Park.
8. In terms of the future development of the Landmark facility, the approach which is currently envisaged by the owners is the addition of small scale attractions and improvements to the existing facilities. In addition to the

proposed mini fun ride, works which the operators are considering undertaking in the period between 2010 and 2012 include refurbishment of the microworld exhibition, improvements to the Wild Forest Maze, the provision of additional toilet facilities, refurbishment of the shop and restaurant, and the possible installation of a zip line.



Fig. 4 : Typical example of proposed mini fun ride

DEVELOPMENT PLAN CONTEXT

National policy

9. **SPP2 : Economic Development** focuses on a number of themes including securing new development in sustainable locations and also safeguarding and enhancing the environment. On the latter theme **SPP2** recognises the importance of the environment as a resource and notes that a high quality environment can be used to promote an area for business development, as well as provide a range of economic opportunities. The natural and built heritage are discussed and planning authorities are advised that their consideration of proposals should seek to minimise adverse effects. In a section entitled 'Development in Rural Areas' **SPP2** makes particular reference to the promotion of sustainable economic and social development of the areas communities being a key aim of Scotland's National Parks. It advises that developments should be accommodated where they are appropriate to the purposes and character of the Park and that their siting and design should be of a high quality and support the Park's image and appearance.
10. Other national level advice is contained in **NPPG 14** on **Natural Heritage**. It strikes a positive note stating that conservation and development can often be fully compatible, and the potential for conflict can be minimised. In relation to statutory designations, and in particular National Parks, para. 33 states that "while conservation of the natural heritage will be a key objective

in any National Park, the Government considers that due weight must also be given to the social and economic interests of local communities.”

11. **NPPG 14** discusses wider natural heritage issues, outwith statutory designations, and stresses that natural heritage is found throughout the countryside, and that efforts should be made to safeguard and enhance the wider natural heritage beyond the confines of nationally designated areas. Among features listed as being of potential value in the development of habitat networks are woodlands, rivers and burns. Para. 50 stresses the importance of trees and woodlands, both as wildlife habitats and in terms of their contribution to landscape character and quality. **NPPG 14** highlights the duty of Planning Authorities, under section 159 of the Town and Country Planning (Scotland) Act 1997, to ensure that wherever appropriate, planning permissions make adequate provision for the preservation or planting of trees.

Highland Structure Plan 2001

12. **Section 2.7** of the Highland Structure Plan discusses the economy and tourism in particular, noting that tourism is a vital element of the Highland economy. The identity of the Highlands includes “its built heritage, rich wildlife, scenic beauty, history and culture” which are described as the foundations on which tourism and recreation activities are based. The Structure Plan strategy aims to build on the Highland identity and to “take a proactive approach to the wise use of the natural environment as a primary resource” for tourism.
13. The Structure Plan notes that tourism makes major demands on infrastructure and facilities and also notes that there is scope for improvement in the quality and level of provision. **Policy T2 on Tourism Development** confirms Highland Council’s support for high quality tourism development proposals, particularly those which extend the season, provide wet weather opportunities, spread economic benefits more widely and provide opportunities for the sustainable enjoyment and interpretation of the area’s heritage.
14. The **Highland Structure Plan** includes a detailed section on the environment and topics such as nature conservation and landscape are discussed. Para. 2.13.1 notes that the abundance of natural habitats and species is a key element of Highland’s identity and constitutes one of the region’s main strengths. The **Structure Plan** details the hierarchy of protection of nature conservation interests, but also notes that such interests are not confined only to designated sites. **Policy NI on Nature Conservation** requires new developments to minimise their impact on the nature conservation resource and enhance it wherever possible.
15. **Section 2.14** of the Plan discusses Landscape where it is declared that “no other attribute of Highland defines more the intrinsic character and nature of the area than its landscape.” The Plan notes that associated with such landscapes are the communities that live in harmony with them and the

wildlife that is adapted to their conditions. It is advised that the protection and enhancement of landscape and scenery must be positively addressed. **Policy L4 on Landscape Character** states that “the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.”

Badenoch and Strathspey Local Plan (1997)

16. On the general subject of Tourism and Recreation, section 2.2.9 of the **Local Plan** notes that activities of this nature will continue to make a vital contribution to the economy, but also emphasises that the priority is to ensure that “broadening the range and quality of facilities and accommodation is balanced with protecting the areas exceptional scenic and heritage resources.” The plan suggests within communities and on their edges that tourist accommodation, recreation and leisure facilities of a scale appropriate to the community concerned will be promoted.
 17. Section 2.2.10 of the Plan, entitled **Tourism**, states that the “Council will encourage the development of tourist accommodation and facilities at suitable sites within or immediately adjoining communities” and that “priority will be given to expansion of existing facilities.” This section of the Plan also requires that that tourism proposals should “either associate well with the prevailing pattern of building, or be well absorbed visually by landform and trees.
 18. The landscape conservation policy is detailed in section 2.5.10. It is the policy to conserve areas of landscape importance including waterside land, open areas and scenic views. It is also advised that development proposals will be considered carefully in respect of their impacts on conservation and the environment.
 19. The proposed site is within the settlement area of Carrbridge and is on land which is identified in the Badenoch and Strathspey Local Plan as ‘Commerce / Tourism.’ Under the heading of employment Section 5.2.1 specifically refers to the Landmark Centre, stating that “the Council will encourage consolidation of the Visitor Centre to complement new reception, heritage facilities, and forest trails. Further development is subject to safeguarding the wooded setting and satisfactory servicing.” Section 5.5.3 of the Plan, entitled ‘Other Trees’ is also relevant, advising that important woodland and trees will be protected throughout the village. The Landmark Centre is one of the specific locations mentioned where there are significant groups of trees.
- Cairngorms National Park Plan (2007)**
20. The Cairngorms National Park Plan sets out the vision for the park for the next 25 years. The plan sets out the strategic aims that provide the long term framework for managing the National Park and working towards the 25 year vision. Under the heading of ‘conserving and enhancing the special qualities’ strategic objectives for landscape, built and historic environment include maintaining and enhancing the distinctive landscapes across the Park, ensuring that development complements and enhances the landscape

character of the Park, and ensuring that new development in settlements and surrounding areas and the management of public spaces complements and enhances the character, pattern and local identity of the built and historic environment.

21. Under the heading of 'Living and Working in the Park' the Plan advises that sustainable development means that the resources and special qualities of the national park are used and enjoyed by current generations in such a way that future generations can continue to use and enjoy them. Section 5.2.3 of the Park Plan acknowledges that tourism is one of the primary forms of employment in the Park, although many jobs in this and other sectors are highly seasonal and with little long term security. Strategic objectives for economy and employment include creating conditions that are conducive to business growth and investment that are consistent with the special qualities of the Park and its strategic location and the promotion of green business opportunities. Section 5.3 of the Plan concerns 'enjoying and understanding the park' noting that the Cairngorms National Park is known for its outstanding environment and outdoor recreation opportunities and advises that the vision for the Park seeks to "go further and develop a world class destination which plays a significant part in the regional and national tourism economy." Strategic objectives for sustainable tourism include : -
- raising awareness of the Park as a premier, year round, rural tourism destination;
 - recognising its outstanding natural heritage and its National Park status;
 - improving and maintaining the quality of the experience of the Park for all visitors, communities and those working in the tourism industry;
 - maintaining a high quality environment by encouraging sound environmental management by all those involved in tourism in the Park;
 - developing a wide range of opportunities for visitors to experience and enjoy the special qualities distinctiveness and natural and cultural heritage of the Park; and
 - encouraging an optimum flow and spread of visitors across the Park and minimising the social and environmental impact including traffic generated by visitors and conflicts between different forms of recreation.

CONSULTATIONS

22. The CNPA's **Sustainable Tourism Officer** has assessed the proposal and comments that the Landmark Forest Adventure Centre is a popular family visitor centre, offering a variety of attractions. She considers that the proposed mini-mega coaster would be a popular addition to the Centre. It is accepted that there is a need within the visitor attraction market for ongoing refreshment of the visitor experience to maintain interest and visitor numbers. The proposed development is likely to help maintain or increase visitor numbers to the site and could also potentially provide a small boost to the wider local economy. While generally positive towards the proposed development, the Sustainable Tourism Officer notes that she would like to see a ride more clearly themed to fit with the Forest Park, although she accepts that this may not be a cost effective option for the development.

23. The CNPA's **Heritage and Land Management Group** considered the ecological implications of the development proposal. Reference has been made in the response to a number of factors including protected mammal species, ants and juniper. Bats and red squirrels are the protected mammal species of relevance to this site. The ecology officer accepts the findings of the bat survey which indicates that no bat roost survey suitability was recorded. It was also noted that no squirrel dreys are present within the trees that are proposed to be felled. However, given that red squirrels are generally present within the Landmark development it is recommended that a pre-felling survey of the trees be undertaken and in the event that any squirrel drey is found to be present within the trees that are proposed to be felled, all work should cease and advice should be sought from the CNPA prior to proceeding further.
24. The response from the ecology officer also notes that there are several ants nests in close proximity to the development proposal (and they have been identified on the site layout plan). Although they are close to the existing pathways in the vicinity they do not at present demonstrate any significant impacts from trampling or human interference. The mini fun ride is proposed to be enclosed by a fence which would be sufficient to prevent people entering the adjacent woodland where the ants nests are present. However, as an additional measure it is recommended that the ants nests are regularly monitored.
25. The ecology officer also notes that there are several stands of Juniper within the proposed development site, with Juniper being a priority species on the UK BAP, as numbers are declining. In order to prevent the decline of Juniper in the vicinity, it is recommended that it is translocated across the path to suitable areas of habitat. Advice is provided within the consultation response on translocation methods.² The applicants have been made aware of this and have confirmed their acceptance of the requirement to translocate the juniper.

REPRESENTATIONS

26. No representations have been received in respect of the proposed development.

² The optimum time for Juniper translocation is late October to early December. It is suggested that the receptor site should be located across the gravel path, in a relatively open area with no shading. Appropriate size holes should be prepared in the receptor site. As large as possible around the Juniper stem should be dug by hand in order to ensure that the entire rootball is removed. A hessian sack should be tied around the rootball and the entire plant should then be gently lifted to the receptor location. The plant should be placed in the hole and the soil backfilled and firmed around the plant, followed by thorough watering.

APPRAISAL

27. The main issues to examine in this planning application are the principle of a development of this nature, and then the more detailed aspects of the proposals, including the specific location and the potential impact on the natural heritage of the area. The incremental growth of recreation and leisure facilities which has taken place at the Landmark site since its inception in 1970 has established the principle of development of this nature at this location. As detailed in paragraph 19 of this report the subject site, as well as the wider landholding of the Landmark complex, is allocated in the existing Badenoch and Strathspey Local Plan (1997) for 'Commerce / Tourism.' In addition, specific reference is made in the Plan to the Landmark Centre, with Section 5.2.1 indicating that further development would be considered subject to safeguarding the wooded setting and satisfactory servicing.
28. The applicants have indicated in supporting information that the proposed site is considered suitable as it would have little impact on wildlife in the wider woodland area, over much of which the site operators have a self imposed policy of 'no significant development.' In terms of the impacts on the natural heritage of the area, the consultation response from the CNPA's **Heritage and Land Management Group** indicates an acceptance of the proposed site. **HLM** are satisfied with the findings of the bat survey which was carried out, and it is also acknowledged that no red squirrel dreys are present within the trees that are proposed to be felled. Conditions are recommended to ensure the protection and monitoring of ants nests, as well as a requirement for the translocation of juniper from the actual site.
29. Additionally, as regards the proposed location, it is in relatively close proximity to many of the existing attractions (located between the waterslides and the old sawmill) and is on the edge of the woodland, thereby avoiding inappropriate encroachment into the wider woodland area. The addition of the mini fun ride in this location would essentially consolidate the developed area. At its maximum height the actual ride extends to 9.4 metres and when taken in the context of its setting on the edge of the wider woodland area and its proximity to the high level waterslide structure, I am of the view that the visual impact will be minimal. Reference has been made in supporting documentation to the tubular steel sections of the ride being painted a combination of 'forest green' and 'russet brown.' Such colours have the potential to blend with the forest setting. However, I would recommend that the specific colours of the overall structure, including the train element, be the subject of agreement prior to any development commencing. The 'perspective view' of the proposed mini fun ride, as shown in figure 3, depicts the inclusion of signage ('Crazy Train') mounted at the highest point of the ride and the dimensions specified indicate that that the sign would be 1.7 metres high. The addition of large, prominently positioned signage would not in my view be an appropriate addition, and would have a negative visual impact. I recommend in the event of consideration being given to the granting of planning permission that this signage be omitted.
30. In terms of the nature of the mini fun ride proposed, it is similar to that which may be commonly found in amusement theme parks and is not

therefore unique to the forest adventure concept which has developed at Landmark. However, other attractions already on the site, such as the waterslide for example, could also be considered a departure from the forest adventure concept. The applicants have provided details of the background to introducing the mini fun ride, with reference made to the need to grow the attraction base and to change the mix of attractions on offer and generally “embrace change to remain viable.” The marketing ethos at Landmark is ‘fun, discovery and adventure’ and the proposed mini fun ride would fit with that. Its introduction would not detract from other core attractions offered at the facility, particularly those which assist in experiencing and understanding the forest setting.

31. In considering the addition of a new attraction at Landmark which would assist its long term growth and viability, there is a need to acknowledge how the facility accords particularly with the third and fourth aims of the National Park. Landmark is reputed to be one of the most visited attractions within the Cairngorms National Park and through its interpretation facilities, combined with more adventure based attractions such as the waterslides and high level challenge courses, it contributes towards promoting understanding and enjoyment of the area. From the point of view of contributing towards the social and economic development of the area the applicants have pointed out that 95% of the employees at Landmark live within the Cairngorms National Park, and that the annual wage bill is in the region of £750,000.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

32. The proposed positioning of the mini fun ride and the associated perimeter fencing is at a location within the Landmark site which minimises the impact on the natural heritage of the area. Monitoring and protective measures would also be put in place in respect of protecting ants and red squirrels in the vicinity of the site, as well as measures to ensure that juniper currently growing on the subject site is appropriately translocated.

Promote Sustainable Use of Natural Resources

33. On the basis of the details provided regarding the proposed materials, and the fact that the development will be manufactured overseas the proposal is not considered to promote the sustainable use of natural resources.

Promote Understanding and Enjoyment of the Area

34. The general principle of providing additional recreational facilities at the established Landmark Forest Adventure Centre would further assist users of the facility in enjoying the area.

Promote Sustainable Economic and Social Development of the Area

35. The introduction of an additional attraction at Landmark is likely to attract increased visitor use and would therefore be of benefit to the economic development of the area. It would also assist in providing continuing employment opportunities in the area.

RECOMMENDATION

That Members of the Committee support a recommendation to grant full planning permission for the erection of a mini-fun ride at land south west at Landmark Forest Adventure Centre, Carrbridge, subject to the following conditions : -

1. The development to which this permission relates must be begun within five years from the date of this permission.
2. Prior to the commencement of development a pre-felling red squirrel survey shall be undertaken of all trees to be felled and the results shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, which shall be obtained before any development proceeds. In the event that any squirrel drey is found to be present no work shall be undertaken without the written permission of the CNPA.
3. Prior to the commencement of development, details of a programme of monitoring of the condition of the ants nests in the vicinity of the subject site (as identified on drawing no. 1573-04 Rev A) shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority and thereafter development shall proceed in accordance with the agreed programme.
4. Prior to the commencement of development proposals for the translocation of juniper from the site shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority. The detailed proposals shall include identification of the new location, as well as comprehensive details of the procedures included in the translocation process, including details of the timeframe for the process to take place. The translocation shall thereafter take place in accordance with the agreed proposals.
5. Prior to the commencement of development details of all signage (including location, materials and dimensions) associated with the proposed mini fun ride shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority. For the avoidance of doubt the 'crazy train' signage shown on the 'Perspective View of the Roller Coaster' (drawing Tav.0/1) is not permitted.
6. Prior to the commencement of development, details of the proposed colour scheme for all aspects of the development shall be submitted for the written

agreement of the Cairngorms National Park Authority acting as Planning Authority and development shall thereafter proceed in accordance with the approved details.

7. In the event of the permanent cessation of use of the mini fun ride, the structure shall be removed and the site shall be reinstated. Details of proposed restoration / reinstatement proposals shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority and shall thereafter proceed in accordance with the approved details.

Advice notes :

- A. In respect of condition no. 4 of this permission, advice should be sought from the CNPA's Heritage and Land Management Group on the juniper translocation process.
- B. Care should be taken to avoid the spread of invasive, non-native species to the site. In the event of any such species arriving at the site it is recommended that they are removed as soon as possible and disposed of appropriately.
- C. Red squirrels are one of a number of species protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended under the Nature Conservation (Scotland) Act 2004). Section 9(4) of the Act makes it an offence to intentionally or recklessly damage a red squirrel drey.
It is now an offence to intentionally or recklessly
 - Kill, injure or take (capture) a red squirrel;
 - Damage, destroy or obstruct access to any structure or place which a red squirrel uses for shelter or protection;
 - Disturb a red squirrel whilst it is occupying a structure or place which it uses for that purpose.

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8 September 2009

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.