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## CAIRNGORMS NATIONAL PARK AUTHORITY

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### **DEVELOPMENT PROPOSED:**

Erection of Zipwire Platforms and Landing Platforms and Installation of 3 Double Zipwires at Glenshee Ski Centre Braemar Aberdeenshire AB35 5XU

**REFERENCE:** 2020/0254/DET

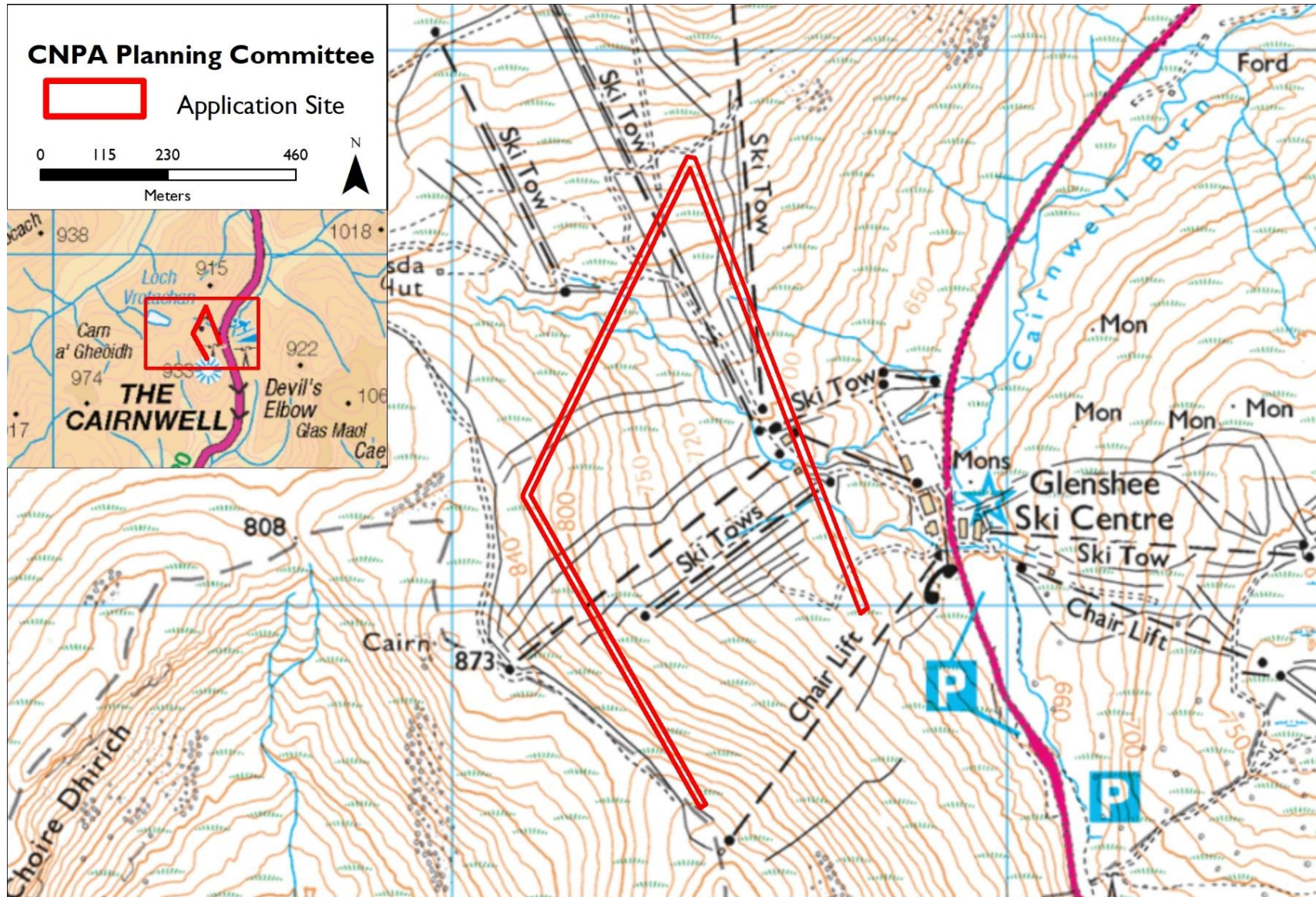
**APPLICANT:** Glenshee Limited

**DATE CALLED-IN:** 2 November 2020

**RECOMMENDATION:** Approve subject to Conditions

**CASE OFFICER:** Stephanie Wade, Planning Officer

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## SITE DESCRIPTION, PROPOSAL AND HISTORY

### Site Description

1. Glenshee ski centre is located on either side of the A93, nine miles south of Braemar. The application site lies to the west of this road sloping up westward to the ridges here.
2. Glenshee is a long established ski centre and is the largest ski area in Great Britain. The site comprises a network of ski runs, tows, fencing and associated buildings. A number of vehicle tracks provide vehicular access to the higher points of the ski centre and to the telecommunications services at the top of the Cairnwell summit.
3. The site lies within the Cairngorms Massif Special Protection Area (SPA) designated for golden eagle interest. The Cairnwell SSSI designated for alpine calcareous grassland is close by and the Cairnwell burn flows into the River Dee Special Area of Conservation (SAC). Other watercourses in the area flow into the River Tay Special Area of Conservation.

### Proposal

4. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QIUWP2SI0CH00>

Title	Drawing Number	Date on Plan*	Date Received
Zipwire Safari General Arrangement (1 of 2)	Glen - SK001	07 July 2020	02 November 2020
Zipwire Safari General Arrangement (2 of 2)	Glen - SK002	07 July 2020	02 November 2020
Location Plan	PL01	01 October 2020	02 November 2020
Site Photographs	PL02	01 October 2020	02 November 2020
Supporting Statement	126 PL03	01 October 2020	02 November 2020
Visualisations	PL04	01 October 2020	02 November 2020

\*Where no specific day of month has been provided on the plan, the system defaults to the 1<sup>st</sup> of the month.

5. The proposal is for the installation of Zip-wire Platforms, Landing Platforms and comprises three double zip wire installations from the top of the Cairnwell Chairlift to the Ski Centre Base in three stages, as outlined below:

- a) Double zipwire 1 is proposed to start 100m north of the top of the Cairnwell Chairlift and 285m north of The Cairnwell summit from an elevation of 880m, heading northwest for 605m to finish due east of the 851mspot height at an elevation of 830m, passing over the Cairnwell Ski Tow and the Giant Slalom ski run;
  - b) Double zipwire 2 is proposed to start adjacent to the landing for Zipwire 1, heading northeast for 680m to finish due south of the vehicular access track at an elevation of 785m, passing over the Slalom and Gully ski runs and Butchart's Access Ski Tow;
  - c) Double zipwire 3 is proposed to start adjacent to the landing for Zipwire 2, heading south-southeast for 850m to finish southwest of the Ski Centre Base at an elevation of 705m, passing over the Restaurant/Café Lift and Tow Hub.
6. It is understood that users of the zipwire will use the Cairnwell Chairlift to access the start point of the zipwire safari and will finish the safari at a short distanced walk away from the Ski Centre Base using the existing vehicular access track.
  7. The start and finish structures of each zipwire are proposed to be a steel frame construction on a concrete pad foundation, and connected to the other structure by the wire rope zipwires which will be guyed back to buried concrete foundations. The starting platforms for the three zipwires will have a gated staircase accessing the platform at a height of approximately 2m above ground level. A mono-pitched roof is proposed for the starting platform structures together with safety balustrades.
  8. At the finishing points of each zipwire, an earthwork ramp covered with rubber matting is proposed to be installed as the finishing and dismount area.

## History

9. There have been several planning applications over the years for infrastructure at the Glenshee ski centre including replacement ski tows as follows:
  - a) APP/2010/0972 – Application for new chairlift to the east approved by Aberdeenshire Council in 2010 running from the car-park to the Cairnwell Café;
  - b) 2014/0309/DET - Installation of Replacement Chairlift at the Tiger tow to the south approved by CNPA Planning Committee in December 2014;
  - c) 2016/0442/DET - Installation of four person chairlift approved by CNPA Planning Committee in October 2017.

## DEVELOPMENT PLAN CONTEXT

### Policies

<b>National Policy</b>	Scottish Planning Policy 2014	
<b>Strategic Policy</b>	Cairngorms National Park Partnership Plan 2017 - 2022	
<b>Local Plan Policy</b>	Cairngorms National Park Local Development Plan (2015) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	<b>X</b>
POLICY 3	SUSTAINABLE DESIGN	<b>X</b>
POLICY 4	NATURAL HERITAGE	<b>X</b>
POLICY 5	LANDSCAPE	<b>X</b>
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	SPORT AND RECREATION	<b>X</b>
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	<b>X</b>
POLICY 11	DEVELOPER CONTRIBUTIONS	

10. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:

<http://cairngorms.co.uk/uploads/documents/Park%20Authority/Planning/LDPI5.pdf>

### Planning Guidance

11. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	New Housing Development Non-Statutory Guidance	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	<b>X</b>
Policy 3	Sustainable Design Non-Statutory Guidance	<b>X</b>
Policy 4	Natural Heritage Supplementary Guidance	<b>X</b>
Policy 5	Landscape Non-Statutory Guidance	<b>X</b>
Policy 7	Renewable Energy Supplementary Guidance	
Policy 8	Sport and Recreation Non-Statutory Guidance	<b>X</b>
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	<b>X</b>
Policy 11	Developer Contributions Supplementary Guidance	

### Cairngorms National Park Local Development Plan 2020

12. The emerging Cairngorms National Park Local Development Plan [“Proposed Plan”] which will cover the period of 2020 – 2025 is currently being progressed. The proposed plan has now undergone examination by the Scottish Ministers and is due to

gain consent to adopt within earlier part of this year. As the Proposed Plan examination has concluded and it has been submitted to gain consent to adopt, its contents are therefore a material consideration.

<b>Emerging Local Plan Policy</b>	Cairngorms National Park Local Development Plan (2020) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	<b>X</b>
POLICY 3	DESIGN AND PLACEMAKING	<b>X</b>
POLICY 4	NATURAL HERITAGE	<b>X</b>
POLICY 5	LANDSCAPE	<b>X</b>
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	OPEN SPACE, SPORT AND RECREATION	<b>X</b>
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	<b>X</b>
POLICY 11	DEVELOPER CONTRIBUTIONS	

## **CONSULTATIONS**

### **Summary of the main issues raised by consultees:**

13. **Environmental Health** has no objection to the proposed development and acknowledge that the proposals are not expected to give rise to significant noise or other impacts above that which already occurs with the existing ski centre use.
14. **CNPA Ecology Officer** states that it is not considered that the proposed development on its own will negatively impact on any species or habitats in the area which already has a high prevalence of recreational infrastructure but the cumulative impacts of increased development should be considered. Also that the Pollution Prevention Plan should be updated to include reference to SEPA Pollution Prevention Guidance 5.
15. **CNPA Landscape Officer** states that the proposed development would have adverse landscape and visual effects in the local area, including cumulatively with existing skiing infrastructure. It is assessed that these effects would, however, not be significant on the Park landscape character, visual amenity or Special Landscape Qualities if the proposal is constructed and operated sensitively. This is mainly because of the influence of the existing ski centre on the landscape and visual baseline conditions. The Officer recommends the inclusion of a number of suspensive planning conditions on any subsequent decision notice including: an updated construction method statement; the prior agreement of construction materials; and details of zipwire marking design if required.
16. **Braemar Community Council** are in favour of local business, especially when it brings economic benefit to the community and enhances the tourist experience. The

pertinent CNPA Local Development Plan policy is Policy 2, Supporting Economic Growth.

## REPRESENTATIONS

17. The application has been advertised. There has been one public representation received noting their objection to the scheme. The comments focus on the business case of the zip wire, when it will be operated, how many people will be expected to use it and in which weathers can it be operated. The objection questions the lack of a Masterplan of proposed developments. They also question the dangers surrounding the operation of the zip wire.

## APPRAISAL

### Principle

18. **Policy 2:** Supporting Economic Growth of the Cairngorms National Park Local Development Plan 2015 supports tourism and leisure development providing there are no adverse environmental impacts; it makes a positive contribution to the experience of visitors and adds to or extends the core tourist season. Also, of relevance is **Policy 8:** Sport and Recreation, which supports the development of sport and recreational facilities where they demonstrate best practice of design, operation and future maintenance; where there are no adverse environmental impacts and where they meet an identified community or visitor need.
19. The supporting documentation of the proposal explains that in recent years the operators of the ski centre have progressed towards becoming a year-round tourist destination, by operating chairlifts at peak tourist times for sight seers, hill walkers and mountain bikers outside of the usual ski season. The applicants seek to further diversify and secure their position as an adventure tourism destination by the installation of the proposal. The proposed development is therefore considered to support the ongoing viability and operation of this tourist site and the principle accords with **Policy 2:** Supporting Economic Growth and **Policy 8:** Sport and Recreation of the Cairngorms National Park Local Development Plan 2015, subject to the other material planning considerations as outlined below.

### Ecological Impact

20. **Policy 4:** Natural Heritage of the Cairngorms National Park Local Development Plan 2015 seeks to ensure that there is no adverse impact on the integrity of designated sites, nor upon protected species or biodiversity arising from a development.
21. The proposed zipwire safari is to be situated within an area of existing snow sport infrastructure and the proposed works are not located within close proximity to the watercourses within the area. The CNPA Ecology Officer therefore considers there to be a negligible risk of construction pollution to these watercourses. The Officer confirms that the proposed development on its own will not negatively impact on any species or habitats in the area which already has a high prevalence of recreational infrastructure but the cumulative impacts of increased development should be considered. The development is located close to but outwith the Cairnwell SSSI area

and will therefore have no direct impact on the SSSI habitats. The proposal includes the using stripped curves to re-instate the vegetation around each zipwire platform and landing stage and therefore the loss of habitat is considered to be small.

22. Regarding the potential for the structure with its associated wires to cause bird strike, the Officer references studies that have been undertaken in French Ski resorts which highlight the danger of infrastructure for bird strike to grouse species, with the most impacts referenced to have occurred by button tows and infrastructure in close proximity wooded areas. The proposed new infrastructure is not a button tow and is not located between wood areas. It will be in an area which already has an increased disturbance and a high prevalence of ski infrastructure in the area and the CNPA Ecology Officer does not consider that the addition of the extra wires for the proposal would cause significant additional risk to the red grouse in the area. An informative is therefore recommended regarding the mitigation measures guidance for the prevention of bird strike.
23. Regarding protected species, the Officer recommends that pre-construction survey checks are undertaken should the works be undertaken during bird breeding season and/or mountain hare breeding season. A planning condition is also recommended to be attached to any subsequent decision notice for the submission of an updated pollution prevention plan to reflect SEPA guidance. Subject to the inclusion of the suggested conditions, the proposal is considered to accord with **Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.**

### **Landscape Impact**

24. **Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015** presumes against development which does not conserve and enhance the landscape character and special qualities of the National Park and in particular the setting of the proposed developments.
25. The CNPA Landscape Officers states that the effects of this development would occur in a landscape that is of high value and visible from key routes through the area, including the Snow Roads scenic route/ A93 and several paths leading to and from Munros. Nonetheless, the proposed development is to be located within the site of the existing Glenshee Ski Centre where the baseline conditions have already been strongly influenced by skiing infrastructure. Thus, if landscape mitigation measures are adopted, such as clarification of materials and mitigation measures to avoid ground disturbance, the Officer assesses that these effects would not be significant on the Park landscape character, visual amenity or Special Landscape Qualities. A Construction Method Statement detailing timings and extents of construction works shall also be submitted prior to any construction starting on the proposed development. Subject to full compliance with these conditions the proposal is considered to comply with **Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.**

### **Other Issues Raised in Consultations and Representations**

26. **Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015** requires that all development proposals should be designed to minimise the effect of the development on the amenity of others. Environmental Health have no



objections to this application stating the development will not create any additional noise impacts. As such the development complies with **Policy 3: Sustainable Design** of the Cairngorms National Park Local Development Plan 2015.

27. **Policy 2: Supporting Economic Development** of the Cairngorms National Park Local Development Plan 2015 states that sustainable growth in the economy of the Park is at the heart of supporting our communities and **Policy 8: Sport and recreation** states that the policy aims to ensure the needs of local communities and visitors for recreational space and facilities are accommodated, and existing facilities protected. The community council are supportive of the application stating the development will bring in additional income for the resort and the nearby village and as such the proposal complies with **Policy 2: supporting economic development** and **Policy 8: Sport and recreation** of the Cairngorms National Park Local Development Plan 2015.
28. One representation focused on the business case, masterplan issues and overall safety of the development. The resort has assessed the business requirements of this development and deem it viable to submit the application. It is the Officer's view that the application does not prejudice any future development or management of the site that the masterplan may set out, as the proposal does not prejudice the continued operation of an existing facility at the ski centre and is compatible with the operational efficiency of the business at Glenshee. Officers consider that to delay determination or to refuse planning permission of this application simply on the basis of the lack of a masterplan would be unreasonable. The overall safety of the development is not a planning consideration and its installation and operation would be a matter for the Environmental Health department at the Local Authority, and is therefore subject to other legislation and regulations.

## CONCLUSION

29. This proposal to enhance the facilities at the Glenshee ski centre is welcomed, as evidenced in the supporting letter received from the Community Council. Landscape and environmental impacts are considered to be acceptable subject to the refinements being agreed which will require the inclusion of planning conditions on any subsequent decision notice.
30. In these overall circumstances, the development is considered to comply with all relevant policies of the Cairngorms National Park Local Development Plan 2015 and the aims of the National Park. There are material considerations which would warrant the refusal of planning permission. Approval is therefore recommended, subject to appropriate planning conditions.

## RECOMMENDATION

**That Members of the Committee support a recommendation to APPROVE the Erection of Zipwire Platforms and Landing Platforms and Installation of 3 Double Zipwires at Glenshee Ski Centre Braemar Aberdeenshire AB35 5XU for the subject to the following conditions:**

*Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.*

## Conditions

1. **No development shall commence on site, until a revised site specific Construction Method Statement has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. This plan is to include the following:**
  - a) **Method Statement Plan;**
  - b) **Plant and machinery to be used in the construction works;**
  - c) **Pollution prevention measures;**
  - d) **Construction programme, including timings;**
  - e) **Details on the pre-construction environmental checks for Mountain Hare and Breeding Birds and any mitigation measures;****The construction of the development shall thereafter be implemented in accordance with the approved plan;**

**Reason:** Too ensure that work on site proceeds without damage to the environment in accordance with Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015;

2. **No development shall commence (unless otherwise agreed in writing), until pre-construction surveys for mountain hare and breeding birds, have been undertaken and the results, together with any associated species protection plans have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority- details of any mitigation required to be identified and agreed and thereafter implemented in accordance with the approved details before construction works commence.**

**Reason:** In order to ensure there is no adverse impact upon species during specific breeding seasons should construction commence during these periods in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

3. Prior to their installation, for the development hereby permitted, details of the external finish colours and materials of all equipment , including RAL/BS colour finishes, shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. For the avoidance of doubt, the external surfaces shall be finished in matt, non-reflective materials. The development shall thereafter be undertaken and maintained in accordance with the approved details.

**Reason:** To ensure that the development conserves and enhances the landscape character and is sympathetic to the character of the area in accordance with Policy 5: Landscape and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

4. The development, hereby permitted, shall not be externally lit unless the specification of the lighting has been submitted to and agreed in writing by the Cairngorms National Park Authority acting as Planning Authority. The lighting shall accord with the approved details thereafter.

**Reason:** To protect the ecological interests of the immediate area in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

## **Informatives**

1. The development hereby approved must commence within 3 years of the date of this decision notice. If development has not commenced within this period then this planning permission will lapse.
2. The person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. Attached CO this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken:
3. Following completion of the development, a notification of the completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.
4. The applicant should familiarise themselves with the NatureScot Guidance- 'Assessment and Mitigation of Impacts of Power Lines and Guyed Meteorological Mast on Birds'.
5. Construction work (including the loading/unloading of delivery vehicles. plant or other machinery) should not take place out with the hours of 0800 hours to 1900 hours Mondays to Fridays. 0800 hours to 1300 hours on Saturdays or at any time on Sundays or Bank Holidays in order to minimise disturbance to residents in the area.

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.