
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT MANAGEMENT)

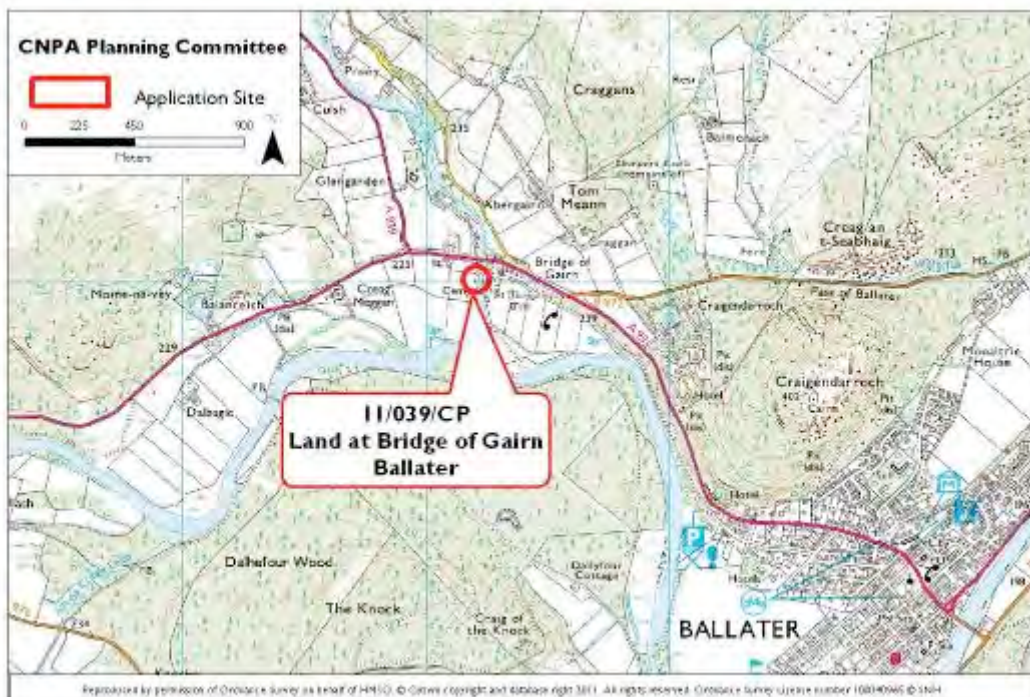
DEVELOPMENT PROPOSED: PLANNING PERMISSION FOR THE ERECTION OF A BRIDGE ON LAND AT BRIDGE OF GAIN, BALLATER

REFERENCE: 11/039/CP

APPLICANT: CAIRNGORMS OUTDOOR ACCESS TRUST (COAT), C/O W.A. FAIRHURST AND PARTNERS, ABERDEEN

DATE CALLED-IN: 18 FEBRUARY 2011

RECOMMENDATION : APPROVE WITH CONDITIONS



Grid reference : 335227 797034 (easting northing)

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought for the erection of a footbridge across the River Gairn. It is proposed as part of an extension to the existing 7 Bridges Footpath near Ballater. The identified site boundary encompasses the area in which the footbridge is proposed, as well as ramped section of path at either side of the footbridge. The proposed bridge would cross the River Gairn near its confluence with the River Dee. The bridge construction would involve utilising the existing masonry abutments of a disused and deckles (intended) railway bridge. The abutments currently carry a Scottish Water water main pipe across the river on a slender support structure. The existing pipe structure is located at the northern end of the abutments, while the proposed new bridge would be erected at the southern end. The planning application has been submitted by the Cairngorms Outdoor Access Trust (COAT) and is one of two current applications before the CNPA for consideration, with the other being CNPA planning ref. no. 11/038/CP, which is for the erection of a smaller 'Glentool' design footbridge across a drainage channel at a location approximately 285 metres to the south of this current application. The bridges proposed in the two applications are intended to serve as part of a proposed grass path extension to the existing 7 Bridges Footpath around Ballater.
2. The existing masonry abutments (which are at a position approximately 2.4 metres above the normal river water level) would be maintained and modified to accommodate new abutments. This would be achieved by new concrete foundations being positioned to the rear of the existing. The footbridge comprises of metal proprietary triangular aerial mast frames forming the primary beams spanning between aforementioned concrete piers and carrying timber decking and handrails. The footbridge would be 2 metres wide and would span 20 metres. Decking boards and handrails would be either larch or Scots Pine. All metal work will have a galvanised finish. The handrails, which would be 1.1 metres in height, would also extend along the ramped access at either side of the bridge. All construction work phases would be carried out by December 2011.



Fig. 2 : proposed footbridge elevation

Construction Method Statement

3. A Construction Method Statement has been submitted in support of the proposal. It explains that by adopting the existing masonry abutments, the design avoids the need for excavations adjacent to the natural river bed and also avoids the need for temporary supports or scaffolding in the river for the purposes of deck erection. In terms of the method of erection, the bridge deck would be delivered in kit form and will be manhandled from the track side to the riverside as individual components, as far as practical. There is

however a caveat, which suggests that “site restrictions and height of the deck above the river may require the deck structure to be pre-assembled on land and be installed on the concrete foundations by a mobile crane.”



Fig. 3 : footbridge location, as viewed from A93

4. Details are also provided of the proposed maintenance regime. COAT will assume responsibility for maintaining the bridge to a safe and satisfactory standard until 2019.¹ The maintenance programme would consist of regular 6 monthly inspections, with minor maintenance works being undertaken immediately upon inspection as necessary.² The platform would also be inspected by a Structural Engineer every three years in order to ensure that it is safe.

DEVELOPMENT PLAN CONTEXT

National policy

5. **Scottish Planning Policy³ (SPP)** is the statement of the Scottish Government’s policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:
 - The constraints and requirements that planning imposes should be necessary and proportionate;
 - The system shouldallow issues of contention and controversy to be identified and tackled quickly and smoothly; and
 - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.

¹ In the event that no further agreement is put in place for the maintenance of the bridge beyond 2019, the bridge would be removed at that time.

² Minor works include basic cleaning and servicing, tightening of bolts, removal of vegetation and watercourse debris, and any repairs necessary due to vandalism.

³ February 2010

6. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government’s central purpose of increasing sustainable economic growth.” Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that “the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
7. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
8. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
9. Rural Development : **SPP** stresses the significant role that the planning system has to play in supporting sustainable economic growth in rural areas. “By taking a positive approach to new development, planning authorities can help to create the right conditions for rural businesses and communities to flourish” (para. 28). Development which provides employment and community benefits should be encouraged.
10. Although encouraging rural development, **SPP** is clear that the aim is not to see small settlements lose their identity or to suburbanise the Scottish countryside. The motivation is to maintain and improve the viability of communities and to support rural businesses. All new development would be expected to respond to the specific local character of the location, to fit into the landscape, and to seek to achieve high design and environmental standards, particularly in relation to energy efficiency.
11. Landscape and Natural Heritage : Improving the natural environment and the sustainable use and enjoyment of it is one of the Government’s national outcomes. Planning authorities are required to support opportunities for enjoyment and understanding of the natural heritage. Para. 127 notes that “landscape in both the countryside and urban areas is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character.” **SPP** recognises that different landscapes have different capacities to accommodate new development, and the siting and design should be informed by local landscape character.

12. Para.129 refers to the duties on all public bodies, including planning authorities, to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004. The importance of biodiversity is highlighted, and recognised as an important element of sustainable development which makes an essential contribution to Scotland's economy and cultural heritage. Para. 130 refers to the benefits for people and nature that can be delivered through linking greenspaces in and around settlements through green networks.
13. There is an acceptance that landscape and natural heritage are sensitive to inappropriate development, but it is also acknowledged that careful planning and design can minimise the potential for conflict with natural heritage interests. Where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain, planning authorities are advised to apply the precautionary principle. It is however also stated that the precautionary principle should not be used to impede development unnecessarily, and modifications to a proposal which would eliminate the risk of irreversible damage should be considered.
14. Open space and physical activity : **SPP** promotes access to good quality open spaces and recognises that sport and recreation make important contributions to a healthier Scotland. It places a degree of responsibility on the planning system to assist in creating an environment where physical well being is improved and activity made easier. **SPP** recognises that networks of linked, good quality open spaces are important in settlements and contribute to amenity, nature conservation, recreation and physical activity.
15. Para. 50 of **Scottish Planning Policy** refers to the statutory access rights which apply to most land in Scotland and underpin opportunities for recreation. Planning authorities are advised to consider access issues and protect core and other important routes.
16. Flooding and drainage : **SPP** advocates managing flooding to reduce its social and economic consequences. In determining planning applications, planning authorities are required to take into account the probability of flooding and the risks involved. Prospective developers are also required to take flood risk into account before committing to a site or project.
17. Para. 201 of SPP refers to Section 42 of the Flood Risk Management (Scotland) Act 2009⁴ which enables planning authorities to require applicants to provide an assessment of flood risk where a development is likely to result in a material increase in the number of buildings at risk of being damaged by flooding.
18. National Parks are also discussed under the heading of national designations, and the four aims of the Park are outlined. Para. 138 advises "in circumstances where conflict between the objectives arises and cannot be resolved, the 2000 Act requires that the conservation of the natural and cultural heritage should take precedence."

⁴ Section 42 of the Flood Risk Management (Scotland) Act 2009, once commenced, amends the Town and Country Planning (Development Management Procedure) Regulations (Scotland) 2009.

19. **Scottish Planning Policy** concludes with a section entitled ‘Outcomes’ in which it is stated that the “planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets.” Planning authorities are required to be clear about the standard of development that is required. Quality of place not only refers to buildings, but also how the buildings work together as well as the relationships between buildings and spaces. Design is highlighted as an important consideration and planning permission may be refused solely on design grounds.⁵ Finally it is stated that the planning system should be “judged by the extent to which it maintains and creates places where people want to live, work and spend time.”

Strategic Policies

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 5.3 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.”

Structure Plan policy

North East Scotland together – Aberdeen and Aberdeenshire Structure Plan 2001-2016

22. The Structure Plan seeks to promote, protect and enhance the rich and varied environment of the North East, by giving special protection to international, national and locally designated sites of environmental importance and also fostering the natural and built heritage as a whole. The Structure Plan also recognises that the health and well-being of communities, both now and in the

⁵ Para. 256.

future, depends to a large extent on the quality of the surrounding environment.

23. **Policy 19** of the Structure Plan deal with 'Wildlife, Landscape and Land Resources' advising that appropriate measures should be taken to conserve and enhance the site's ecological, geological and geomorphological interests where development is allowed which would affect designated sites.⁶ In all areas outwith designated sites development is expected to be sited and designed to avoid adverse impacts on the biodiversity of the site. All new development should consider the character of the landscape in terms of scale, siting, form and design.

Local Plan

Cairngorms National Park Local Plan (2010)

24. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at :
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
25. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
- Chapter 3 - Conserving and Enhancing the Park;
 - Chapter 4 - Living and Working in the Park;
 - Chapter 5 - Enjoying and Understanding the Park.
26. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with the policies in the Local Plan, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime. The following paragraphs list a range of policies that are applicable in the assessment of the development proposal.
27. **Policy I Natural 2000 Sites** : development likely to have a significant effect on a Natura 2000 site is required to be the subject of an appropriate assessment in accordance with the Conservation (Natural Habitats, &c.) Regulations 1994. Where an assessment is unable to ascertain that a development will not adversely affect the integrity of the site, the development will only be permitted where :
- (a) There are no alternative solutions; and
 - (b) There are imperative reasons of overriding public interest, including those of a social or economic nature.

⁶ International, national or regional / local designations.

28. **Policy 4 Protected Species** : development which would have an adverse effect on any European Protected Species will not be permitted unless there are imperative reasons of overriding interest, including public health or public safety; there is no satisfactory alternative solution; and the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. The policy is intended to ensure that the effects of development proposals on protected species are fully considered by the planning authority. Developers will be required to undertake any necessary surveys for species at their own cost and to the satisfaction of Scottish Natural Heritage and the planning authority.
29. **Policy 6 Landscape** refers to a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular, the setting of the proposed development. Development which does not accord with this will only be permitted where the adverse landscape effects are outweighed by social and economic benefits of national importance and where the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
30. **Policy 34 – Outdoor Access** encourages development which improves opportunities for responsible outdoor access. Such development is required to be consistent with the Scottish Outdoor Access Code and the Cairngorms National Park Core Paths Plan.

Supplementary Planning Guidance

31. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted.

Natural Heritage SPG

32. The guidance sets out how the natural heritage of the National Park will be taken into account when considering development proposals. Reference is also made in the document to the need for applicants to provide natural heritage information. Required details include a description of the natural heritage on the site, and possibly in the surrounding area, including its significance and value. An assessment on any effect on the natural heritage is also required. If adverse effects are found within the assessment it will then be necessary to provide details of mitigation and compensation measures.

CONSULTATIONS

33. The consultation response from **SEPA** raises concerns regarding flood risk. **SEPA** objects to the proposed development “on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy (SPP) and Planning Advice Note 69.” **SEPA** are satisfied that the construction of the footbridge would not increase the level of the existing flood risk. However,

the objection to the proposal focuses on the fact that no compensatory storage is proposed. The response from **SEPA** indicates that the objection could be removed in the event that a detailed flood risk assessment is provided which demonstrates that any landraising would be carried out in accordance with the principles of the Scottish Planning Policy.

34. Aberdeenshire Council's **Flood Prevention Unit** is satisfied that the bridge would not significantly increase flood risk to the area. The consultation response notes that there is no known flooding history at the site and also notes that the bridge is proposed to lie 2.4 metres above the normal water level.⁷ Reference is also made to the detail in the construction method statement which states that the bridge will not affect flows in normal and spate conditions and consequently compensatory storage will not be required.
35. **Scottish Natural Heritage** note in the consultation response that the proposal could have a significant effect on Atlantic salmon and freshwater pearl mussel as qualifying interests of the River Dee SAC. However, it is also advised that if works are undertaken strictly in accordance with a construction method statement designed to prevent any silt or other pollutants related to or resulting from the development from entering the watercourse, then this significant effect can be avoided and an appropriate assessment would not be required. **SNH** advise that the CNPA as competent authority should decide if the construction method statement provided is sufficient to address this issue before granting consent.
36. The consultation response received from **Ballater and Crathie Community Council** states that there is no formal objection to the application. The submission refers to an apparent error in the construction method statement which was submitted in support of the application – namely reference to the handrail being 11000mm.⁸ The Community Council also query the design life of the bridge.
37. The development proposal has been considered by the CNPA's **Outdoor Access Team**. There is no objection and support is expressed for the proposal.
38. The CNPA's **Landscape Officer** has advised that although the proposed new footbridge would be prominent in views from the public road, the construction is nonetheless appropriate in character to the rural nature of the location, and as such there are no landscape concerns.
39. The consultation response from the CNPA's **Ecology Officer** refers to SNH's advice regarding the need for the CNPA to consider whether or not an appropriate assessment is required. The **Ecology Officer** advises that the detail provided in the construction method statement is adequate to prevent any adverse impact occurring to the River Dee Special Area of Conservation.

⁷ This is assumed to be from the normal water level to the soffit of the bridge.

⁸ The handrail would be a height of 1100mm.

REPRESENTATIONS

40. The proposed development was advertised in the Deeside Piper on 11th February 2011. Mr. Martin Ashdown of Crathie, Ballater objects to the proposed footbridge on a number of grounds, including
- Use of the footbridge would potentially lead to human access to currently inaccessible sections of the Rivers Gairn and Dee, with potential disturbance to flora and fauna in those sections;
 - A suggestion that the path which requires the new footbridge is not needed, due to there being a well established path linking the Old Line Road and Pollhollick Bridge; and
 - A rejection of the argument that the existing path is “unacceptably potentially hazardous owing to having to carry out a number of road crossings.”

APPRAISAL

41. Issues to consider in relation to the current proposal include an assessment of compliance with planning policy, natural heritage implications, flood risk, and the background to the development of the bridge, as well as consideration of the proposal in the context of the aims of the National Park.
42. Planning policy has been detailed in paragraphs 6 to 28 of the report. At national level, Scottish Planning Policy is supportive of rural development, and expects that development fits with the location character of the location and fits into the landscape. The proposed footbridge will span 20 metres across the River Gairn, and due to its location parallel to the A93 trunk road (approximately 50 metres south of the road), will be prominent in views from the public road. Nonetheless, as referred to in the consultation response from the CNPA’s **Landscape Officer**, the overall construction, including its design and material choice, is appropriate to the character of the rural nature of the location.
43. In terms of Local Plan policy, Policy I (Natura 2000 Sites) is of particular relevance as the proposed footbridge would cross the River Gairn, which is part of the River Dee Special Area of Conservation. The impact of the development on this Natura 2000 site has been considered by **Scottish Natural Heritage**, and also by the CNPA in following **SNH** advice and determining whether or not an appropriate assessment was required. As advised by the CNPA **Ecology Officer**, the details contained in the construction method statement which was submitted in support of the planning application, are sufficient to demonstrate that work would be undertaken in a manner that would prevent silt or any other pollutants related to or resulting from the development from entering the watercourse. The undertaking of works in accordance with the measures specified in the construction method statement would not give rise to significant effects on the qualifying interests of the SAC, and an appropriate assessment was not therefore required. The collective considerations and advice of **Scottish Natural Heritage** and the CNPA’s **Ecology Officer** are all an indication that the proposal accords with Policy I (Natura 2000 sites) of the Cairngorms National Park Local Plan.

44. Policy 6 (Landscape) of the Local Plan follows similar themes to those referred to in relation to national level policies. For the same reasons as outlined in paragraph 43, including reference to the design, character and materials of the proposed bridge, the development accords with Policy 6. Given that it would be positioned in line with an existing water pipe and would effectively camouflage this currently prominent and industrial type feature, the development could be considered to offer an opportunity to enhance the landscape character of this particular area.
45. Concern has been expressed in the one letter of representation received regarding the provision of a footbridge giving rise to increased human access into the area, and potentially disturbing flora and fauna. The objector also suggested that there was no need for the footbridge and associated path extension and did not consider the current path arrangement, which involves crossing the A93 road, to be problematic. In response to this, it is acknowledged that the provision of new / extended access opportunities would attract additional users to the location (although no information has been provided to quantify this). However, there has been no suggestion in the professional assessment of either **Scottish Natural Heritage** or the CNPA's **Ecology Officer** that this is a factor of concern, or one which would lead to unacceptable disturbance of the flora and fauna in the area.
46. The 7 Bridges Walk is a waymarked circular walk which is generally described in walking literature as being an easier walk, with no special difficulties. As such it appeals to a wide range of users, including families with young children and also the less active. The introduction of the proposed new footbridge across the River Gairn, together with the smaller footbridge proposed in CNPA planning ref. no. 11/038/CP, would eliminate the need for users to cross the A93 road to navigate the path which is on more hilly terrain on the northern side of the road.



Fig. 4 : Example of walking route on northern side of A93

47. The provision of footbridges would facilitate users with the choice of remaining on the southern side of the A93, and following a traffic free route, along by the

riverbank from Pollhollick Bridge, crossing a small drain via the footbridge proposed in CNPA ref. no. 11/038/CP and then crossing the River Gairn via the footbridge which is the subject of this planning application, to connect with an existing track which leads towards the Old Line Road on the outskirts of Ballater. This has the benefit of being a safer route for users, as well as affording the opportunity to experience the tranquillity of the riverside setting and the special qualities of the National Park, across relatively level, easy walking terrain.

48. As detailed in paragraphs 34 and 35 of this report, the subject of flood risk has been considered by both **SEPA** and Aberdeenshire Council's **Flood Prevention Unit**. Although **SEPA** state that the construction of the footbridge would not increase the level of the existing flood risk, the consultation response is nonetheless an objection to the proposal, primarily based on the fact that no compensatory storage is proposed. This is an issue which is capable of being resolved and **SEPA** acknowledge in the response that the objection could be removed if a detailed flood risk assessment is provided to demonstrate that the works would be carried out in accordance with Scottish Planning Policy. In contrast, Aberdeenshire Council's **Flood Prevention Unit** does not share the same concerns as **SEPA** and are satisfied with the information provided, and also noting in the response that there is no known flooding history at the site.
49. Given the nature of the development proposal, the response from Aberdeenshire Council's **Flood Prevention Unit** appears to be more pragmatic and proportionate. However, **SEPA** is a statutory consultee and in the event of planning permission being granted contrary to the advice contained in the consultation response, it would necessitate the application being notified to Scottish Ministers in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009. This is not an option which is considered appropriate.
50. The information required by **SEPA** has been requested from the agents responsible for this planning application and is currently awaited. Given that the current planning application and the associated planning application (CNPA ref. no. 11/038/CP) are key elements of an extension of the 7 Bridges Walk around Ballater, it is considered appropriate to determine both applications at the same CNPA Planning Committee meeting, in order to facilitate Members understanding of the overall background to the proposals. Both applications raise similar issues, and with the exception of **SEPA**'s position on this current application, both proposals are otherwise acceptable. Rather than delay the scheduling of both planning applications for determination, it is suggested that Members of the Planning Committee proceed to determine the current proposal, with a recommendation that planning permission be granted, contingent upon the required flood risk information being provided and the objection from **SEPA** being removed, prior to a decision notice being issued.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

51. The proposed footbridge is suited to the rural character of the area and will not have any detrimental visual impact. Work is proposed to be carried out in accordance with the details contained in the construction method statement which has been submitted in support of the proposal. The proposals contained in the construction method statement are sufficient to satisfy concerns that the development would not adversely affect natural heritage designations in the area.

Promote Sustainable Use of Natural Resources

52. The drawings submitted in this application indicate that locally sourced timber would be used. This aspect promotes the sustainable use of natural resources.

Promote Understanding and Enjoyment of the Area

53. The development of the footbridge would provide enhanced access and recreation opportunities in the area. It would enable users of the 7 Bridges Walk around the Ballater area to complete the walk without the need to cross the A93 road to access a section of existing path on the northern side of the road. The development would therefore assist users of the network of paths to further enjoy the special qualities of the area.

Promote Sustainable Economic and Social Development of the Area

54. The development of the proposed new footbridge would be undertaken by the Cairngorms Outdoor Access Trust (COAT). The organisation has a tradition employing local people when undertaking projects. Such work helps to raise the profile of the organisation which in a small way contributes to this aim. The improvement to the route may result in more walkers in the area which could have spin-offs for local shops and services.

RECOMMENDATION

That Members of the Committee support a recommendation to

(A) GRANT planning permission for the erection of a footbridge on land near Bridge of Gairn, Ballater, subject to the following conditions : -

1. The development to which this permission relates must be begun within 3 years from the date of this permission.

Reason : To comply with Section 58 of the Town and Country (Scotland) Planning Act 1997 or as amended by the Planning etc. Scotland Act 2006.

2. The development shall be undertaken in accordance with the construction method statement submitted in conjunction with the planning application.

Reason: to ensure that the development does not have any significant effect on the qualifying interests of the River Dee Special Area of Conservation and in the interests of conserving and enhancing the natural heritage of the area.

3. The footbridge shall be maintained in accordance with the maintenance regime set out in the construction method statement.

Reason: in order to ensure that the structure does not deteriorate, in the interests of the visual amenity of the area and in the interests of the general safety of all users.

AND

- (B) **Agree to withhold issuing the planning decision notice until all information required by SEPA in connection with flood risk has been provided and confirmation has been received from SEPA of withdrawal of the objection.**

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17 May 2011

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