

CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Installation of two tube slides and extension and realignment of existing tube slide at Coire Cas Car Park Cairngorm Mountain Glenmore Aviemore Highland

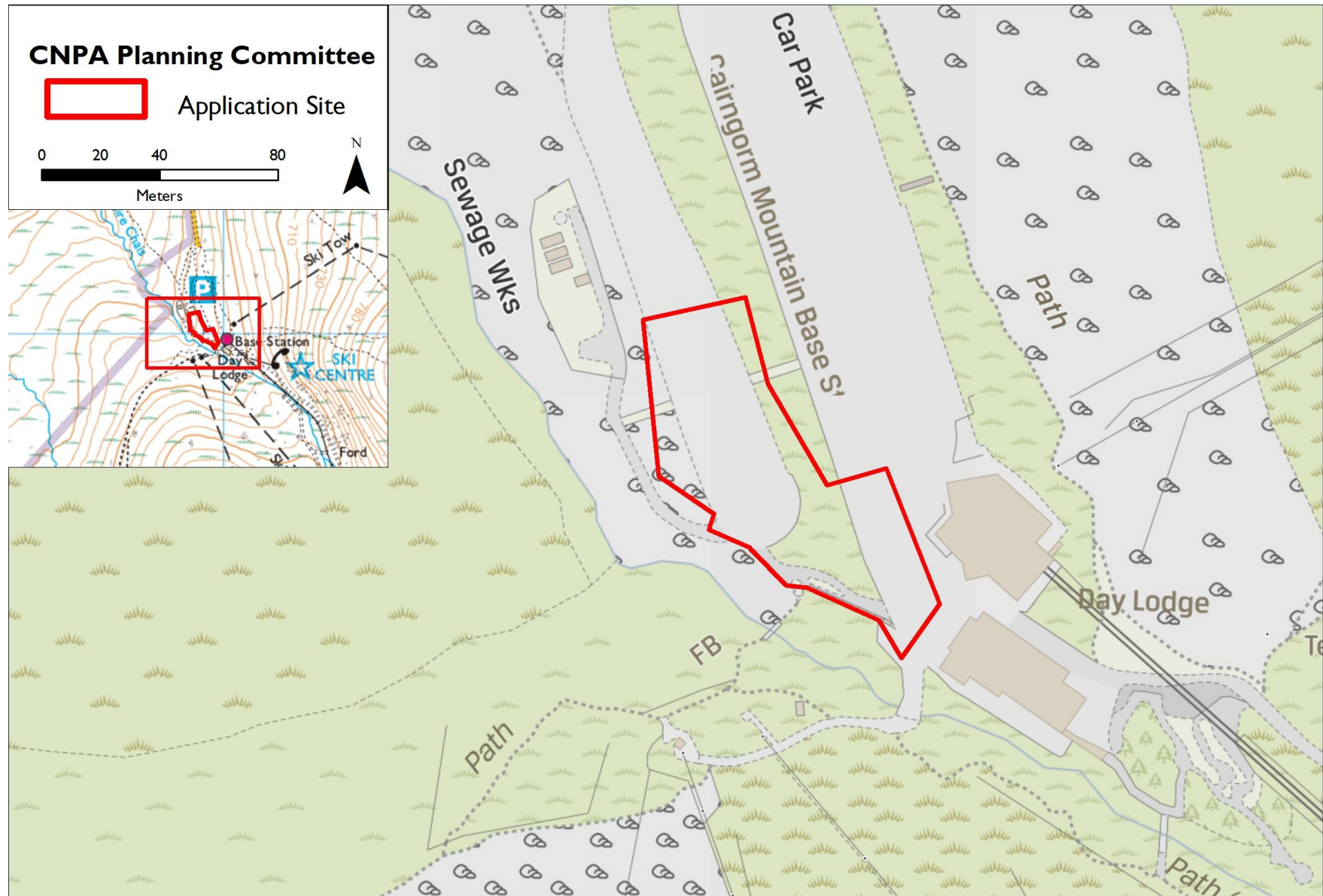
REFERENCE: 2020/0105/DET

APPLICANT: Cairngorm Mountain (Scotland) Limited

DATE CALLED-IN: 27 April 2020

RECOMMENDATION: Approve Subject to Conditions

CASE OFFICER: Robbie Calvert, Graduate Planner



SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The application site measures approximately 0.25ha, located west and north-west of the Cairngorm Mountain Ski Centre Day Lodge and Funicular Railway Base Station covering both the upper and lower Coire Cas Car Park and a sloped grassy verge connecting the two.
2. There is an existing slide on the site, extending from the upper car park to the lower car park. The slide extends south to the northwest connecting upper and lower car parks. It has with has two parabolic turns and runs adjacent to steel steps to the south connecting the car parks. This structure was consented with temporary planning permission with a cessation date of November 2021 (reference 9/01765/FUL, varied by 19/03944/S42).
3. The car parks are accessed by the existing B970 road from Glenmore.
4. The application site lies within the Cairngorms National Scenic Areas, but is not covered by any other specific environmental designations. The Glenmore National Nature Reserve lies approximately 25 metres west of the application site. The Cairngorms Wild Land Area No.15 as identified in Scottish Natural Heritage's wild land area map lies around 690 metres west of the site at its closest, circling the entire ski area.

Proposal

5. 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=Q94Y7KSI0CH00>

Title	Drawing Number	Date on Plan*	Date Received
Location Plan	-	-	27/04/20
Site Layout Plan 1:1000	-	-	27/04/20
Site Layout Plan 1:1000 with contours	-	-	27/04/20
Site Layout Plan & Specs 1:400	-	-	27/04/20
Section Plan	20200206	-	27/04/20

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

6. Plans of the proposal are included in **Appendix I**.
7. Temporary planning permission until 1 November 2021 is sought for the installation of two new tube slides and extension and realignment of an existing tube slide. In the upper carpark on the south east of application a new 30 metre long, straight 'minitubby' beginners slide is proposed running from the south to north with rubber matting walkway running along the west side of the slide. A new, 52 metre long 'tubby straight' is proposed running from the southern bounds of the site north, crossing over the existing curved tube slide, supported by an approximately 3.3 metre tall wooden structure, ending in the lower car park. The existing slide is proposed to be realigned with the bottom half of the slide and extended in size by 12 metres to create a total length of 69 metres. Rubber matting will connect the bottom of both sides to the staircase joining the upper and lower car park.
8. The 'Neverplast Tubby' model of slide is an integrated system which is easily removed and reassembled. The surface of the slides would comprise Neverplast rubber matting which offers an all year round surface that is not affected by the weather. The slides and conveyor would sit on the surface of the ground, however, they would be pinned into position and metal supports would also be used on the banked corners. The slides are 2 metres wide and are constructed predominantly to follow the natural contours of the site which slopes down towards the north and west, although some changes of up to 1 metre, above or below existing ground level, are proposed in works related to the extension of the existing slide. The new 'tubby straight' slide has larger proposed changes, with a new platform proposed 3.3 – 3.4 metres above existing ground levels to create an initial starting gradient to suit the design. Approximately 15 metres of the southern half of the proposed 'tubby straight' tube slide is indicated as having additional support for the slide provided by a raised wooden path strip structure, sunk into the topsoil.

History

9. In June 2019, planning permission was granted by Highland Council for the installation of tube slide, zip line and play area Coire Cas Car Park Cairngorm for a temporary period only with a cessation date on 1st November 2021 (reference 19/01765/FUL). In November 2019 an associated application was made under Section 42 of the Town and Country Planning (Scotland) Act, 1997 was approved by Highland Council to amend Condition 1 of 19/01765/FUL requiring the removal of equipment during the winter period.
10. In November 2018, planning permission was granted by Highland Council for the installation of a double unit snow factory in the Coire Cas car park (reference 18/05078/FUL). In November 2019 an application (reference 19/04135/S42) for the variation of condition 1 of planning permission 18/05078/FUL to alter the cessation date of the permitted snow factory was approved by Highland Council.

11. An application for installation of car park barriers (2020/0097/DET) on land to the north of the site servicing Coire Cas has also been called in by the CNPA.
12. There have been numerous planning applications within the wider Cairngorm Mountain area, the most recent of which are summarised below:
13. In May 2020, planning permission was granted by the CNPA for engineering works related to strengthening the funicular viaduct (reference 2020/0076/DET).
14. In 2019, planning permission was granted by the CNPA for engineering works to smooth and re-grade land (reference 2019/0247/DET) and for the renovation and erection of extension to the Ptarmigan Restaurant building (reference 2018/0177/DET).
15. In October 2018, planning permission was refused by the CNPA for the installation of a beginner and intermediate artificial ski slopes with associated services (reference 2018/0112/DET).
16. In 2017, retrospective planning permission was granted by the CNPA for the “retention of a ski area access track” (reference 2016/0295/DET) and the Highland Council granted permission for the “siting of a snow factory unit” in (reference 17/04736/FUL).

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014	
Strategic Policy	Cairngorms National Park Partnership Plan 2017 - 2022	
Local Plan Policy	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	X
POLICY 3	SUSTAINABLE DESIGN	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	SPORT AND RECREATION	X
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER CONTRIBUTIONS	

17. 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

18. 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	X
Policy 3	Sustainable Design Non-Statutory Guidance	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	
Policy 8	Sport and Recreation Non-Statutory Guidance	X
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance	

Cairngorms National Park Local Development Plan 2020

19. 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 been through a public consultation process and the formal responses have been assessed and submitted along with all other relevant materials to Scottish Ministers for examination. As the examination of the Proposed Plan is on-going, the Proposed Plan and its contents currently carry limited weight.

CONSULTATIONS

20. A summary of the main issues raised by consultees now follows:
21. **CNPA Landscape Officer** was consulted and concluded that the overall landscape effects are likely to be adverse but minor. Due to the temporary installation of short duration the Officer noted that minor adverse landscape and visual effects are not significant and readily reversed with easy restoration of site to original conditions after decommissioning.
22. **Aviemore and vicinity Community Council** were consulted and have objected to proposals due to lack of strategic coordination from an approved Masterplan for the wider site.

REPRESENTATIONS

23. A total of four letters of representation have been received from the Badenoch and Strathspey Conservation Group (BSCG), the Cairngorms Campaign, the North East Mountain Trust (NEMT) and one member of public objecting to the application. Copies of the public responses can be viewed at **Appendix 2**. A summary of the comments is provided below:
- a) Recreational facilities proposed not in keeping with wider area, detracting from sense of place;
 - b) Proposal does not complement and enhance the landscape character of the Park nor the setting, and the impacts on the setting have not been minimised or mitigated;
 - c) Proposals would make a negative contribution to the experience of visitors;
 - d) Proposals would fail to add or extend the core tourist season;
 - e) The proposal would fail to support the vitality and viability of the local economy and the broader economy of the Park, no aligned with main draws identified in CNPA visitor survey;
 - f) Proposals would encourage unsustainable journeys, contributing to climate change.
 - g) Not coordinated with other proposals being submitted concurrently at Cairngorm Mountain without approved masterplan in place.
 - h) Consideration of colour of slides not indicated in proposals.
 - i) No economic rationale has been provided as to potential demand for play equipment at Cairngorm Mountain.

APPRAISAL

24. The main planning considerations are considered to be the principle of development and landscape impact, design and scale of the development.

Principle of Development

25. **Policy 2:** Supporting Economic Growth seeks to support development which enhances formal and informal recreation and leisure facilities providing; there are no adverse environmental impacts, it makes a positive contribution to the experience of visitors, and it adds to or extends the core tourist season.
Policy 8: Sport and Recreation also seeks to support diversification or extension to existing sport and recreation related business activities. National planning policy as contained in Scottish Planning Policy similarly seeks to promote business development which increases economic activity whilst also safeguarding and enhancing the natural environment.
26. The principle of recreational development has been previously considered and deemed acceptable by Highland Council (reference 19/01765/FUL). The proposal for a modest expansion of the tube slides will support the economic sustainability of the centre and represents an extension of recreational facilities. It is therefore considered that proposals will be beneficial to visitors,

providing that there are not significant adverse effects on landscape. The proposed development is for a temporary period only so a new planning application would be required for any time extension to the development.

27. It is therefore considered that the application complies with Policy 2: Supporting Economic Growth and Policy 8: Sport and Recreation of the Cairngorms National Park Local Development Plan.

Landscape Impacts, design and scale

28. **Policy 5:** Landscape of the Cairngorms Local Development Plan 2015 seeks to ensure that all new development conserves and enhances the landscape character and special landscape qualities of the National Park. Similarly, **Policy 3:** Sustainable Design seeks to ensure that development is suitably designed.
29. The CNPA Landscape Officer concluded that whilst the overall landscape character effects and visual effects of the development on landscape are likely to be adverse, they are considered to be minor. Therefore although the site lies within the Cairngorm Mountains NSA, it is not considered that the proposal will have any significant impact on the special qualities of the NSA.
30. The ground works associated with the installation will be minimal, and the impact of the installation can be easily reversed when removed.
31. Concerns were raised by objectors around the lack of information relating to the colour of the slides. The colour of slides can be controlled by way of a planning condition attached to a permission in the event this application is supported and aligned with the previously approved colour scheme for the existing slide.
32. The Officer's view that the application did not provide sufficient detail in regards to the approach path, support structure and launch off point for the 52 metre long 'tubby straight' tube slide was discussed with the applicant. It was agreed that, in the circumstances that the application is supported, a suspensive condition be attached to a planning permission requiring revised layout and section plans detailing the proposed design of the support structure.
33. In conclusion the scale, nature and design of the proposal is considered appropriate as a temporary addition to the location and, with appropriate conditions attached in the event the application is supported, it is considered that the application complies with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms Local Development Plan 2015

Environmental Issues

34. **Policy 4:** Natural Heritage of the Cairngorms Local Development Plan 2015 seeks to ensure that there are no adverse effects on natural heritage interests, designated sites or protected species and that any impacts upon biodiversity are avoided, minimised or compensated. **Policy 10:** Resources, also seeks to

ensure that disturbance to soils, peat and any associated vegetation is minimised.

35. There are natural heritage interests of international importance within the wider area, however the development is proposed outside the boundary of any nature conservation sites designated for their ecological or geological interests. The ground works associated with the installation of the temporary structure will be minimal and the proposed location on the area of land, between the two car parks with an existing slide in situ, is of low ecological value. The ground is made up ground with minimal soil and no peat. The development will not have a significant impact on wider natural heritage interests.
36. In these overall circumstances and subject to appropriate planning conditions, the application is considered to comply with Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

Other Issues Raised in Consultations and Representations

37. A number of objectors have raised concern that the application has been submitted in advance of any masterplan for the wider site at Cairngorm Mountain being produced as set out in the Cairngorm and Glenmore Strategy (CGS) and the CNPA's working principles for Cairngorm Mountain. Both the CGS and the working principles set high level objectives for the area and reflect the CNPA's desire for new development on Cairngorm to be based on a rational long term plan. HIE have now started the process of developing a masterplan for the whole site but this will take some months to be completed.
38. The application under consideration relates to an intensively used carpark but is minor in scale and impact. Officer's view is that the application does not prejudice any future development or management of the ski centre that a masterplan may set out, and may enhance future development through improving the financial sustainability of the existing business. That permission is sought for a limited time period reinforces that fact that it would not prejudice future development or management. Officers consider that to delay determination or to refuse planning permission of this application simply on the basis of the lack the masterplan would be unreasonable.

CONCLUSION

39. 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 National Park. There are no 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 the Installation of two tube slides and extension and realignment of existing tube slide at Coire Cas Car Park Cairngorm Mountain Glenmore Aviemore Highland 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. Planning permission is hereby granted for a temporary period only and shall cease to have effect on 1st November 2021 (the 'cessation date'). Prior to the cessation date, the application site shall be cleared of all development approved under the terms of this permission and any ground disturbance reinstated to its condition prior to the granting of the permission I9/01765/FUL granted by the Highland Council, all to the satisfaction in writing of the Cairngorm National Park Authority acting as Planning Authority;

Reason: In recognition of the temporary nature of the proposed development, to enable the Cairngorm National Park Authority, acting as Planning Authority to reassess the impact of the development after a given period of time and secure removal and restoration;

2. **No development shall commence until a revised site layout plan and section plan are submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority. The revised plans must include design details of the proposed support structure for the approach path and launch platform to the 52 metre long 'tubby straight' tube slide;**

Reason: In the interests of user safety to ensure safe access to the development in accordance with Policy 3: Sustainable and to ensure the development complements and enhances the landscape in accordance with Policy 5: Landscape of the Cairngorms Local Development Plan 2015;

3. **Prior to the commencement of development, the developer shall provide full details in writing and on plan, of the external finish colours and materials of all the equipment (including tubes, safety equipment, matting, ground anchoring), including exact RAL/BS colour finishes, all for the approval in writing of the Cairngorm 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 in accordance with the agreed details.**

Reason: To ensure the development complements and enhances the landscape in accordance with Policy 5: Landscape of the Cairngorms 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 which it is intended to commence the development. Attached to 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 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. Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011.
5. Construction on site will comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment as required by the planning condition in Section 2.1.

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.