

PLANNING AND ACCESS COMMITTEE

MEETING: NPA/PC/01/2014

DATE: 27th January 2014

REPORT No.	NPA/PC/01/2014/02
SUBMITTED BY:	Executive Director of Planning
APPLICATION NUMBER:	2013/0307/DET
APPLICANT:	Loch Lomond and The Trossachs National Park Authority
LOCATION:	Inveruglas Viewpoint, Inveruglas
PROPOSAL:	Installation of a viewing structure, footpath and associated landscaping

NATIONAL PARK WARD:	Ward 1 (Argyll Forest Peninsula)
COMMUNITY COUNCIL AREA:	Arrochar and Tarbet
CASE OFFICER:	Name: Diana Worthy Tel: 01389 722617 E-mail: diana.worthy@lochlomond-trossachs.org

1 SUMMARY AND REASON FOR PRESENTATION

- 1.1 This application is for the installation of a viewing structure, footpath and associated landscaping adjacent to the Inveruglas Visitor Centre on the A82. This proposal is one of three pilot project sites delivering new scenic viewpoint installations within the National Park as part of the Scottish Government's 'Scottish Scenic Routes Initiative'. This application is being presented to the Committee because the applicant is Loch Lomond and The Trossachs National Park Authority.

2 RECOMMENDATION

That Members: APPROVE the application subject to the imposition of conditions as set out in Appendix 1 of the report.

3 BACKGROUND

Site Description

- 3.1 The application site is located in the wooded area adjacent to the Inveruglas Visitor Centre,

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car park and piers (refer to **Figure 1** below for site location plan). This wider area forms a small peninsula in Loch Lomond and is separated from the foothills of Ben Vorlich by the A82. Loch Sloy power station is located to the west/southwest of this wider site.



Figure 1: Site Location Plan

3.2 The wooded area of the wider site contains a network of small formal and informal paths with two small viewpoints providing views over Loch Lomond (see Figures below).



Fig. 2: Existing woodland footpath access from car park.



Fig. 3: Existing woodland footpath leading to existing view point 1.

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Fig. 4: Photo taken from existing view point 1 looking towards view point 2 and Loch Lomond. Inversnaid Hotel is partially visible on the other side of the loch.

- 3.3 The area provides a recreational and scenic viewpoint opportunity in association with the existing visitor centre. The proposal will enhance and improve the existing visitor offering as shown in the proposed plan, **Figure 5**, below.



Fig. 5: Site plan as proposed.

Environmental Impact Assessment (EIA):

- 3.4 For the purposes of the Environmental Impact Assessment (Scotland) Regulations 2011 the National Park is identified as a 'Sensitive Area'. As a 'Competent Body' the National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process. In this particular instance it has been determined that an EIA is not required.

Description of Proposal

- 3.5 This application is for:
- installation of a viewing structure (see **Figures 6 & 7** below)

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- installation of a footpath
- removal of some existing footpath spurs; and
- associated landscaping.



Fig. 6: 3D model of proposal, as submitted at design competition stage.

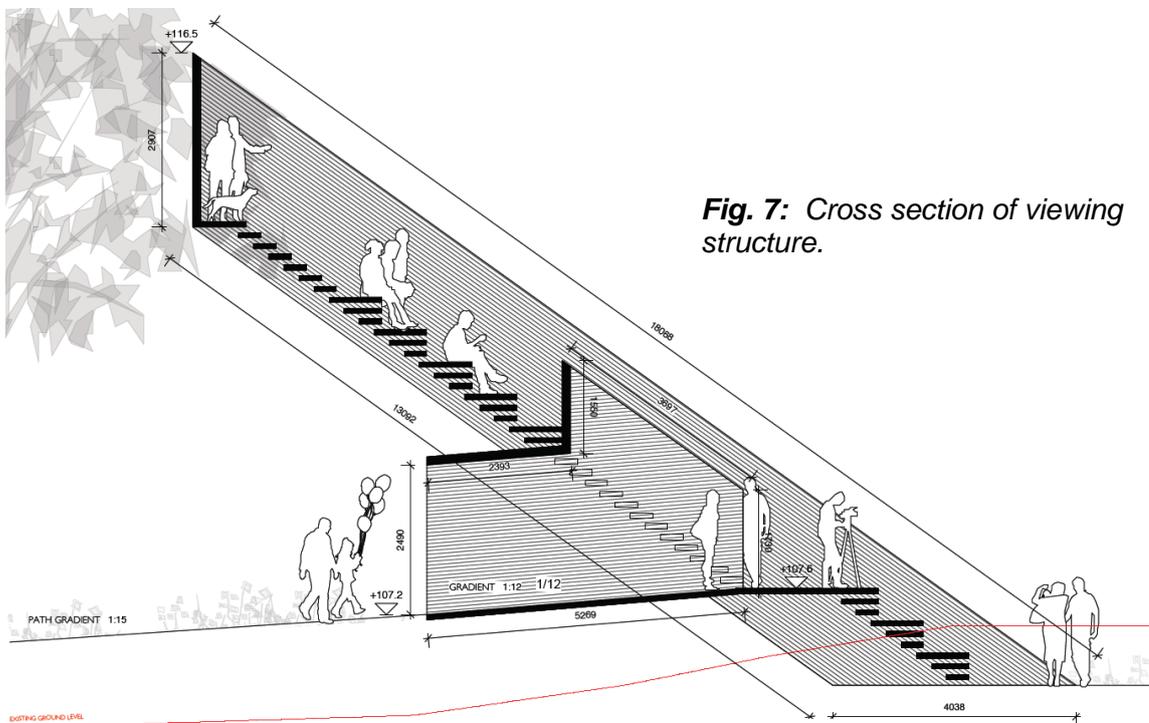


Fig. 7: Cross section of viewing structure.

Planning History:

3.6 N/A

4 CONSULTATIONS AND REPRESENTATIONS

Responses to Consultations:

- 4.1 NPA Landscape Officer: The proposal will overall enhance the visitor experience at Inveruglas, fulfilling the brief for the Scottish Government Scenic Routes project and addressing current infrastructure requirements at Inveruglas. The proposed viewing structure will provide a new significant improvement in the opportunities for visitors to view the landscape from this site. It is welcomed that the installation is designed to take advantage of the local setting qualities of the Inveruglas peninsula and as such will not project beyond the tree line or skyline. The methodology and conclusions of the 'Landscape and Visual Impact Assessment' report are acceptable.

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NPA Ecologist: Recommends mitigation measures regarding:

- otters, which may be accessing the site in the evenings;
- bats, namely fencing off the tree identified in the ecology report as having medium bat potential to avoid any disturbance;
- badgers, which although not identified in the species survey there is anecdotal evidence of badgers accessing the wider site; and
- ‘toolbox’ talk to all contractors on site regarding protected species.

NPA Access Officer: The Inveruglas peninsula does not contain any designated access routes such as core paths. The existing path network has informally developed over time to serve the existing view points. Establishing a new path will improve accessibility through the site.

Representations Received:

4.2 None received.

5 POLICY CONTEXT

National Park Aims:

5.1 The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:

- (a) to conserve and enhance the natural and cultural heritage of the area;
- (b) to promote sustainable use of the natural resources of the area;
- (c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- (d) to promote sustainable economic and social development of the area's communities.

5.2 Section 9 of the Act then states that these aims should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

Development Plan:

5.3 National Park Local Plan (adopted December 2011)

Relevant Policies:

- Policy TOUR1 New Tourism Development
- Policy L1 Conserving and Enhancing the Diversity and Quality of the Park's Landscapes
- Policy D1 Design Quality
- Policy ENV4 Legally Protected Species
- Policy ENV9 Development Impacts on Trees and Woodlands

Other Material Considerations:

5.4 National Park Partnership Plan (2012-2017)

Relevant Policies:

- VE Policy 1: Visitor Management
- VE Policy 2: Sustainable Tourism

6 SUMMARY OF SUPPORTING INFORMATION

- 6.1
- Otter Survey and Assessment for Bat Roost Potential, Inveruglas Visitor Centre – prepared by Peak Ecology Ltd (dated 12 November 2013)
 - Landscape and Visual Impact Assessment
 - Footpath specification
 - Planting schedule
 - Sustainability Checklist
 - Trees and Access Statement

7 PLANNING ASSESSMENT

- 7.1 The application site is located in woodland on the Inveruglas peninsula, adjacent to the Inveruglas Visitor Centre, car park, piers and A82. The location of the site is shown in **Figure 1**.
- 7.2 In determining this application the key considerations are as follows:
- Principle of development;
 - Design and landscape considerations; and
 - Ecology considerations; and
 - Other planning considerations such as trees, paths, landscaping, and access.
- These are considered in turn below.

Background: Scottish Scenic Routes Initiative

- 7.3 In 2013, the Scottish Government launched the ‘Scottish Scenic Routes Initiative’ which aims to capitalise on the landscape viewing opportunities associated with many of Scotland’s road journeys, inspired by the Norwegian success story of scenic viewpoints. As part of this initiative, the Park Authority was awarded funding to deliver three pilot projects within the National Park, located at Inveruglas (A82), Falls of Falloch (A82) and Loch Lubnaig (A84).
- 7.4 These pilot projects involved a nationwide design competition that sought design proposals from young architects. The design brief was to create viewing platforms/viewpoints to help significantly improve the ‘journey experience’ by creating new places to stop and enjoy Scotland’s landscapes. The winning designs for each pilot site are proposed to be installed by the end of this financial year (subject to the relevant permissions being in place), and more sites are proposed to be developed throughout Scotland over the initiative’s 10 year funding programme. Of the three National Park pilot projects, only the Inveruglas site requires planning permission. The other two pilot projects are smaller scale installations and consequently are permitted development under Class 33 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

Principle of Development

- 7.5 Both the National Park Partnership Plan and National Park Local Plan support new tourism development which will help to establish the National Park as an internationally recognised sustainable tourism destination that provides an exceptional visitor experience.
- 7.6 This proposal is for the installation of a viewing structure, a new footpath and associated landscaping which will improve the existing visitor offering associated with the Inveruglas Information Centre site adjacent to the A82. The principle of development is supported by local plan Policy TOUR1 and Schedule 5 Tourism Opportunities in the Visitor Destination Areas which support improvements to existing visitor infrastructure and facilities along the

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'parkways' routes (e.g. A82, A84, A83).

Design and Landscape Considerations

- 7.7 The winning design of the proposed viewing structure takes the shape of an 'isosceles trapezoidal platform' (see Figures 6 and 7). The structure will be positioned close to the highest point of the peninsula, replacing the existing viewpoint 2 (refer to Figure 4) which includes a small paved viewpoint area and bench. It is proposed that the structure is constructed or clad in timber to soften its geometric form and fit within this wooded loch shore setting. The proposed dimensions of the structure are approximately 10.1m high; 18m in length; and 9m wide at the base, tapering to 1.2m at the top.
- 7.8 The applicant's Landscape and Visual Impact Assessment details that "*this proposal seeks to use the densely wooded and over grown nature of the peninsula as a screen and reveal of the site's main attraction; the panoramic views across Loch Lomond and the surrounding mountains. Visitors approach through the trees - gaining no southerly views through this approach. The visitor will see and be drawn to the installation; the form of the landscape and the form of the installation mean the visitor will enter the installation from the back and emerge through the structure to a presented with the panorama as a grand reveal. The experience will be like entering an auditorium or large stadium and it's conceived to heighten the drama of the landscape through simple manipulation of a screened route and a stepped seating area. Visitors can dwell on the installation itself, sit and take in the view, climb to the installation's summit for a more dramatic experience or stand on the ground in front of the installation and look back at it.*"
- 7.9 The Landscape and Visual Impact Assessment identifies that due to the proposal's relatively small scale in comparison to other features in the landscape (the mountainous backdrop, Loch Sloy power station, and wide expanse of Loch Lomond), and its placing within the tree line of the Inveruglas peninsula, it has a very restricted 'zone of visibility'. As noted by the Park Authority's Landscape Officer, the installation is designed to be sympathetic to the local setting and special qualities of the Inveruglas peninsula and will not project beyond the tree line or skyline. Nevertheless, the installation will respond to the opportunities for dramatic views in terms of its landscape fit, as supported by local plan Policy D1 and Policy L1.

Ecology Considerations

- 7.10 An Otter Survey and Assessment for Bat Roost Potential report was provided which surveyed the wider Inveruglas peninsula. The survey did not find any evidence of otters using the site, although the Park Authority's Ecologist recommends mitigation measures as a precaution in the event otters are accessing the site in the evening. The survey report identified that most of the trees at the site are too small/young and therefore lacking suitable features to host bat roosts. Of the two mature trees identified, one of them was assessed as having medium bat potential, although it is located outwith the application site. The survey did not identify any evidence of badgers although anecdotal evidence suggests they may be accessing the site. The otter mitigation measures can also be applied for badgers. Conditions are recommended to ensure that mitigation measures are in place in relation to otters, bats and badgers and the relevant nature conservation legislation is adhered to (such as in relation to breeding birds).

Trees, Paths and Landscaping

- 7.11 A large area of the Inveruglas peninsula is covered in woodland, largely immature birch trees which have no statutory designation or protection. The location of the proposed new footpath is through these trees and a condition is recommended requiring a method statement detailing measures to be taken during construction to protect the health of existing trees. The path is

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proposed to be a 1.8m wide 'whindust' path, as supported by the Park Authority's Access Officer. Other works are proposed within the woodland area including the removal of some of the existing path network, upgrading of existing paths, and landscaping. Some engineering works are also required to achieve the desired site levels for the installation. The proposal will improve the overall visitor offering at the site, rationalising/improving access and restoring/enhancing the wooded nature of the site. A condition is recommended requesting a detailed landscaping plan including details on all proposed earthworks.

Access

- 7.12 The applicant's supporting statement details that the visitor centre site is currently an extremely busy and well used tourist and general traveller destination. The statement details that while this Scenic Routes installation is envisaged to enhance the visitor experience on this site it cannot be regarded as the major attractor to the site as the waterbus piers and visitor centre facilities are of more prominence and importance. Therefore, it is not anticipated that the proposal will generate a significant increase in visitor numbers or vehicle movements into the wider site and the current car park capacity is adequate. It is noted that Transport Scotland is a partner organisation in the Scenic Routes project and has not raised any trunk road access issues regarding this pilot project site.

8 CONCLUSION

The proposal is one of three pilot projects associated with the Scottish Government's 'Scenic Routes Initiative' within the National Park. The proposal will improve the visitor experience and opportunities to view the landscape along the A82 at the Inveruglas Visitor Centre, supported by local plan Policy TOUR1 and Schedule 5. The viewing structure is of an appropriate design and sympathetic to the wooded loch shore setting, in accordance with local plan Policy D1 and Policy L1.

Background <http://www.lochlomond-trossachs.org/planning/>

Documents: *Click on view applications, accept the terms and conditions then enter the search criteria as 2013/0307/DET*

List of Appendices: *Appendix 1 Conditions, Proposed Reason for Approval, and Informatives*

Appendix 1: Conditions, Proposed Reason for Approval and Informatives

Conditions:

- 1. Finishing Materials:** Prior to work commencing on site further details of external finishing materials of the viewing structure, including samples where appropriate, shall be submitted for the written approval of the Local Planning Authority prior to work commencing on site.

REASON: To ensure the proposed external materials are of a suitably high quality and are in keeping with the surrounding environment.

- 2. Tree Method Statement:** Prior to the commencement of works within the development site (as shown by the blue line boundary on Drawing SSR_102 Site Plan – Proposal, received 04.12.2013), a method statement detailing measures to be taken during construction to protect the health of the existing trees shall be submitted to, and approved in writing by, the Planning Authority. The statement should include a plan

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identifying tree protection areas. No storage of building materials or piling of soil shall take place within the protected areas established pursuant to this condition. The measures contained in the approved method statement shall be implemented in full throughout the construction phase.

REASON: To protect established trees against accidental damage during the course of the development and in the interests of visual amenity of the area.

- 3. Details of Landscaping:** Not later than 12 months from the first use of the viewing structure by the public or the substantial completion of the development hereby permitted, whichever is the sooner, landscaping of the site shall be undertaken in accordance with the details of a scheme/plan which shall first be approved in writing by the Local Planning Authority. The said scheme/plan (at a scale of 1:500 or greater) shall include:
- a) proposed finished levels or contours;
 - b) any minor structures (e.g. furniture, play equipment, refuse or other storage units);
 - c) existing trees and hedgerows to be integrated into the scheme;
 - d) planting plans and written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
 - e) a programme of implementation, including a 5 year maintenance scheme.

REASON: The proposed development and its location requires landscaping to fully integrate the proposal with its surroundings and to safeguard the visual amenities of the area

- 4. Breeding Birds:** No trees shall be removed during the main bird breeding season (March – July inclusive) unless a walk over survey for nesting birds is undertaken, details of the survey shall be submitted and approved by the Local Planning Authority prior to undertaking the clearance works.

REASON: To ensure an illegal action does not take place contravening the Wildlife and Countryside Act 1981 (as amended).

- 5. Protected Species Mitigation:** The development shall be carried out strictly in accordance with the mitigation measures detailed below, unless otherwise approved in writing by the Local Planning Authority.
- 'Toolbox talks' shall be given to all personnel and contractors to alert them of the wildlife legislation and signs of otters, bats, badgers and breeding birds;
 - At the end of each working day any pipes are not to be left uncapped and a temporary ramp should be placed in trenches over 0.5m deep in order to allow a potentially trapped otter or badger to exit the trench;
 - The tree identified as having moderate bat potential in the 'Otter Survey and Assessment for Bat Roost Potential, Inveruglas Visitor Centre' report prepared by Peak Ecology Ltd (dated 12 November 2013) shall be protected during the course of the development by the erection of 1m high [chestnut pale] fencing not less than 2 metres from the trunk or by such other means of protection as shall be agreed in writing with the Local Planning Authority.

REASON: To safeguard protected species and nature conservation interests and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

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Proposed Reason for Approval:

The proposal is one of three pilot projects associated with the Scottish Government's 'Scenic Routes Initiative' within the National Park. The proposal will improve the visitor experience and opportunities to view the landscape along the A82 at the Inveruglas Visitor Centre, supported by local plan Policy TOUR1 and Schedule 5. The viewing structure is of an appropriate design and sympathetic to the wooded loch shore setting, in accordance with local plan Policy D1 and Policy L1.

List of Plans

Title	Reference	Date Received
Location Plan	SSR_101	04/12/13
Site Plan Site Plan - Proposal	SSR_102	04/12/13
Plan Block Plan	SSR_103	04/12/13
Sections Site Section AA	SSR_105	04/12/13
Sections Site Section BB	SSR_106	04/12/13
Plan Ground Floor Plan	SSR_201	04/12/13
Plan First Floor Plan	SSR_202	04/12/13
Plan New Path Entrance	SSR_211	04/12/13
Plan Section A-A	SSR_301	04/12/13
Plan Elevation South	SSR_401	04/12/13
Plan Elevation West	SSR_402	04/12/13
Plan Elevation North	SSR_403	04/12/13
Location Plan/Site Plan Existing Site Plan (Topographical detail)	SSR_001A	08/01/14
General Otter Survey and Assessment for Bat Roost Potential, Inveruglas Visitor Centre, prepared by Peak Ecology Ltd (dated 12 November 2013)		04/12/13

Informatives:

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- 1. Duration of Permission:** In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.
- 2. Notification of Initiation of Development:** Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) 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. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3. Notification of Completion of Development:** As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.