
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: ANDREW TAIT, PLANNING OFFICER
(DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: ERECTION OF TOILET BUILDING, AT
CAMBUS O' MAY FOREST, BALLATER

REFERENCE: 04/474/CP

APPLICANT: FORESTRY COMMISSION SCOTLAND,
KINCARDINE FOREST DISTRICT,
KIRKTON OF DURRIS, BANCHORY,
AB31 6BP.

DATE CALLED-IN: 8 OCTOBER 2004



Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The proposal is for a toilet / shelter building to provide facilities for the public who use the car park and way-marked walks at the Cambus O'May Forest to the east of Ballater. The building will have toilets, a sheltered seating area and a notice board, for the use of visitors to the Forest and the surrounding area. The toilet building will be located fairly centrally within the car parking area, in a woodland setting, and will be of timber construction. There will be 2 cubicles and the toilets will be unisex and suitable for wheelchair access. The building is not large, approximately 18 square metres in area, and 4m tall to the ridge line of the pitched roof. The design is to be a contemporary nature using timber frame and timber cladding, sourced locally, and the roofing will consist of wood tiles (a natural grey). Some locally sourced gravel will be used for surfacing around the building. Some trees will be removed to site the building, and to allow access to service the building. It is estimated that approximately 3 trees of non-native species will need to be removed.
2. The application originally proposed a private water supply with the subsequent need for a soakaway, however it has been subsequently decided to use evaporating cleansers (sprays and foams) as is the case with NTS toilets at the Linn O' Dee car park. Foul matter would be removed from the service hatch to the rear of the building. The site slopes down on the north side, which should allow ease of access to service the composted material. Lighting and ventilation fans would be powered by electricity from a solar panel. It is intended that the facilities will be open 24hrs a day, but will be used largely during daylight hours.

DEVELOPMENT PLAN CONTEXT

3. The site lies within the Muir of Dinnet Site of Special Scientific Interest and Geological Conservation Review site, designated for a range of interests, including its nationally important geomorphological features. In the **Aberdeenshire Local Plan Policy ENV2 National Nature Conservation Sites**, it states that development that would have an adverse effect on a Site of Special Scientific Interest will be refused unless the developer proves: a) any significant adverse effects on the quality for which the area has been designated are clearly outweighed by social and economic benefits of national importance; b) the objectives of the designation and overall integrity of the area will not be compromised; and c) there is no alternative site for the development. Where development is allowed which could affect any of these designated sites, including beyond their boundaries, the developer must demonstrate that adequate measures will be taken to conserve and enhance the site's ecological, geological and geomorphological interest.

4. The site lies within an area of Landscape Significance, and **Policy ENV5 National Scenic Areas And Areas of Landscape Significance** states that development within or adjacent to a National Scenic Area or Area of Landscape Significance will not be permitted where its scale, location or design will detract from the quality or character of the landscape, either in part or as a whole. Where acceptable, in principle, development must conform to Appendix 1 and Appendix 5. In all cases the highest standards of design, in terms of location, scale, siting, aesthetics and landscaping, will be required within National Scenic Areas and Areas of Landscape Significance.
5. In **Policy ENV8 Trees and Woodlands**, development that would cause the loss of, or serious damage to, trees or woodlands, which are either covered by an existing or proposed Tree Preservation Order or of significant ecological, recreational, historical, shelter or landscape value, will be refused unless: a) its public benefits at the local level clearly outweigh the value of the habitat; b) the development will be sited and designed to minimise adverse impacts on the biodiversity of the site, including its environmental quality, ecological status and viability; and c) there will be no further fragmentation or isolation of habitats as a result of the development.
6. Other policies, whilst not directly referring to this type of development, are supportive of improving facilities for tourists and visitors, for recreation sites, and for the disabled.

CONSULTATIONS

7. **SEPA** has commented that a condition should be attached requiring detailed arrangements for the disposal of the sewage to be submitted.
8. **Aberdeenshire Environmental Health Officer** originally provided comment on the proposed new water supply. However this is no longer required as sprays will be used. The officer notes that there is no indication of whether electricity is required for ventilation systems. Comments have been passed from NHS Grampian concerning the use of dry composting toilets. It is stated that these systems are becoming increasingly popular to promote sanitization of human excreta and recycle them to fertilisers. Data on safety is insufficient to draw any conclusions. Consideration should be given to proper maintenance to ensure that they serve the purpose for which they were built.
9. **SNH** does not object in principle to the development, but do advise that a condition must be attached to the planning consent to ensure that any borrow pits opened to provide gravel for the development do not impact negatively on the interests of the designated site. The site lies within the Muir of Dinnet Site of Special Scientific Interest and Geological Conservation Review site, and is located within the 'crucial zone' of the site; that is the area essential to the scientific interest of the site. Therefore

the details of the size and location of the gravel source should be agreed in writing by the planning authority, in consultation with SNH, and the soil excavated should be appropriately stored and restored where possible. Should conditions not be attached to cover these aspects, then SNH would object to the proposal.

10. **CNPA's VSRG** supports the application as a useful visitor facility at this location. Visitors, in recent surveys, have indicated the provision of toilets as an important facility. Comments are made about the use of the facility by the disabled, and the need for solar powered ventilation fans for a building of this nature.

REPRESENTATIONS

11. None received.

APPRAISAL

12. The main issues to consider for this proposal are the need for the development, whether this is the most suitable location, and if the design is satisfactory.
13. Whilst it is not absolutely essential for the forest car park to have such a facility, the provision of a toilet block adds to the potential attractiveness and popularity of such a visitor destination if toilet facilities are made available. This allows visitors to remain at the location longer rather than either having to move on out of the area, or start using the surrounding area in an indiscriminate manner – in the end making the area less enjoyable in health terms for future visitors. The structure also allows for the provision of a notice board, for the information of visitors to the area, about the Forest and about the wider locality. Some tree removal will be required to site this development, but the area has a good provision of tree cover and screening from the main public road (A93) some 120 metres distance to the south, and from other nearby housing, approximately 100 metres away. With the development being within the well used car park area, there is not a significant habitat being disturbed or destroyed. Indeed the provision of such a facility may help to reduce impacts on surrounding more sensitive vegetation and biodiversity, and therefore allow the development to comply with policies ENV2 and ENV8.
14. The initial application documentation did not have all the details of the design and location of the building, hence some of the consultees comments on the proposal. More details have now been submitted that resolves these issues. The design of the building is simple, and while not exactly the same, as toilets already in use at the NTS Linn O'Dee car park, will be of a similar scale and operation. The main difference from the Linn O'Dee site is that the Cambus O'May building will have a natural finish.

15. In terms of provision for the disabled, there are 2 parking bays specifically for the disabled on site, a picnic table and 2 wheelchair-standard trails in the forest here. The building design allows for wheelchair access.
16. The sourcing of gravel for the ground around the area of the new building is a reasonable concern for SNH to raise, as this area is a sensitive one within the Muir of Dinnet SSSI. There is some loose gravel on the surface of the parking bay, which is to be the site for the new building, but this has been partly worn into the ground. New gravel spread around the new building may not be an appropriate surfacing material for pathways around or close to the toilets, as this sort of surfacing is not a good one for people using wheelchairs or pushing children's buggies. A smoother, firmer surface finish would be preferable around the building. Planning condition 5 is proposed to rectify this.
17. Otherwise the building design, and the features incorporated for light, ventilation needs are acceptable. With a natural timber finish to the building it is hoped that the new building will be as the applicants wish it to be "an exemplar for the use of local timber". The proposal is considered to comply with Policy ENV\5.
18. Subject to safeguards on the sourcing of any gravel used, and the disposal of the compost in an agreed manner, the application is recommended for approval.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

19. The proposal is to provide a necessary facility where more visitors will arrive at, picnic, walk from and return to, and where basic toilet facilities will be preferable rather than the indiscriminate use of the surrounding area, to the detriment of public health and the natural heritage of the area.

Promote Sustainable Use of Natural Resources

20. The facility and the building will incorporate many features where local materials and renewable energy sources will provide the basic structure of the building and for its operation.

Promote Understanding and Enjoyment of the Area

21. The development contributes to a better enjoyment of the Forest and the walks for visitors, and the structure will incorporate a notice board that will promote the better use and understanding of the forest, and the surrounding area.

Promote Sustainable Economic and Social Development of the Area

22. Providing a more comfortable and relaxed visitor experience at this site will encourage more people, of all abilities, to come to this Forest and to the area, to the benefit of the businesses and visitor enterprises in the locality.

RECOMMENDATION

23. That Members of the Committee support a recommendation to: **GRANT Full Planning Permission for the Erection of Toilet / Shelter building** at the Cambus O' May Forest Car Park, Ballater, subject to the following conditions -

- i. The development to which this permission relates must be begun within 5 years from the date of this permission.
- ii. That any gravel sourced locally for this development (ie. from within the Muir of Dinnet SSSI) shall only be extracted from an area, and subject to an extraction and restoration plan, which has the previous written approval of the Cairngorms National Park Authority acting as planning authority, in consultation with SNH. Subsequent work shall then be carried out in accordance with the approved detail.
- iii. That prior to the commencement of the development the applicants shall submit a detailed proposal for the regular removal and disposal of the compost from the building, for the consideration and written approval of the Cairngorms National Park Authority acting as planning authority in consultation with SEPA and Aberdeenshire Council Environmental Health Officers. Disposal shall then be carried out in accordance with the approved detail.
- iv. Notwithstanding the details contained within the application and prior to the commencement of the development hereby approved a scheme indicating the surface materials in the immediate environs of the building hereby approved shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The scheme shall then be implemented in accordance with the approved detail.

Andrew Tait

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planning@cairngorms.co.uk