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## CAIRNGORMS NATIONAL PARK AUTHORITY

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Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(DEVELOPMENT MANAGEMENT)

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DEVELOPMENT PROPOSED: USE OF LAND AS TRAINING AREA FOR MOUNTAIN BIKING INCLUDING CONSTRUCTION OF TRAILS AND JUMPS AT FREE CHURCH WOOD, GRANTOWN-ON-SPEY

REFERENCE: 08/293/CP

APPLICANT: ANAGACH WOODS TRUST

DATE CALLED-IN: 22 AUGUST 2008

RECOMMENDATION: MINDED TO GRANT SUBJECT TO REFERRAL TO SCOTTISH GOVERNMENT

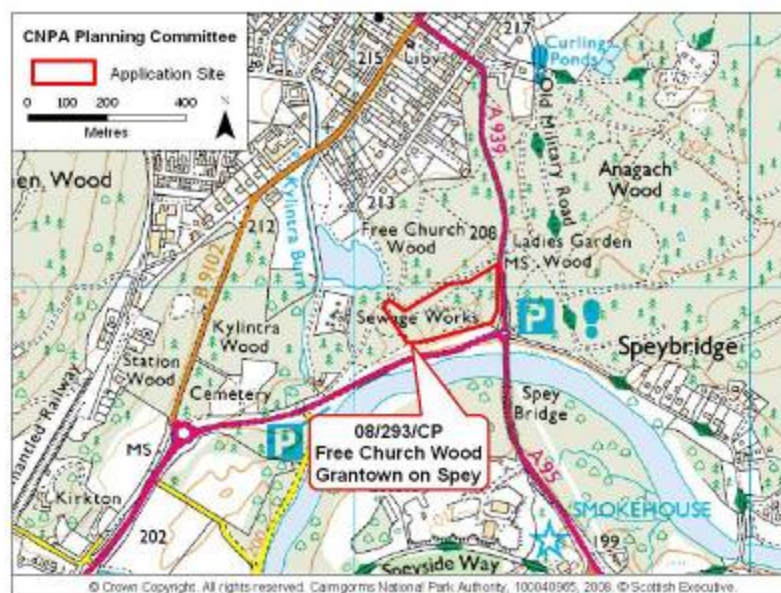


Fig. 1 - Location Plan



Fig. 2 Site viewed from Spey Bridge roundabout parking area



Fig. 3 Part of proposed cycle trail within woods



Fig. 4 The former quarry hole to be used for drop in and jumps area

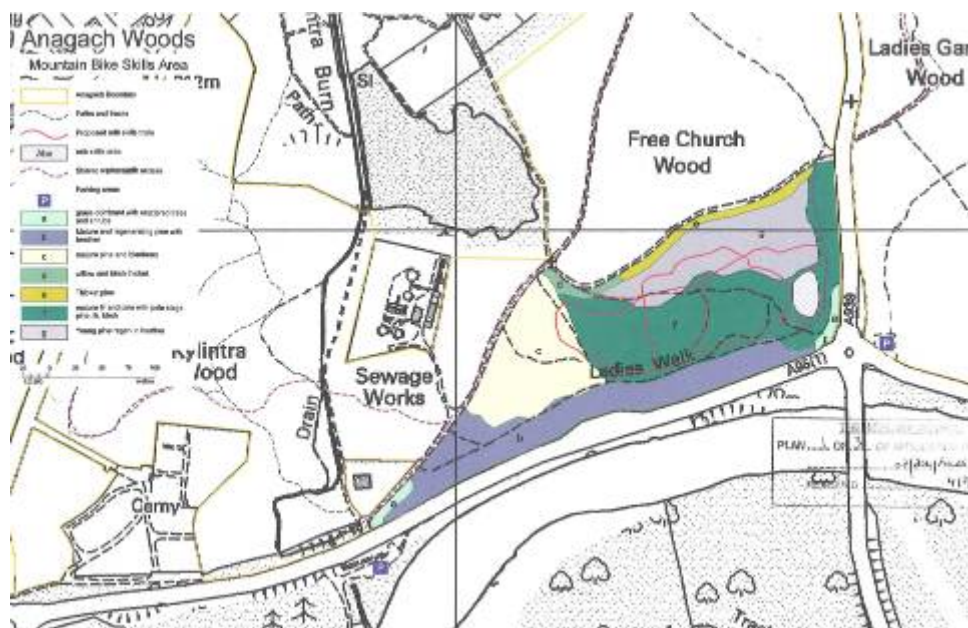


Fig. 5 Proposed site layout

## SITE DESCRIPTION AND PROPOSAL

1. Free Church Wood is an area of the Anagach Woods to the North West of the Spey Bridge roundabout. It is bounded by the A95 trunk road to the South and the A939 Spey Road to Granttown, to the East. Granttown is ½ kilometre through further

woodland to the North and to the west are the Grantown Waste Water Treatment Plant and Kyalintra Woods. The cemetery is 300 metres to the West. The area proposed to be used comprises mixed pine, fir and small hardwoods (Rowan, Birch, Willow), on undulating land above the trunk road and River Spey. The site area broadly measures 5.25 ha. and is currently crisscrossed by tracks and paths used for public access for walking and informal cycling. There are no water courses on the site. The area is well connected to Grantown on Spey and the surrounding woodland, by existing tracks. Access for vehicles would be via A95(T) Abelour to Aviemore road and the Spey Road.

2. It is proposed to form a series of "three dimensional" mountain bike skills training tracks comprising earth humps, rock tracks, and a "North Shore" (an elevated timber track). Straight forward trails of graded standards would also be formed through the woods. Some would follow existing tracks and would be shared with pedestrians whilst other would be designated for mountain bikes. A "bomb hole" drop-in with jumps would be formed in an existing quarry hole at the South East corner of the site. Access to the area would be via existing tracks from Grantown and existing off road pull-ins and a lay-by on the South and North sides of the A95(T). No parking or facilities would be formed on the site, with users being directed to facilities in Grantown.

## **DEVELOPMENT PLAN CONTEXT**

### **Cairngorms National Park Plan 2007**

3. Strategic objectives for Landscape, Built and Historic Environment include ensuring that development complements and enhances the landscape character of the Park. Strategic objectives for integrated land management of forestry and woodland promote multi-objective management that delivers environmental, economic and social benefits, including those from recreation and tourism delivered in a manner that protects the environmental qualities of the woodland. Strategic objectives for Sustainable Communities include the encouragement of year round employment opportunities arising from year round recreational activity. Strategic objectives for Sustainable Tourism include strengthening and maintaining the viability of the tourism industry in the Park and the contribution it makes to the local and regional economy. Strategic objectives for Outdoor Access and Recreation encourage people of all ages and abilities to enjoy and experience the outdoor environment and encourage local community involvement in managing outdoor access. Strategic

objectives for Learning and Understanding seek to increase awareness and understanding of the parks Special qualities and the management needed to sustain them.

#### Highland Structure Plan 2001

4. **Policy T2 Tourism Developments** supports high quality tourism developments particularly those that extend the tourism season, provide wet weather opportunities, spread economic benefits and are accessible by means other than private vehicles and provide opportunities for sustainable enjoyment and interpretation of the area's heritage.
5. **Policy F5 Amenity Woodland** supports the maintenance and enhancement of amenity woodlands.

#### Badenoch and Strathspey Local Plan 1997

6. The site is allocated as amenity woodland and is a Designated Semi-Natural Woodland. The River Spey margins are identified as sensitive in landscape terms. There are no Tree Preservation Orders in the site area. Steps have been taken over the life of the local plan to protect Grantown woodlands from incursion from development and to secure their long term management for their amenity and recreational value. The Anagach Woodlands Trust stems from these measures. In terms of tourism, the local plan priority is to ensure that broadening the range and quality of facilities is balanced with protecting the areas' exceptional scenic and heritage resources.
7. **Para. 2.2.9 Tourism and Recreation** Grantown is identified as a main centre for a range of leisure facilities and shared use by visitors and local people is encouraged. Recreation and leisure facilities of a scale appropriate to the community are encouraged, along with improved access to the adjoining countryside.
8. **Para. 2.3.1 Countryside Recreation** is encouraged where they are compatible with rural land use, nature conservation and heritage interests. Schemes could embrace an extensive network of signposted footpaths, bridleways and cycle routes (segregated where possible) including a more intensive use of forest track and links to the main communities.
9. **Para. 2.5.4 Woodlands and Trees** seeks to protect existing trees and established woodland areas, including Ancient and Semi-Natural Woodland. Individual granny pines and mature exotics associated with estate policies. Development should be outwith

20m of the trunks of mature trees and care should be taken to protect root systems and tree stability.

10. **Para 2.2.5 Nature Conservation:** Grantown woodlands are identified for particular consideration in relation to the conservation of local nature and wildlife conservation.

## CONSULTATIONS

11. **Highland Council Area Roads Manager:** no objection subject to parking and access arrangements being addressed. The parking area to the East side of the A939 Spey Road has very limited capacity and involves crossing the public road close to the Spey Bridge roundabout. The lay-bys to the North and South of the A95(T), including the pedestrian underpass at Kylintra, offer more suitable provision. An agreed signage and management plan may be needed to clarify arrangements.
12. **Trunk Roads Authority:** recommends refusal of the application on the grounds that the development would result in an increase in demand for parking in the vicinity and would lead to indiscriminate long term parking on the trunk road lay-bys which are required as stopping areas for short breaks for long distance, strategic traffic. **In the event that the committee is minded to grant the application, contrary to the advice of the Trunk Roads Authority, the CNPA is required to notify Scottish Government, who may then consider whether to call-in the application for its determination.**
13. **SEPA:** comments on the need for a construction method statement to cover:
  - i. minimisation of waste, maximum use of secondary aggregates and full details of the borrow pits
  - ii. surface water run off
  - iii. fuel and chemical storage
  - iv. track construction to protect forest and water systems
  - v. timing of works to avoid high rain fall
  - vi. environmental management including management of sub-contractors and production of a pollution response plan.
14. **SNH:** no objection. Adjacent to the River Spey SAC but no adverse impacts are identified. Adjacent to the Anagach Woods SPA designated for Capercaillie but the site area is not used by Capercaillie, due to existing disturbance.
15. **Highland Council Forestry Officer:** describes the site as community woodland dominated by Scots Pine but recognises the distinctive vegetation in the North, mid and South parts of the

site. He is supportive of the proposal but seeks information on precise impacts on tree and felling proposals. He is concerned about the felling of specific trees that are important in the landscape and the effects of excavations, borrow pits and the build up of jumps and rock armour on tree roots. He has recommended that certain trees due to be felled and other significant trees and areas are specifically excluded from the works. Some compaction by heavy machinery will occur but this is largely along felling lines and in Birch Wood areas.

16. **Highland Council Archaeology:** no objection
17. **Highland Council Contaminated Land Officer:** No comment.
18. **Grantown-on-Spey Community Council:** no response
19. **Visitor Services and Recreation, Outdoor Access Officer:** No objection but makes comment on the existing popularity of the wood for walking and the possibility of inter-user conflict. An agreed signage and management plan should be put in place. He is also concerned about parking and safe crossing of the nearby Trunk and A Class roads.
20. **Heritage and Land Management:** the Landscape Officer comments that the woodland surrounding Grantown is one of its strongest landscape characteristics and therefore of high importance. The site is clearly used frequently for walking and cycling. The proposal will formalise existing arrangements and provide properly made facilities. The overall landscape impact is not great but he has four concerns:
  - i. removal of all trees from the quarry area will open up the canopy and be apparent from the road side: at least under planting is recommended to assist in screening the area,
  - ii. the western section of trail ventures into regenerating pine wood and would be best omitted,
  - iii. several large and mature pine trees would be removed and this would normally be discouraged but it is recognised that there are (a number of) other pines in the area and that the Trust has a good record of effective management of the tree stock. Remaining trees should be effectively protected during the development works,
  - iv. the section of trail along side Ladies Walk would leave only a narrow section of vegetation. Additional under planting is necessary including native Juniper.
  - v. A combination of the above works would meet the Aims of the Park and would ensure an enhancement of the landscape.

21. **The Ecology Officer** advises that surveys should be carried for the presence of Cairngorms LBAP key priority species i.e. Red Squirrel dreys, Wood Ant nests, Aspen and Twinflower. Tree felling and new tracks should not threaten vulnerable biodiversity. There are opportunities for enhancement and the removal of non native conifers that is already part of the wood land management plan is noted. Planting of local-origin Juniper would benefit biodiversity. Invasive non-native species should be avoided.

## **REPRESENTATIONS**

22. None

## **APPRAISAL**

### **Amenity, landscape and environmental value**

23. The site is prominently located on a bluff above the River Spey and above the intersection of the A95 trunk road with the A939 Spey Road into Grantown on Spey, at Spey Bridge. Views of the woods from the South, looking over the bridge are particularly important to the local landscape. Views out from the site, particularly from the Ladies Walk that runs along the top of the bluff, looking over the River Spey, are amongst the most amenable aspects of a network of walks in the area. The area is characterised by mature semi-natural woodland where mature Scot Pines and other trees stand out particularly prominently on the bluff and define the local landscape. The longstanding recreation and amenity value of the woods is recognised in the Local Plan.
24. The site as a whole is characterised by a mix of conifer and birch woodland with established heather and blaeberry ground cover. Only in places, including the old quarry, has current walking and cycling activity led to a degradation of the ground cover. The removal of non-native firs from the quarry will open the canopy but as these are at a lower level and are smaller trees than the pines around the perimeter, their removal is unlikely to affect the surrounding landscape. Replacement tree under-planting and reinstatement of the woodland in the quarry area is required as part of the landscaping condition. Regeneration is continually encouraged. The proposed borrow pits will be very minor in nature, most material being obtained from the existing quarry sides.
25. The length of track through blueberry pine woods amounts to 70 metres. This would cause a linear scar but reinstatement and



regeneration along side is planned. The route avoids the root plates of mature trees. The route may tend to remove some riders from the shared paths and completes the trails in the area, to the benefit of the scheme overall. A re-routing has therefore not been sought.

26. There are no known specific species designations affected by the proposal. The area carries a typical range of woodland birds and Red Squirrel but there is no indication that the local fauna would be affected. The applicant has already surveyed for dreys and intends to avoid them. The local Red Squirrel population is already familiar with heavy use of the woods for recreation and is little disturbed by the human/dog presence. The applicant has identified Aspen in the wood and it is unaffected. The recommended surveys for Wood Ant nests and Twinflower are covered by condition.

### **Recreational use and objectives**

27. The objectives of the Anagach Trust are to promote public access and recreation, manage shared access by different users and protect the biodiversity and amenity value of the woodland for the community. They aim to engender an understanding of the pressures on the area amongst local youthful riders who would be involved in the formation and on-going management of the proposed mountain bike (mtb) training tracks.
28. The Trust intends to provide a quality facility suitable for young riders and beginners. It would be suitable for local users and would contribute to the diverse tourist facilities of the area. It would not provide the extended trails sought out by most adult mtb riders so is not expected to become part of the existing national network of high skill adult facilities, such as those found at Wolftrax. The Trust intends to work with local estates to utilise existing hill tracks outside Grantown but large numbers of car-borne visitors are not anticipated.

### **Design and Management**

29. Consultees have highlighted a number of potential risks to high quality trees, risks of pollution, risks to existing pedestrian users and risks to mountain bike visitors accessing the site. The applicant is prepared to develop a Construction Method Statement to ensure that risks to trees and ground pollution are minimised. A Visitor Management Plan, including path signage and warnings, will also be developed to ensure that any conflicts between pedestrian and cycle users are minimised. Dual use of key paths

will be avoided where possible by developing dedicated training tracks. The site is relatively small compared with the much wider area available for walking south of Grantown. Where dual use is intended, it will be clearly marked. The Ladies Walk along the bluff at the outer edge of the site is of high amenity value to walkers and is narrow and root-covered in places. This is not ideal for dual use and an alternative for cycles will be developed and signed. The Visitor Management Plan will also consider safe access from nearby parking areas and advisory signage will be provided.

30. The Trunk Roads Authority objection concerns conflicting parking pressures on the local lay-bys. The lay-by on the North side of the A95(T) (Eastbound) is a lay-by within the adopted road verge, suitable for resting drivers. It is poorly connected to the site due to a change in levels and no paths. Its use by visiting cyclists will be discouraged by reinforcing planting on the bank, both to leave it free for the travelling public and to protect the local environment. The remaining two parking areas are to the East of the roundabout, outside the road verge and accessed from the unclassified road East to Anagach. It is unsuitable for HGV's and is unlikely to be readily spotted by the travelling public. The pull-in on the South side of the A95(T) is known as Grantown beach, as it gives access to the River Spey bank. It is maintained by Highland Council and already has recreational functions, giving access to the river bank and to the woods via the pedestrian underpass. There is sufficient space for the travelling public if needed. It is not generally used by HGV's. For these reasons it is considered that there is unlikely to be conflict between the needs of the travelling public on the truck road, the existing local recreational use of the pull-ins and the proposed limited number of car-borne mtb riders accessing the woods. Mtb users would be encouraged to use the A95(T) underpass and cross with care at the A939 junction.

## Conclusions

31. The proposal meets the many objectives of the local plan relevant to the area and to business and tourism development in the area. It provides a facility for youthful riders and engages them in active management of the site. The concerns of the Trunk Roads Authority appear unlikely to be realised due to the nature of the parking in the area and the expected level of demand. Subject to conditions to protect the environment and amenities of the area, the proposal fits well with all the Aims of

the National Park. It is recommended for approval subject to notification to the Scottish Government.

## **IMPLICATIONS FOR THE AIMS OF THE PARK**

### **Conserve and Enhance the Natural and Cultural Heritage of the Area**

32. The applicant is already managing the woods for their amenity, landscape and natural biodiversity value and intends to dovetail in the proposed activity with as little impact as possible. Active management of mountain biking will improve degraded parts of the wood.

### **Promote Sustainable Use of Natural Resources**

33. Use of aggregate obtained on site supports this aim.

### **Promote Understanding and Enjoyment**

34. The activity includes the education of local youngsters in the responsible and sustainable use and management of the amenity woodland.

### **Promote Sustainable Economic and Social Development**

35. The activity will contribute to the diverse range of tourism and recreation in the area, accessible from Grantown by bike, so contributing to local economic opportunities and recreation.

## **RECOMMENDATION**

**That Members of the Committee agree to a recommendation to:**

**Be minded to Grant Full Planning Permission for the use of land as training area for mountain biking, including construction of trails and jumps at Free Church Wood, Grantown- on-Spey, subject to a Notification of the application to the Scottish Government in terms of the Town and Country Planning (Notification of Applications)(Scotland) Direction 1997 and subject to the following conditions:**

1. The development to which this permission relates must be begun within five years from the date of this permission.
2. Prior to the commencement of development the site shall be surveyed for the presence of Red Squirrel dreys, Wood Ant nests, Aspen (*Populus tremula*) and Twinflower (*Linnaea borealis*). The

results shall be submitted to the Cairngorms National Park Authority together with any mitigation measures and proposals necessary to avoid any direct removal or damage to these features. The approved proposals shall be fully implemented to the satisfaction of the Authority.

3. Prior to the commencement of the development, the applicant shall submit a Construction Method Statement for the approval of the Cairngorms National Park Authority. The approved contents shall be fully implemented to the satisfaction of the Authority, in consultation with SEPA. The Statement shall include fully detailed methods for the protection of trees, including the root plates; means of minimizing tree and ground damage from mechanised plant and the requirements set out by SEPA in their letter dated 17 September 2008, including:
  - (i) minimisation of waste, maximum use of secondary aggregates and full details of the borrow pits;
  - (ii) surface water run off;
  - (iii) fuel and chemical storage,
  - (iv) track construction to protect forest and water systems,
  - (v) timing of works to avoid high rain fall,
  - (vi) environmental management including management of sub-contractors and production of a pollution response plan.
4. Prior to the commencement of the development the applicant shall submit a detailed tree felling and replacement plan and mark out trees on site where they are to be removed.
5. Prior to the commencement of the development, the applicant shall submit a detailed landscaping plan, including all proposed under-planting, species, sources and sizes, for the approval of the Cairngorms National Park Authority. The planting scheme shall be implemented by the end of the first planting season following the development coming into use. Any trees or shrubs removed, or which in the opinion of the Planning Authority, are dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
6. Prior to the commencement of development the applicant shall submit Visitor Management Plan for the approval of the Cairngorms National Park Authority. The plan shall include proposals for managing avoidance of any LBAP features found, in terms of Condition 2, to be present on the site, safe access to the site by car-borne and cycling visitors, use of car parks, on-site signage for the management of dual use by cyclists and pedestrians and information regarding welfare facilities. The

approved plan shall be implemented to the satisfaction of the Authority.

**ADVICE NOTE**

**SEPA:** Attention is drawn to the responsibilities of the applicant as regulated by SEPA. These are covered in the consultation comments from SEPA dated 17 September 2008.

**Hilary MacBean**  
**16 December 2008**

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