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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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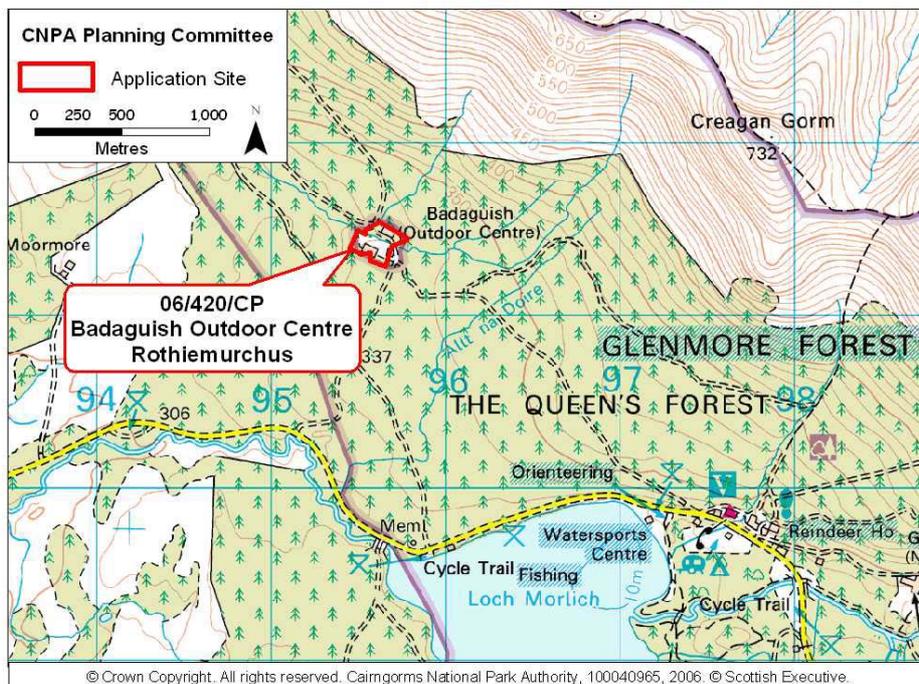
**DEVELOPMENT PROPOSED:** FULL PLANNING PERMISSION FOR CONVERSION OF AND EXTENSION TO BOTHY TO FORM COFFEE SHOP AND RESTAURANT, AND ASSOCIATED TRAINING FACILITIES, BADAGUISH OUTDOOR CENTRE, ROTHIEMURCHUS, AVIEMORE

**REFERENCE:** 06/420/CP

**APPLICANT:** BADAGUISH OUTDOOR CENTRE, GLENMORE, AVIEMORE

**DATE CALLED-IN:** 20 OCTOBER 2006

**RECOMMENDATION:** GRANT, SUBJECT TO CONDITIONS



**Fig. 1. Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. This planning application relates to a proposal for the conversion and extension of an existing bothy building at the Badaguish Outdoor Centre near Aviemore, in order to form a coffee shop and restaurant facility with associated training and meeting room facilities.
2. The bothy which is located within the complex of buildings and structures at the centre, near to the main entrance to the site, is a stone and slate building with a timber and corrugated iron extension to its rear elevation. (Figs. 2 & 3)



**Fig. 2. Existing Bothy to be Converted and Extended (Front)**



**Fig. 3. Existing Bothy to be Converted and Extended (Rear)**

3. The proposal retains the existing stone building but removes the timber extension to allow for extensions. The proposed extensions are on three sides and will allow the creation of a courtyard in the centre. The accommodation will comprise café space with servery and small shop area, kitchen facilities and associated reception, office, toilet, storage, training and meeting room spaces. The stone walls of the existing building will be picked and pointed and the roof will be re-slated. The extensions are all single storey with white wet harling and stained timber cladding to the walls, slate to the roofs, and timber framed windows and doors.



Fig. 4. Proposed Elevations

4. In September 2003, Highland Council granted planning permission for a conversion and extension of this bothy to form a dining area/kitchen and small shop, all associated with the use of Badaguish Outdoor Centre. It is understood that this was an essential requirement for the authorisation of Scottish Executive funding at the time. No conditions were imposed on this permission (03/00290/FULBS).
5. This previous proposal is considered to be inadequate by the applicants in terms of its usefulness and quality. The current proposal therefore is to improve on this existing permission. The additional space has been added in order to accommodate training facilities so that the café can be better utilised for vocational training in hospitality and catering skills for people with disabilities. This is with the aim of providing work experience for local disabled school children, and vocational training which will lead to appropriate local supported employment opportunities with surrounding community tourism businesses.
6. The applicants have stated, in support of their application, that Badaguish currently has residential accommodation and in addition to this a considerable number of day visitors eg. Adult Resource Centre visitors from all over the Highland area. They do expect the number of day visitors to increase as Badaguish is the only Disability Discrimination Act compliant centre for Highland Council schools. Providing a café and restaurant primarily for the use of existing users of Badaguish has been calculated to result in a 3.6% increase on the existing level of use at the site. Currently there is no central catering for existing visitors. Together with providing supported employment and training accommodation, this is the primary purpose of the proposed facility. The applicants have stated that the lack of catering facilities is a serious shortcoming at present.
7. As background, the Committee will recall that within the last two years, the CNPA has approved the erection of four chalet type residential units at Badaguish. These are restricted in terms of occupation for short term recreational or vocational stays (6 weeks maximum), ancillary to and in association with the operations at the Centre.

## DEVELOPMENT PLAN CONTEXT

### Highland Structure Plan 2001

8. In the **Highland Structure Plan (approved March 2001), Policy B7 (Business Development in Rural Areas)** supports small-scale business development or extensions to existing indigenous industries. **Proposal S2 (Education Facilities)** advises that the Council will actively support the development of educational and associated facilities throughout the Highlands.

9. **Policy L4 (Landscape Character)**, states that the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals. **Policy N1 (Nature Conservation)**, requires new developments to seek to minimise their impact on the nature conservation resource and enhance it wherever possible. For sites and species of international importance, developments which would have an adverse effect on the conservation interests for which a site has been designated, will only be permitted where there is no alternative solution and there are imperative reasons of over-riding public interest, including those of a social and economic nature. **Policy G2 (Design for Sustainability)**, lists a number of criteria against which proposed developments will be assessed. These include service provision (water and sewerage, drainage, roads, schools, electricity); accessibility by public transport, cycling, walking and car; energy efficiency in terms of location, layout and design (including the utilisation of renewable energy sources) and accommodation of the needs of all sectors of the community, including people with disabilities or other special needs and disadvantaged groups.

#### **Badenoch and Strathspey Local Plan**

10. The site lies within the area covered by the **Glenmore Corridor**, in the **Badenoch and Strathspey Local Plan (September 1997)**. This does not provide specific policies for the Badaguish area but there is a general policy for the "Corridor" area (**Policy 4.14.1, Development**) which accepts reasonable consolidation and improvement of established businesses in principle, but has a strong presumption against other further new development. In **Policy 4.14.3, (Other Land Use and Conservation)** it is stated that every encouragement will be given to active conservation measures where these are aimed at sustaining the natural heritage interest and restoring or enhancing the underlying fauna, flora, scenery and man-made heritage features of each transitional zone. **Policy 2.5.5. (Nature Conservation)** states a presumption against development which would have a significant detrimental effect on nature conservation sites

#### **CONSULTATIONS**

11. **SEPA** have no objections to the foul water connecting into the existing treatment plant at the site. Surface water requires to be drained by SUDS. A condition can be imposed on any planning permission requiring details to be submitted.
12. **SNH** feel that the proposal will not directly impact on the interests of adjacent SPA, SAC, SSSI designations, nor on the wider NSA designation in which it lies. They therefore have no objection to the proposed development as currently described, but they consider that any future changes to the access to the development, as a result of any

increased traffic movements, would require to be carefully considered in relation to designated natural heritage interests and on a key access corridor for residents and visitors.

13. **The CNPA Visitor Service and Recreation Group**, advise that the building works alone present no changes to recreational access in the area. However, the existing vehicle access to the site crosses important promoted routes. There is a concern that the application will lead to increased traffic movements on the existing access and/or additional directional signage, and that this may have impacts on recreational access in the area.
14. **Forestry Commission Scotland (FCS)** understands that the proposed facility will provide for those staying and using other facilities at Badaguish only. They seek assurances that the management and operation of the facility will not significantly alter the visitor use of the forest in this area, to the detriment of the natural heritage features nearby.
15. **Highland Councils Environmental Health Service** has no objections but has raised some matters directly with the applicants about the internal layout of the kitchen.
16. **The CNPA Economic and Social Development Group** welcome the increase in capacity for vocational skills training, that the proposal provides. Provided the additional capacity will service residents at Badaguish, there should be no competition with commercial outlets locally. A condition of approval to this effect may be appropriate.
17. **The Aviemore & Vicinity Community Council** have no comments.
18. **The Rothiemurchus and Glenmore Community Association** have no objections to the principle of the development but they are aware of other applications and developments at Badaguish. They do not know what the overall strategy for the area is and how that relates to the development plans for the area. They are also concerned that, if the premises are offered for passing trade, the access road might not be adequate.

## REPRESENTATIONS

19. At the "Call-in" stage, one letter was received. **This is copied with the report for your consideration.** Summary of the points -
  - *Consideration of impacts of new and increased activities at this site is required, in relation to; safeguarding Glenmore Forest; fragmentation of priority species habitat; and public recreational interests.*

## APPRAISAL

20. This proposal is part of a wider development strategy to consolidate and improve the services provided by the Badaguish Outdoor Centre ie. provide equal opportunities for outdoor education, training and supported employment. This has seen the erection of four chalets and the construction of a new toilet and shower block. A previous permission, granted in September 2003, has established the principle of a café use as a conversion and extension of the bothy building which is the subject of the current proposal. The issues that the current proposal raise include, the principle of the development, the potential for intensification of use and resulting impacts, and impacts on built heritage in relation to design.

### Principle

21. There are no fundamental policy objections to this proposal. Indeed, policies for the area accept reasonable consolidation and improvement of established uses in the area. The proposal re-uses an existing redundant building and introduces a use, which not only has been established in principle by the previous permission in 2003, but is considered to be essential to the operation of the Centre and will provide additional educational and training opportunities. I find the principle of the proposal acceptable in planning terms. However, it is also important to assess this, in relation to the potential for an intensification of use at the site and in relation to how the facility will function.

### Potential Intensification of Use and Impacts

22. While no objections to the **principle** of the proposal have been raised by consultees, one area of concern has been consistently put forward. This is in relation to the actual function of the facility as a café/restaurant and how it will be managed and operated. The concern has been that if the facility is to be operated on the basis of an “open permission” where users would not be restricted primarily to those already attending and using the facilities at Badaguish, it would be open to general public use and passing trade. It could become a “visitor attraction and destination” in its own right and it could be promoted as such. The concern in this instance was that the level and nature of users and traffic would introduce a different and perhaps inappropriate level and type of activity to a sensitive area, with potentially adverse resultant impacts on natural heritage designations, recreational activities, and access to the site. To open such a facility to general public use could increase pressure for unmanaged activities and intrusion into sensitive areas and a need to upgrade the existing single track access road to the site which passes through heavily designated land.

23. In view of the concerns raised, the applicants have provided more information on the proposed use of the facility. As described in paragraphs 5 and 6 above, it will be primarily for Centre users, ie. people either employed or training at the Centre. They have stated that the level of increase in usage of the Centre, as a result of the new facility, is envisaged at only 3.6%, and that they will not be actively promoting it for trade to the general public. They have stated that realistically there will be some walkers, bikers and other members of the public using the surrounding forest tracks and passing through Badaguish, who may use the café, but primarily, it is for "in-house" operations.
24. The plans indicate the same level of café/restaurant and shop space that gained permission in 2003. The additional accommodation now proposed in the scheme relates to training, meeting and office facilities in association with the new catering operations. The previous permission, which remains extant, did not impose any planning conditions restricting the use of the facility. However, at this time, it appears that no consultations were carried out by Highland Council on this particular issue, and the National Park was not in existence. Clearly, this situation has changed, and we now have the issue being raised by consultees, including SNH. Intensification of use, and subsequent impacts, are material planning considerations. **As such, with agreement from the applicants, albeit with a shade of reluctance, it is proposed to impose a planning condition on the permission which states that the facility shall be used primarily for people using the Badaguish Centre, and for purposes ancillary to the operational and vocational training activities at the Centre. Also, the condition should state that the facility will not be promoted for trade to the general public.**

### **Design and Impact on Built Heritage**

25. The extensions to this traditional bothy building do increase the size of the structure quite considerably. However, I consider the layout and design of the extensions, to be sympathetic to the, scale, character and appearance of the original building. Indeed, the extensions are set back from and to the sides and rear of, the original building. This retains the integrity of the bothy as the main structure in the complex. The materials are considered to be appropriate.
26. I consider that the design of the proposal is acceptable in terms of conserving the built heritage of this building and the surrounding area.

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

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

27. With the imposition of the suggested planning condition defining the function and operation of the facility, it is considered that the natural heritage value of the surrounding area will not be adversely affected by any perceived increase in usage of the site. The proposal involves re-using an existing traditional building in a sympathetic manner.

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

28. The proposal does not make any significant contribution to this aim, apart from the use of some timber on the walls of part of the new additions.

### **Promote Understanding and Enjoyment of the Area**

29. The operation of Badaguish Outdoor Centre relates to providing equal opportunities for educational advancement and training activities, some of which relate to understanding of the area. This facility does not specifically promote understanding and enjoyment of the area but does form an essential part of the overall operation of activities at the site. With the imposition of the condition defining the function and operation of the facility, there will be no impacts on existing recreational activities in the surrounding area.

### **Promote Sustainable Economic and Social Development of the Area**

30. The facility will help develop and improve the Centre's programme of equal opportunity education and training activities and as such is seen as positive to the social and economic development of the area.

## **RECOMMENDATION**

31. That Members of the Committee support a recommendation to:

**Grant Full Planning Permission for the Conversion of and Extension to Bothy to Form Coffee Shop and Restaurant, and Associated Training Facilities, Badaguish Outdoor Centre, Rothiemurchus, Aviemore, 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. The development hereby approved shall be primarily for people using the Badaguish Outdoor Centre and for purposes ancillary to the operational and vocational training activities carried out at the Centre. In addition, the coffee shop and restaurant use hereby approved shall not be actively promoted for trade to the general public or for people not using the Centre.
  
3. Prior to the commencement of development, the developer shall submit full working details of the method of on-site disposal of surface water drainage. This shall be in accordance with the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, CIRIA C521 2000, to the satisfaction of the CNPA acting as Planning Authority in consultation with the Scottish Environment Protection Agency.

**Neil Stewart**

**27 February 2007**

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