

SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought in this application for a variety of works which are collectively described by the applicant in supporting information as “the final phase of a European and Scottish Government funded development plan for the Badaguish Centre.” The proposed works include the erection of 35 wooded wigwams, the creation of an on site activity area and a new canvas tent area, and the development of a mountain bike free ride trail. The proposed application site is located immediately adjacent to the north of the existing Badaguish Outdoor Centre in Glenmore. The site extends to 6.8 hectares and is part of a wider area of commercial woodland. The majority of the plantation is Sitka Spruce and would be due for felling as part of on-going commercial forestry operations from 2016 onwards.
2. The 35 proposed wigwams are of a uniform design and are essentially ‘camping cabins.’ Each triangular shaped unit would have a floor area of 2.4m x 3.6m. The wigwams would be a timber frame construction, with an external cladding of either European larch or Douglas Fir. A centrally positioned entrance door is proposed in the front elevation. Natural light would be provided by a roof light on the side elevations of each of the structures. Internally, the wigwams would be fitted with sleeping platforms, capable of accommodating up to five adults. Each of the wigwams would have an electricity supply. The wigwams would be fabricated off site and craned into place, where they would be positioned on concrete block foundations.



Fig. 2: Typical wigwam



Fig.3: Craning into place

3. The 35 wigwams are proposed to be positioned in two areas of the subject site. The first phase of the wigwam development would consist of 7 units, located on the western side of the main access track serving the development area. Phase two of the wigwam development would be located on the eastern side of the access track, and would deliver 12 units. The final phase is proposed immediately to the north of phase two and would accommodate the remaining 16 units.
4. The second element of the development proposal is the canvas tent camping area. This would occupy an area in the south of the identified site, immediately to the north of some of the existing buildings at Badaguish, including the warden’s house and one of the Centres toilet block facilities. The camping area would also function as a games / activity area.

6. Pathways would be developed² through the site, to provide access to the canvas tent and wigwam areas. The principle path route follows an existing track through the woodland. All paths would be wheelchair accessible. The landscape strategy which is proposed in connection with the new development involves the retention of significant areas of the existing woodland around the perimeter of the identified site area, as well as the retention of larger woodland blocks in the south eastern area and also in some areas to the west of the phase one wigwam development. As the areas in which the wigwams and the mountain bike free rides skills area is proposed would necessitate clear felling, a tree planting plan has been submitted to demonstrate re-planting proposals. The new tree planting is proposed to consist of a mixture of semi-natural deciduous woodland, which is intended to provide an increased canopy area. Birch, rowan and juniper have been detailed as the main species to be planted in open areas and around the edges of the site. Alder, aspen and willow are proposed in the area adjacent to the burn which runs adjacent to the western site boundary.



Fig. 6: southern site boundary, showing track leading into proposed site



Fig. 7: Proposed site to the rear of existing lodges

7. The new wigwams and camping area would be serviced by existing facilities at the Badaguish Outdoor Centre. A range of new facilities have been developed in recent years including a new shower and toilet block, a new café / common room / clubhouse, and 2 new self catering kitchens. Reference is also made in supporting documentation to the intention to renovate the existing small laundry and toilet block which is located immediately to the south of the proposed camping area.

Supporting information

8. Supporting information submitted with the application describes the proposal as providing “new upgraded all weather campsite accommodation for organised youth and community groups together with an additional on site activity area and bike funpark for centre visitors.” The proposal is primarily intended to “cater for pre-booked organised youth and community groups of young people who would otherwise be unable to find suitable camping accommodation to visit the National Park as a group.” It is stated that this client group is not catered for by other commercial providers.

² Identified by the broken blue line on Fig. 4 site layout.

Business Case

9. Upon completion of the proposed development Badaguish Outdoor Centre would have a capacity of 221 beds. This is a reduction of 40 from 261 beds available in 1996. Supporting information sets out the background to the proposal to upgrade facilities by providing camping cabins (wigwams). Purposes of the new development include halting the decline in the number of camping visitors during the main camping season, improving the length of season for camping visitors, addressing issues of 'gross underuse' of the existing campsite, and mitigating the loss of income from a reduction in bedspaces which occurred during redevelopment.³

Campsite impact study

10. Supporting information refers to a study which was commissioned in 2009 as part of an application for European Regional Development Funding. One of the factors assessed in the report was the potential degree of displacement from other accommodation providers. Potential future displacement is estimated at less than 10% and this is attributed to other campsites in the area being geared towards markets other than organised groups, which are the predominant users of Badaguish.

Environmental considerations

11. Ecological information has been submitted in support of the planning application,⁴ detailing various surveys which have been carried out. The ecological surveys have also been used to inform mitigation advice and measures. Recommended mitigation efforts include
- The softening of the edge of the site to provide a more natural irregular appearance;
 - The retention of an area of Scots Pine in the north of the site, subject to being judged wind firm;
 - The retention of trees containing squirrel dreys and the retention of a buffer zone of 25 metres with trees around this;
 - The scattering of logs and dead wood in shady areas around the edges of the site, in order to contribute towards invertebrate diversity;
 - Restrict daily felling hours to between 08.00 and 18.00 to minimise disturbance to wildlife and undertake work between October and December, with the latter being outwith the bird and red squirrel breeding season; and
 - Avoid the development of new tracks into the adjacent woodland, in the interests of minimising noise and human disturbance.

Design and Sustainability Statement

12. It is stated that the site layout has been designed to utilise the land to its best potential in order to provide the required accommodation whilst "retaining the best features of the setting." Reference is also made to the changes which have been made to the proposal since the applicant engaged in initial pre

³ Former bunkhouse accommodation is now leased as office accommodation to Highland Council's Education Department, and 20 bedspaces in a former bothy have been lost through the redevelopment of that structure as a reception and café facility.

⁴ Ecological Surveys and Impact Assessment – Update 2011, Aquaterra Ecology.

application negotiations in 2009, with changes including a reduction in the extent of the proposals particularly due to a recognition of the proximity of Capercallie leks, and changes to the proposed position of wigwams, bike trail and access roads to take account of and protect the current position of squirrel dreys.

Other supporting information

13. Details have been provided in the supporting information setting out the development proposal in the context of the aims of the National Park. In terms of the first aim which seeks to conserve and enhance the natural and cultural heritage of the area, the proposal is described as “a sensitive development which will complement and enhance the high quality of the environment alongside meeting the community’s needs for education and enjoyment.” On the subject of promoting the sustainable use of natural resources, reference is made to the camping cabins being constructed from locally sourced timber, insulated to a high standard and having a minimum environmental footprint, where each cabin requires only four small concrete pier foundations and minimal ground disturbance.
14. In terms of the third aim of the National Park the proposal is described as providing “affordable and accessible public enjoyment of the area for disadvantaged and disabled members of the community.” On the subject of promoting the sustainable economic and social development of the area’s communities, the supporting information states that the proposal would provide sustainable community services for education, training, care and supported employment.

DEVELOPMENT PLAN CONTEXT

National policy

15. **Scottish Planning Policy⁵ (SPP)** is the statement of the Scottish Government’s policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:
 - The constraints and requirements that planning imposes should be necessary and proportionate;
 - The system shouldallow issues of contention and controversy to be identified and tackled quickly and smoothly; and
 - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
16. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government’s central purpose of increasing sustainable economic growth.” Para. 33 focuses on the topic of Sustainable Economic Growth and advises that

⁵ February 2010

increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that “the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.

17. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
18. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
19. *Economic development* : Planning authorities are encouraged to respond to the diverse needs and locational requirements of different sectors and to take a flexible approach to ensure that changing circumstances can be accommodated. The benefits of high environmental quality are also recognised and planning authorities are therefore required to ensure that new development safeguards and enhances an area’s environmental quality and where relevant, also promote and support opportunities for environmental enhancement and regeneration.
20. *Rural development* : Para. 92 of **Scottish Planning Policy** states in relation to rural development that the “aim should be to enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality.” All new development is required to respond to the specific local character of the location, fit in the landscape and seek to achieve high design and environmental standards.
21. *Landscape and natural heritage* : The **Scottish Planning Policy** document recognises the value and importance of Scotland’s landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.

22. *Open space and physical activity* : The planning system has a role to play in helping to create an environment where physical well being is improved and activity made easier. **Scottish Planning Policy** highlights the benefits of open space and physical activity provision, noting that access to good quality open spaces can encourage people to be physically active and aid health and well being. Planning authorities are encouraged to support, protect and enhance open space and opportunities for sport and recreation.
23. **Scottish Planning Policy** concludes with a section entitled ‘Outcomes’ in which it is stated that the “planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets.”

Strategic Policies

Cairngorms National Park Plan (2007)

24. The Cairngorms National Park Plan sets out the vision for the park for the next 25 years. The plan sets out the strategic aims that provide the long term framework for managing the National Park and working towards the 25 year vision. Under the heading of ‘conserving and enhancing the special qualities’ strategic objectives for landscape, built and historic environment include maintaining and enhancing the distinctive landscapes across the Park, ensuring that development complements and enhances the landscape character of the Park, and ensuring that new development in settlements and surrounding areas and the management of public spaces complements and enhances the character, pattern and local identity of the built and historic environment.
25. Under the heading of ‘Living and Working in the Park’ the Plan advises that sustainable development means that the resources and special qualities of the national park are used and enjoyed by current generations in such a way that future generations can continue to use and enjoy them. Section 5.2.3 of the Park Plan acknowledges that tourism is one of the primary forms of employment in the Park, although many jobs in this and other sectors are highly seasonal and with little long term security. Strategic objectives for economy and employment include creating conditions that are conducive to business growth and investment that are consistent with the special qualities of the Park and its strategic location and the promotion of green business opportunities. Section 5.3 of the Plan concerns ‘enjoying and understanding the park’ noting that the Cairngorms National Park is known for its outstanding environment and outdoor recreation opportunities and advises that the vision for the Park seeks to “go further and develop a world class destination which plays a significant part in the regional and national tourism economy.” Strategic objectives for sustainable tourism include : -
- raising awareness of the Park as a premier, year round, rural tourism destination;
 - recognising its outstanding natural heritage and its National Park status;
 - improving and maintaining the quality of the experience of the Park for all visitors, communities and those working in the tourism industry;

- maintaining a high quality environment by encouraging sound environmental management by all those involved in tourism in the Park;
- developing a wide range of opportunities for visitors to experience and enjoy the special qualities distinctiveness and natural and cultural heritage of the Park; and
- encouraging an optimum flow and spread of visitors across the Park and minimising the social and environmental impact including traffic generated by visitors and conflicts between different forms of recreation.

Structure Plan Policy

Highland Council Structure Plan (2001)

26. **Highland Council Structure Plan** is founded on the principles of sustainable development, which are expressed as –

- Supporting the viability of communities;
- Developing a prosperous and vibrant local economy; and
- Safeguarding and enhancing the natural and built environment.

A variety of detailed policies emanate from the principles.

27. The following provides a brief summary of the policies applicable to a development of this nature. **Policy NI – Nature Conservation** advises that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Plan refers to the socio-economic benefits of the nature conservation resource and advises that it should be optimised by a high level and standard of interpretation and understanding wherever possible.

28. The Structure Plan also includes a section on biodiversity, defining it as “natural richness and diversity of nature – the range of habitats and species and the uniqueness of each and every organism.” Biodiversity is not the same as natural heritage, but is one of the key functional components. As a key part of the natural heritage of an area it is important to protect, and where possible enhance biodiversity and to monitor any change.

29. Section 2.4 of the Plan concentrates on the subject of landscape, stating that “no other attribute of Highland arguably defines more the intrinsic character and nature of the area than its landscape.” Similar to national policy guidance, there is a recognition that landscape is not a static feature and that the protection and enhancement of landscape and scenery must be positively addressed. **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.”

30. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things make use of brownfield sites, existing buildings and recycled materials; are accessible by public transport, cycling and walking as well as car; are compatible with service provision; demonstrate sensitive siting and high quality design in keeping with

local character and historic and natural environments; and contribute to the economic and social development of the community.

31. The Structure Plan recognises that tourism is a vital element of the Highland economy. **Policy T2 (Tourism developments)** supports high quality tourism development proposals, particularly those which extend the tourism season. **Policy T3** specifically relates to **Self catering tourist accommodation** and indicates that “permission for tourist accommodation proposals will be granted only on the basis of the development not being used for permanent residential accommodation. This will be secured by means of an appropriate occupancy condition.”

Local Plan Policy

Cairngorms National Park Local Plan (2010)

32. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at :
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
33. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
- Chapter 3 - Conserving and Enhancing the Park;
 - Chapter 4 - Living and Working in the Park;
 - Chapter 5 - Enjoying and Understanding the Park.
34. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with other policies, are intended to meet the sustainable development needs of the Park for the Local Plan’s lifetime. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
35. Policy 1 – Natura 2000 sites : Development likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment. If the assessment is unable to ascertain that a development will not adversely affect the integrity of the site, the development will only be permitted where (a) there are no alternative solutions and (b) there are imperative reasons of overriding public interest, including those of a social or economic nature.
36. Policy 2 – National Natural Heritage Designations : developments that would adversely affect the Cairngorms National Park, a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will only be permitted where it can be demonstrated that (a) the objectives of designation and the overall integrity of the designated area would not be compromised; or (b) any significant adverse effects on the qualities for which the area has been

designated are clearly outweighed by social or economic benefits of national importance and mitigated by the provision of features of commensurate or greater importance to those that are lost.

37. Policy 4 Protected Species : development which would have an adverse effect on any European Protected Species will not be permitted unless there are imperative reasons of overriding interest, including public health or public safety; there is no satisfactory alternative solution; and the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. The policy is intended to ensure that the effects of development proposals on protected species are fully considered by the planning authority. Developers will be required to undertake any necessary surveys for species at their own cost and to the satisfaction of Scottish Natural Heritage and the planning authority.
38. Policy 5 – Biodiversity : development that would have an adverse effect on habitats and species identified in the Cairngorms Biodiversity Action Plan, UK Biodiversity Action Plan, or by Scottish Ministers through the Scottish Biodiversity List, will only be permitted where
- (a) The developer can demonstrate that the need and justification for the development outweighs the local, national and international contribution of the area of habitat or population of species; and
 - (b) Significant harm or disturbance to the ecological functions, continuity and integrity of the habitats or species populations is avoided, or minimised where harm is unavoidable, and appropriate compensatory and / or management measures are provided and new habitats of commensurate or greater nature conservation value are created as appropriate to the site.
39. Policy 6 – Landscape : there will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular the setting of the proposed development. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
40. Policy 16 – Design Standards for New Development : this is one of a number of policies which is intended to encourage developers to consider how they can best include the principles of sustainable development in their proposals, and consider the impact on the environment, economy and community. Policy 16 requires that all proposals are accompanied by a design statement which sets out how the requirements of the policy have been met. The design of all development is encouraged to :
- Reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and materials;

- use materials and landscaping that will complement the setting of the development;
 - demonstrate sustainable use of resources; and
 - be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.
41. Policy 18 – Developer Contributions : Development which gives rise to a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects, will normally require the developer to make a fair and reasonable contribution in cash or in kind towards the additional costs and requirements. Contributions will be consistent with the scale and nature of the development proposed.
42. Policy 25 – Business Development : Proposals which support economic development will be considered favourably where the proposal is compatible with existing business uses in the area, and supports or extends existing business. Proposals ‘outwith settlements’ will be supported where they meet certain criteria –
- (i) Is in an existing business park or industrial estate; or
 - (ii) Where it can be demonstrated that there are no more sequentially appropriate sites available.
- In addition, developments should have no adverse impact on the existing vitality or viability of the settlement.
43. ‘Other Business Opportunities’ considered under Policy 25 will be supported where they meet the following criteria –
- (i) Support the vitality or viability of a farm, croft or other business in a rural location; or
 - (ii) Is complementary to that current rural business activity; or
 - (iii) Promotes diversification within the business; or
 - (iv) Creates new small scale development which supports the local economy.
44. Policy 33 – Tourism-Related Development : tourism related development which has a beneficial impact on the local economy through an enhancement of the range and quality of tourism attractions and related infrastructure, including accommodation, will be supported provided that the development will not have an adverse impact on the landscape, built and historic environment, or the culture and traditions of the Cairngorms National Park, which in the judgement of the Planning Authority outweigh that beneficial impact. The Local Plan recognises that a good range and quality of tourist facilities and accommodation is vital to a healthy tourism industry.
45. Policy 35 – Sport and Recreation Facilities : developments of formal sport and recreation facilities, diversification of, or extensions to existing sport and recreation-related business activities, or the enhancement of existing facilities in terms of quality and design will be supported where (a) they demonstrate best practise in terms of sustainable design and future maintenance, and where there are no adverse environmental impacts on the site or neighbouring areas; and (b) they will meet an identified community or visitor need.

Supplementary Planning Guidance

46. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted.

Sustainable Design Guide

47. The guide highlights the unique nature and special quality of the Cairngorms National Park and the consequent desire to conserve and enhance this distinctive character. The guidance has at its core the traditional approach to design which aims to deliver buildings which provide a resource efficient, comfortable and flexible living environment. The **Sustainable Design Guide** requires the submission of a Sustainable Design Statement with planning applications. It is intended that applicants would use the Sustainable Design Statement to demonstrate how standards set out in the Sustainable Design Checklist will be achieved.
48. One of the key sustainable design principles referred to in the document is that “future development in the Park should be sensitively located, reflect existing development pattern and setting, and respect the natural and cultural heritage of the Park.” Developments are also required to reflect traditional materials and workmanship, and take on board innovation, contemporary design and the emergence of modern methods of construction.

Developer Contributions SPG

49. The SPG on **Developer Contributions** sets out the framework for the provision of contributions per development. It sets out various payment mechanisms and states that the applicant may opt to remit the full amount due prior to the issuing of the planning permission. This course of action is widely used where the cost of putting in place a legal agreement is disproportionate to the planning gain contribution required.

Natural Heritage SPG

50. The guidance sets out how the natural heritage of the National Park will be taken into account when considering development proposals. The following is an extract from the Natural Heritage Supplementary Planning Guidance which sets out the six key principles used to assess planning applications in relation to natural heritage.
- Principle 1 – development should result in no net loss of natural heritage interest of the Cairngorms National Park. This includes natural heritage interest which may be outside the boundaries of the development site;
 - Principle 2 – in any situation where loss of, or damage to, natural heritage interest is unavoidable then the loss of damage will always be minimised as far as possible;
 - Principle 3 – if the loss or damage to the natural heritage is unavoidable then it will be fully mitigated on the development site;
 - Principle 4 – if full mitigation is not possible on site then it should be completed with a combination of on site mitigation and off site compensation;

- Principle 5 - where full mitigation or compensation measures are not possible, financial compensation will be required. This will be used to benefit natural heritage within the National Park;
- Principle 6 - Calculation of compensation will take into account the quality of outcomes over time.

CONSULTATIONS

51. The original consultation response from **SEPA** indicated that there was no objection to the proposal provided that this maximum capacity is not exceeded. However, differences in the maximum capacity figures on which **SEPA** based the initial response and the maximum capacity of the overall Badaguish complex as stated in the application documentation has recently been highlighted to **SEPA**. Consequently a revised response has now been received from **SEPA** in which it is advised that there is no objection, subject to recommended conditions being included in the event of the granting of planning permission, requiring the submission of further details on flows and loading.
52. **Scottish Natural Heritage** (SNH) assessed the proposal in accordance with the casework agreement which exists between **SNH** and the **CNPA**. The **SNH** response accordingly provides advice on the implications of the proposal for designated natural heritage features and European Protected Species.⁶
53. The response from **SNH** notes that the proposed development site lies close to the Cairngorms Special Protection Area (SPA). The SPA is designated for a number of qualifying species, with capercallie being the species “that could potentially be affected by this application.” Capercallie breed in the adjacent SPA and this species is sensitive to disturbance. However, **SNH** advise that the proposed development site and the areas immediately around it are not important for capercallie in the context of the wider adjacent woodland. It is noted that the application does not propose any new access routes outwith the development site and overall, the proposal will not increase disturbance to capercallie in the SPA. **SNH** consider that it is “unlikely that the proposal will have a significant effect on any qualifying interests of the Cairngorms SPA either directly or indirectly” and therefore advise that an appropriate assessment is not required.
54. **SNH** also considered the development proposal in the context of European Protected Species (EPS) and indicate that there is no recent information to suggest that otter, wildcats or bats are present on the proposed development site. As such **SNH** consider that there will be no significant negative impacts to EPS.

⁶ It is the understanding of **SNH** that advice on the implications for the Cairngorm Mountains National Scenic Area, as well as other landscape and non designated natural heritage interests and access will be considered by the relevant specialists in the **CNPA**.

55. Comment is also provided in the **SNH** response on UK protected species. Reference is made to the presence of red squirrels on the proposed development site. It is noted that the plans for the development avoid felling any trees with dreys. **SNH** refer to the recently introduced legislation pertaining to red squirrels and advise that “should planning permission be granted and new squirrel dreys be found prior to and during construction at a location where it is not possible to avoid damaging the drey, the developer would be required to apply for a license from **SNH**.”
56. The response from Highland Council’s **TEC Services** recommends a number of conditions to be included in the event of the granting of planning permission. Various roads related works are required to be undertaken prior to any other works starting in connection with the development, including the provision of adequate parking facilities, the upgrading of the existing private road from its junction with the road, the achievement of the required visibility splays, and the provision of passing places. Suitable refuse provision and bin storage is also required in connection with the proposed development. **TEC Services** also recommend that a condition is included stipulating that the proposed development remains in the ownership and control of the existing Badaguish development and “will at no time be in separate ownership.”
57. Highland Council’s **Environmental Health Officer** considered the proposal and has no objection.
58. The development proposal has been assessed by **Planning Gain** officials and it is recommended that planning gain contributions are required in connection with environmental and access improvements in the area. The Planning Gain report indicates that the required planning gain contributions would be utilised to enhance and extend the Core Path routes and facilities, including signage, in order to be of benefit to employees, visitors and to the greater community.
59. The proposal was considered by **Rothiemurchus and Glenmore Community Association** who object and raise a number of points.
- There is concern that Badaguish is expanding too much to be in keeping with the surrounding area;
 - Reference is made to Badaguish being set up as a charitable trust for disadvantaged children, and that it’s remit seems to have changed to offer holiday accommodation and use of its facilities to any organisation or members of the public;
 - A suggestion that its charitable status is being used for commercial advantage and the associated suggestion that the centre should “stick with its original remit of providing holidays for disadvantaged children.”
60. **Aviemore and Vicinity Community Council** has no objection to the proposed development. However, the response makes reference to a previously determined planning application in 2010 for the formation of a walk / cycleway; formation of passing places and additional car parking at the site. Having regard to the increase in vehicles using the access and entrance, particularly during construction, **Aviemore and Vicinity Community**

Council suggest for public safety reasons that a condition should be included that the development cannot proceed until the cycleway / path and passing places are in place.

61. The response from the CNPA's **Economic Development Officer** indicates support for the proposal "which will add to the visitor offering both on the site and in the wider area." It is commented in relation to the proposed wigwams that this type of 'luxury camping' is becoming increasingly popular and at present there are a limited number of places offering this type of visitor accommodation in the National Park. The proposal is considered to add to the bed offering both on site and in the wider area, has the potential to attract new visitors to the area and may encourage longer stays or stays outside the traditional summer camping season.
62. The **Economic Development Officer** notes that there are three other camping or caravan parks in the Glenmore and Aviemore area. However, they predominantly cater for the family market, whereas Badaguish caters for group camping.
63. The CNPA **Access Officer** considered the development proposal from the perspective of outdoor access and visitor experience. It is noted that the proposal would provide increased budget accommodation options for visitors to Glenmore corridor, as well as augmenting the leisure opportunities within Badaguish Outdoor Centre.
64. In commenting on the bike trail element of the development proposal, the **Access Officer** notes that this element would offer an increase in built facilities and considers that it fits well with the Mountain Bike National Strategic Framework for Scotland.⁷ The proposal is also considered to accord with CNP Outdoor Access Policy 4 which addresses provision for cycling (horse riding and waterbourne) routes and infrastructure, and the Sustainable Tourism Strategy which encourages the provision and promotion of specific opportunities for cycling and mountain biking.
65. The initial response from the **Access Officer** suggested that although the majority of users of the proposed bike trail would be staying at the Outdoor Centre, there is a need to consider how any potential demand from passing cyclists, such as those using the Sluggan route, would be managed. The **Access Officer** also made reference to the fact that a small section of the access track which leads to the Badaguish Outdoor Centre is shared with the Old Logging Way⁸ and highlighted the need to address any potential congestion or conflict between cyclists and any increased user numbers of the Outdoor Centre. Subject to this issue being addressed support in principle was expressed for the proposed development.

⁷ The aims of the Framework are to increase participation leading to improved health and well being; tourism and economic development; and sporting development and success.

⁸ Recently developed cycle route between Aviemore and Glenmore.

66. Further information was submitted on 27th October 2011, including a proposed visitor management plan to address points raised by the **Access Officer**. The details have been considered and an updated response from the **Access Officer** confirms acceptance of the information. The **Access Officer** notes in particular that the Visitor Management Plan confirms that the facilities at Badaguish are open to pre-booked groups and Badaguish residents only, and that a booking, supervision and warden arrangement would be in place to allow the appropriate management and use of the proposed bike trails.
67. The CNPA **Landscape Officer** considered the proposal and notes in the consultation response that the landscape impacts associated with the development proposal will be principally internal, due to the enclosed nature of the site within an extensive area of conifer woodland. Notwithstanding this comment, the **Landscape Officer** also notes that some adverse effects could arise from vehicular, pedestrian and bike traffic and from informal access and play, although it is also acknowledged that “these are all reasonable activities given the nature of the facility.” In order to address any potential risk of adverse effect on the experience and enjoyment of the landscape within the identified site boundaries, the wider Badaguish site and the forest setting, it is suggested that further detail should be provided to adequately demonstrate “that these issues have been adequately thought through and that the conservation and enhancement of landscape character and the creation of a robust landscape can be achieved in the longer term.” In order to satisfactorily demonstrate all of the foregoing the Landscape Officer recommends that a further detailed landscaping plan, a planting plan and a landscape management statement are submitted.⁹
68. The CNPA’s **Ecology Officer** considered the proposal, and the aspects on which advice has been provided are in accordance with the aforementioned protocol agreement which exists between **SNH** and the **CNPA**. As such the response from the **Ecology Officer** focuses on the subject of flora, squirrels, wood ants, birds and invertebrates.
69. In terms of flora, it is noted that no plants of conservation concern were recorded in the notable plant survey submitted with the planning application, although it is noted that the survey was undertaken at a suboptimal time of year. In light of this, the **Ecology Officer** agrees with the recommendation in the Ecology Survey Report¹⁰ that a repeat pre-construction survey be undertaken at the optimal time of year, prior to the commencement of development, and recommends that this be required as a condition of any planning permission granted.

⁹ It is advised that this information can be provided either as further information prior to the determination of the planning application, or be required by condition, to be submitted and agreed with the Planning Authority prior to the commencement of development.

¹⁰ Aquaterra Ecology, May 2011.

70. On the subject of squirrels, it is noted that red squirrels were recorded as being active within the proposed development site, with the Ecology Survey Report recording 11 dreys within the Sitka spruce plantation. It is noted that the layout and nature of construction is flexible and could therefore avoid disturbance to squirrel dreys. It would be necessary to carry out a preconstruction survey and in the event of squirrel dreys being present within an area requiring the removal of the drey, it would be necessary to apply to **SNH** for a licence.
71. The **Ecology Officer** notes that the Ecology Report recorded no wood ant nests in the proposed development area, although it is noted that a nest of *Formica aquilonia* was recorded in the south west of the development site, with the nest being in a state of disrepair.¹¹ The details provided in the Ecology Report submitted in support of the planning application suggest that the clear ground of the proposed campsite area could prevent dispersal of any ants from this nest.
72. The area around the proposed development is known to be important for various bird species. The **Ecology Officer** notes that the removal of the Sitka spruce plantation will reduce potential foraging habitat and connectivity and accordingly recommends that a planting plan should provide compensation for loss of foraging for these species. It is also recommended that a Visitor Management Plan should be created, in consultation with the CNPA in order to reduce any potential impacts of disturbance on bird species such as capercaillie and black grouse in the adjacent woodland.
73. The final ecological issue discussed in the response from the **Ecology Officer** is invertebrates. It is noted that the ecological report identified that the removal of dead and decaying wood on the proposed site will impact on saproxylic invertebrates. The **Ecology Officer** recommends in the event of development proceeding that detailed mitigation would require to be agreed with the CNPA and invertebrate specialists.

REPRESENTATIONS

74. The development proposal was advertised in the Strathspey and Badenoch Herald on 6th July 2011. A total of six representations have been received from Forestry Commission Scotland, Scottish Campaign for National Parks, RSPB, Cairngorms Campaign, Buglife and Badenoch and Strathspey Conservation Group. A full copy of all the representations received is attached to the rear of the report. A range of concerns have been raised in the representations, including the following :
- Concerns regarding the capacity of existing sewerage and water facilities at the Badaguish complex;
 - Concerns regarding potential disturbance in the surrounding forest, with particular reference to disturbance to capercaillie and woodland grouse;

¹¹ The ecology information suggests that it may possibly have been abandoned.

- The sensitive nature of the Glenmore Corridor;
- A suggestion that an Appropriate Assessment is required to be undertaken;
- Reference to a presumption in “successive local plans dating from the mid-90’s” ... “against all but essential development in this sensitive area;”
- Objection to the scale and location of the development due to its further reduction in caledonian forest cover in the Glenmore area, increases in traffic on the access road leading to the centre, and the proposal conflicting “directly with services offered by other local businesses in the vicinity;”
- Concern regarding loss of the forest to development, and the cumulative impact of development in this and the wider area leading to potential damage and loss of the woodland habitat;
- The impact of the development on the experience of those visiting the forest to experience its natural character;
- Concerns regarding the impact of the development on a wider range of natural heritage species, including capercallie, black grouse, crossbill, great crested newt, bats, invertebrates and various vegetation species;
- The need to ensure a continuous supply of fresh deadwood habitat invertebrates over time;
- The lack of reference in the ecological information to various botanical species; and
- A suggestion that the development proposal contradicts the Priorities, Outcomes and Actions stated in the CNP Plan

APPRAISAL

75. There are several issues to consider in the assessment of this proposal, including its compliance with planning policy, how the development proposal would contribute to the aims of the National Park, and the overall impact of the development on the surrounding area, including its impact on natural heritage interests.

Planning policy and the principle of development

76. Although it is recognised that the proposed site area of 6.8 hectares represents a significance increase in the extent of the overall complex at Badaguish Outdoor Centre, the proposed development is essentially an expansion of the existing facilities. Notwithstanding the site size, the three aspects of the development proposal - wigwams, camping area for tents and games, and a mountain bike free ride skills area and associated bike trail – all generally accord with existing uses at the complex. The proposed new camping area would replace an existing smaller area at the centre of the existing site, thereby freeing up that space for further use for games and general recreation purposes. 10 wigwams have been in place at the Centre on a temporary basis following the granting of planning permission in 2009, as a trial introduction of this type of all season alternative camping facility and the current proposal for the introduction of 35 wigwams on the new site builds upon this form of accommodation at the complex. The proposed mountain

bike free ride skills area and associated bike trail around the eastern and northern edge of the proposed site represent the introduction of a new recreation facility at the Outdoor Centre, which complements the existing range of recreational opportunities available to users of the Outdoor Centre.

Landscape and other natural heritage issues

77. Planning policy is detailed in paragraphs 15 to 49 and policies from national level through to the Cairngorms National Park Local Plan all demonstrate support for tourism related development, sports and recreation facilities and rural development. There is however a need to balance this against the requirements to ensure that such developments can also be reconciled with other policies intended to protect the landscape and natural heritage qualities of areas. **Scottish Planning Policy** articulates this in its acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, whilst also advising that the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design. It is a theme which is carried through in the various policies of the Highland Council Structure Plan and the Cairngorm National Park Local Plan, as well as being reflected in National Park aims, where development is expected to collectively comply with the four aims.
78. The applicant engaged in the formal Pre Application Consultation (PAC) process in 2009 and the issues raised and advice provided by a variety of consultees and other interested parties assisted in formulating the current development proposal. Reference has been made in earlier sections of this report to background information contained in the Design and Sustainability Statement, as well as in the Ecology Assessment, outlining changes and amendments which were made to the original proposal in order to address issues such as the proximity of the development to identified capercallie leks and the presence of red squirrel dreys. The result has been a reduction in the extent of the proposed site area, and a curtailment of the extent of bike trails proposed



Fig. 8: Original pre-application proposal



Fig. 9: Currently proposed layout

79. The development proposal would necessitate the felling of a substantial amount of the existing woodland, but as detailed in earlier sections of this report this is an activity that is scheduled to occur from 2016 onwards as part of a programme of felling of this commercial plantation, regardless of any development proposals. Rather than the clear felling of the entire proposed

site, the proposed layout provides for the retention of substantial tracts of woodland on the western and northern perimeters of the site, as well as the retention of a large section of woodland in the south eastern corner of the site.¹² With the exception of the cleared areas required to accommodate the camping and games area and the two areas in which the wigwams are proposed, all other clear felled areas within the site would benefit from new planting. Although demonstrating a commitment to the provision of extensive new planting, the details contained in the submitted planting plan are insufficient and require modification. This is an issue which can be satisfactorily addressed through the submission of revised and enhanced detail, which could be secured through the use of an appropriately worded condition, to reflect the requirements set out in the specialist response from the CNPA's Landscape Officer.¹³ Subject to receipt and agreement on the amended landscaping details and the subsequent undertaking of the development in accordance with agreed measures, the development proposal could be considered to accord with Policy 6 (Landscape) of the CNP Local Plan and could assist in conserving and enhancing the landscape character of the area and assist in the achievement of a robust landscape in the longer term. Also in this context, the proposal would not have an adverse impact on the landscape quality of the wider Cairngorm Mountains National Scenic Area.

80. In terms of the impact of the proposed development on natural heritage designations, the subject site lies outwith any Natura 2000 sites or National Natural heritage designations. It is acknowledged that the proposed site is close to¹⁴ the Cairngorm Mountains Special Protection Area and **SNH** has accordingly provided advice on the potential impact of the development on this designation. The advice from **SNH** is detailed in paragraphs 52 - 55 of this report and although highlighting that capercallie breed in the SPA, the proposal is not considered to increase disturbance to the species and accordingly there is no objection to the proposal. Concerns regarding the impact of development on other natural heritage interests have been raised in a number of representations. As referred to in earlier sections of this report detailed ecological information has been submitted in support of the proposal. The survey details and the various mitigation measures arising from the findings have been considered by the CNPA **Ecology Officer** and there is no objection to the development proposal subject to a variety of measures being implemented, such as the undertaking of pre-construction flora and mammal surveys and a prohibition of felling during the bird breeding season. The revised planting plan referred to in paragraph 67 in connection with landscape issues is also expected to incorporate proposals to assist in the provision of mitigation corridors for the dispersal of mammals, invertebrates and flora species.

¹² In the area to the rear of two recently constructed lodges, as shown in Fig. 7.

¹³ The submission of information to include a landscape design plan, a planting plan and a landscape management strategy.

¹⁴ At its closest point, the Cairngorm Mountain Special Protection Area is approximately 330 metres to the south of the southern site boundary.

Access

81. Reference has been made in a number of consultation responses and in letters of representation, to the likely increase in numbers using the access from the public road to the Badaguish complex. Concern has been expressed in some instances about potential conflicts between users, primarily between vehicular and non vehicular users. This is a situation which the applicant has in the past acknowledged and in order to remedy this, permission was sought in 2009 for the formation of a walk / cycleway adjacent to the existing access road and the formation of passing places on the access road, and also the development of additional car parking at the Badaguish complex.¹⁵ The works have not yet been undertaken. When this matter was recently queried, the planning agent advised that “construction of the safe cycleway along the access road together with additional laybys and parking remains an urgent safety concern” and the applicant is in negotiations with Forestry Commission Scotland (the landowners) regarding a lease and “will instruct the work as soon as possible on completion of the lease.” Given that the currently proposed development site and the site on which the cycleway etc. has been permitted are in the same ownership (FCS) and are intended to be operated as a single entity as part of the Badaguish Outdoor Centre, it is appropriate to suggest that a condition be applied in the event of the granting of planning permission, stipulating that the cycleway, passing places and additional car parking be developed prior to the commencement of the current development proposal.
82. The issue of increased visitor numbers and potential disturbance in the surrounding area arising from such increases has been expressed in a number of representations. The additional bedspaces that would be provided as a result of the proposed new facilities represent an increase on bedspace numbers from those currently existing at the Outdoor Centre. However, the 221 bed provision that would be available at the Centre upon completion of the proposal is detailed in supporting information as being a reduction on the number of bedspaces that were previously available in the 1990’s (approximately 261 bedspaces in 1996).¹⁶ The new campsite area will simply replace the existing camping area which is currently located at the centre of the site. In addition, the recreational aspect of the proposal i.e. the mountain bike skills area and associated trail, will only be available for pre-booked users of the centre. As with the accommodation provision, and as is the case at present, use would be controlled by a formal booking system, with management and supervision controlled by a warden based at the site. A Visitor Management Plan would also be implemented to assist in regulating the use of the facility and this is proposed to include mechanisms to brief users, verbally and in literature, about the environmental sensitivity of the surrounding area. The proposal is intended to continue to cater primarily for its target group of organised youth and education groups and people with disabilities (92%). It has been strongly emphasised in submissions from the applicants that the main focus of the centre is to cater for specialist groups whose needs are not met elsewhere due to the lack of appropriate facilities. In

¹⁵ Planning permission was granted by the CNPA in April 2010 – CNPA planning ref. no. 09/295/CP refers.

¹⁶ Bedspaces were reduced due to the redevelopment of the Stone Bothy and the Jubilee Bunkhouse.

addition, occupancy records for recent years have also been provided in the course of this planning application to substantiate the limited proportion of 'open market' usage of the facility.

83. In conclusion, the development proposal represents an expansion of the existing business at the Badaguish Outdoor Centre, and although over a significant land area, the nature of the development and the proposed layout is generally low density, with provision for the retention of areas of woodland, in conjunction with new planting proposals, all of which could assist in the long term enhancement of the site from its current commercial plantation status. The development will not give rise to substantial increases in visitor numbers to the area and the level of potential disturbance into the surrounding area would be limited and has not attracted an objection from natural heritage specialist advisors, including both **SNH** and the CNPA **Ecology and Landscape Officers**. The development would assist in providing further opportunities for distinct users groups, including those with special needs, to experience all aspects of the National Park.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

84. The proposed development site is located within the Cairngorm Mountains National Scenic Area, and immediately adjacent to the existing complex at the Badaguish Outdoor Centre. The development would involve significant felling of a woodland area, although it is a commercial plantation which is recognised as being due for felling within the coming years. The nature of the development, including wigwams which would be craned into position and are moveable, together with the creation of a canvas tent camping area, and the proposed bike trail, are not considered to be intensive forms of development. Together with the proposed retention of some areas of woodland within the overall identified site boundaries, and the provision of new planting proposals, the development has the potential to enhance the area beyond its commercial plantation status.
85. It is not considered that the development would give rise to a level of disturbance in the surrounding designated areas to adversely impact on the natural heritage interests of the wider area.

Promote Sustainable Use of Natural Resources

86. The wigwam element of the proposal involves the extensive use of timber products which are sustainable natural resource.

Promote Understanding and Enjoyment of the Area

87. The proposed development would provide enhanced opportunities for visitors, particularly the specialist user groups catered for at the existing centre, to understand and experience the National Park. The operation of Badaguish Outdoor Centre provides equal opportunities for educational advancement and training activities, some of which relate to understanding of the area.

Promote Sustainable Economic and Social Development of the Area

88. The proposed development would represent an increase in the range of accommodation facilities at the Badaguish Outdoor Centre, with the wigwam development particularly having the potential to increase the accommodation usage outwith the traditional summer months camping season. The proposed bike skills area and associated trail would also increase the type of facilities available to users of the Outdoor Centre. The development therefore has the potential to accommodate increased visitor numbers at the facility and would also provide enhanced educational / recreational facilities for centre users, all of which would contribute positively towards the social and economic development of the area.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT PLANNING PERMISSION for the erection of 35 wooden wigwams, on site activity area / canvas tent area and mountain bike free ride trail on land to the north east of the Speyside Trust Badaguish Outdoor Centre, Glenmore, Aviemore, subject to:

- (a) **the completion of a Planning Obligation to secure the payment of developer contributions towards environmental and access improvements OR the payment of the required developer contributions in advance of the release of the decision notice;**

AND

- (b) **subject to the following conditions :**

1. The development to which this permission relates must be begun within three years from the date of this permission.

Reason: to comply with Section 58 of the Town and Country (Planning) Scotland Act 1997 or as amended by the Planning etc. Scotland Act 2006.

2. The development shall be retained and operated as part of the Badaguish Outdoor Centre and shall not be sold separately from the Centre. The wigwams shall only be used as short term tourist accommodation. No single period of occupation shall exceed two months in any calendar year unless otherwise agreed in writing by the Cairngorms National Park Authority acting

as planning authority. Occupation shall be restricted to use by persons requiring to stay in the area for recreational purposes.

Reason: In accordance with the application detail and to ensure that in accordance with the social and economic development aim of the Cairngorm National Park the units are used for commercial purposes in connection with the operation of a tourist facility.

3. No development shall commence on site until all works permitted under CNPA planning ref. no. 09/295/CP have been completed and are available for use. For the avoidance of doubt the works include the formation of a walk / cycleway adjacent to the access road from the public road to the Badaguish Outdoor Centre, the provision of passing places on that access road, and the provision of additional car parking facilities at the Centre.

Reason : in the interests of traffic safety and public safety and in order to avoid congestion and conflict between users of access routes in the vicinity.

4. No development shall commence on site until the following works have been undertaken at the junction of the access road and the public road to the satisfaction of the Cairngorms National Park Authority acting as Planning Authority in consultation with Highland Council TEC Services as Roads Authority :
 - The provision and maintenance of visibility splays on each side of the access at its junction with the public road. These splays are the triangles of ground bounded by the first 2.4 metres along the centreline of the access (the X dimension) and the nearside edge of the public road (the Y dimension) measured a minimum of 120 metres in each direction from the intersection of the access with the public road.

Reason : in the interests of traffic safety and public safety.

5. No development shall commence on site until revised flows / loads for the overall development at the Badaguish Outdoor Centre have been submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in consultation with SEPA. In the event of the revised flows / loads demonstrating any extra loading, no new accommodation shall become operational until the existing sewage works have been upgraded and all improved drainage works are fully operational.

Reason : In the interests of public health.

6. No development shall commence on site until a sample of the proposed external finishing material of the wigwams has been submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority. The timber shall be locally sourced and details of its provenance shall also be provided. The agreed material shall thereafter be used in the construction of all wigwams.

Reason : in the interests of integrating the appearance of the buildings with their surroundings and in order to encourage the sustainable use of locally available natural resources.

7. No development shall commence on site until the following details have been submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority. All works shall thereafter be carried out in accordance with the agreed measures.
 - (a) A detailed landscape design plan showing
 - The arrangement of open space, wooded areas, tree clumps and individual tree planting;
 - The arrangements for individual wigwam sites including private open space, outdoor seating and eating areas;
 - Design details for drainage, paths and hard standing; and
 - The phasing of landscape implementation, including advance planting and other works.
 - (b) A planting plan showing the location and specification of tree and shrub planting and grass seeding, and including mitigation for the loss of woodland and the provision of migration corridors for the dispersal of mammals, invertebrates (including ants) and flora species; and
 - (c) A landscape management statement to provide details of the ongoing maintenance and management of trees, woodland, and grassland and paths.

Reason : in order to enhance the landscape character of the area and to ensure that the development assists in the long term creation of a robust landscape.

8. No development shall commence until an Arboricultural Method Statement which details the means of protecting the retained trees on the site, shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in conjunction with Highland Council's Forestry Section. The Statement should include details of tree removal and tree surgery required; removal and disposal of stumps; means of site construction access; the installation of protective fencing; the confirmed location and means of excavation of all service runs, including mains; the confirmed location and means of construction of all footpaths' contractors car parking; phasing of construction works; all changes in ground levels; identification of space for cranes, scaffolding, plant and access for works; identification of the location of temporary construction site structures, including all offices, storage areas and also areas allocated for the mixing of concrete. All works shall subsequently be carried out in accordance with the agreed statement.

Reason : in the interests of conserving and enhancing the natural heritage of the area and to ensure the retention of important landscape features.

9. No development shall commence until pre construction flora and mammal surveys have been undertaken at the optimal time of year, with mitigation measures proposed where necessary, and submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority. All works shall be undertaken in accordance with the agreed measures thereafter.

Reason : in the interests of conserving and enhancing the natural heritage of the area.

10. No development shall commence until appropriate mitigation measures for invertebrates have been submitted to and agreed in writing with the Cairngorms National Park Authority acting as Planning Authority. All agreed measures shall be implemented in full thereafter.

Reason : in the interests of conserving and enhancing the natural heritage of the area.

11. No development shall commence until a revised Visitor Management Plan shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority. The Management Plan shall include details of signage, identification of signage locations, and content details of signage and other literature. The Visitor Management Plan shall include appropriate measures to discourage and minimise disturbance into the surrounding area.

Reason : in the interests of conserving and enhancing the natural heritage of the area and in order to assist in the general public's understanding of the special qualities of the area.

12. No tree felling shall take place during the recognised bird breeding season of March to August inclusive, unless otherwise agreed in writing with the CNPA acting as Planning Authority. In the event that felling is required in exceptional circumstances to be undertaken during the period from March to August, a nesting bird survey shall be undertaken immediately prior to any work. If nesting birds are recorded the works shall stop until the birds have ceased nesting or a license had been obtained from the Scottish Government to permit disturbance. Felling activity shall only take place between the hours of 08.00 and 18.00.

Reason: in order to protect nesting birds and in the interests of conserving and enhancing the natural heritage of the area.

13. The surface of any new pathways through the site shall be a permeable material in keeping with the woodland nature of the site, the details of which shall be submitted for the agreement of the Cairngorms National Park Authority acting as Planning Authority prior to their development. All agree works shall be implemented in full thereafter.

Reason : In the interests of general amenity and to ensure a satisfactory standard of local environmental quality.

14. Vehicular access within the identified site boundaries shall be restricted to emergency vehicles, maintenance vehicles and disabled visitors vehicles. The location of the disabled visitor parking shall be identified and submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority prior to the commencement of development. All other guest parking shall be facilitated at existing car parking facilities at Badaguish Outdoor Centre.

Reason : In the interests of minimising disturbance in the area and in the interests of public safety and maintaining an environment which is commensurate with the natural qualities of the area.

15. All public services for the development, including electrical, cable television and telephone cables, shall be located underground throughout the site. All such work shall be carried out prior to road surfacing and junction boxes shall be provided by the developer.

Reason : in the interests of the visual amenity of the area.

16. Suitable refuse provision and bin storage shall be provided on the site. The identified location of the facilities shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority and shall thereafter be developed prior to the first use of any element of the development.

Reason : in the interests of public health and in order to maintain the development in an orderly manner.

Advice notes:

- (a) The access road leading from the public road to the Badaguish Outdoor Centre will not be formally adopted.
- (b) Arising from compliance with condition no. 5 of this permission any upgrading of the existing sewage treatment works shall be the subject of a new planning application. The applicant is also advised that any changes to the sewage treatment works may require a technical variation to the existing license from **SEPA**.
- (c) In relation to the planting plan required in condition no. 7 of this permission, revisions are needed to the submitted tree planting plan which proposed a uniform 2000 trees per hectare. The tree planting plan should reflect that the development will create a recreation site. Discussions should be undertaken with the CNPA's planning officials and landscape advisors prior to finalising the tree planting plan.

- (d) In the event that any squirrel dreys are proposed to be removed arising from the carrying out of the pre construction survey required in condition no. 9, a license must be applied for from Scottish Natural Heritage.

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3 November 2011

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.