
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

**Case Officer: DAVID ALLAN
(PLANNING TECHNICIAN,
DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: Construction of a viewpoint feature and improve the amenity of this existing layby At Craighaulkie Quarry, A939 from Main Street Tomintoul to Highland Boundary at Bridge of Brown, Tomintoul, Moray

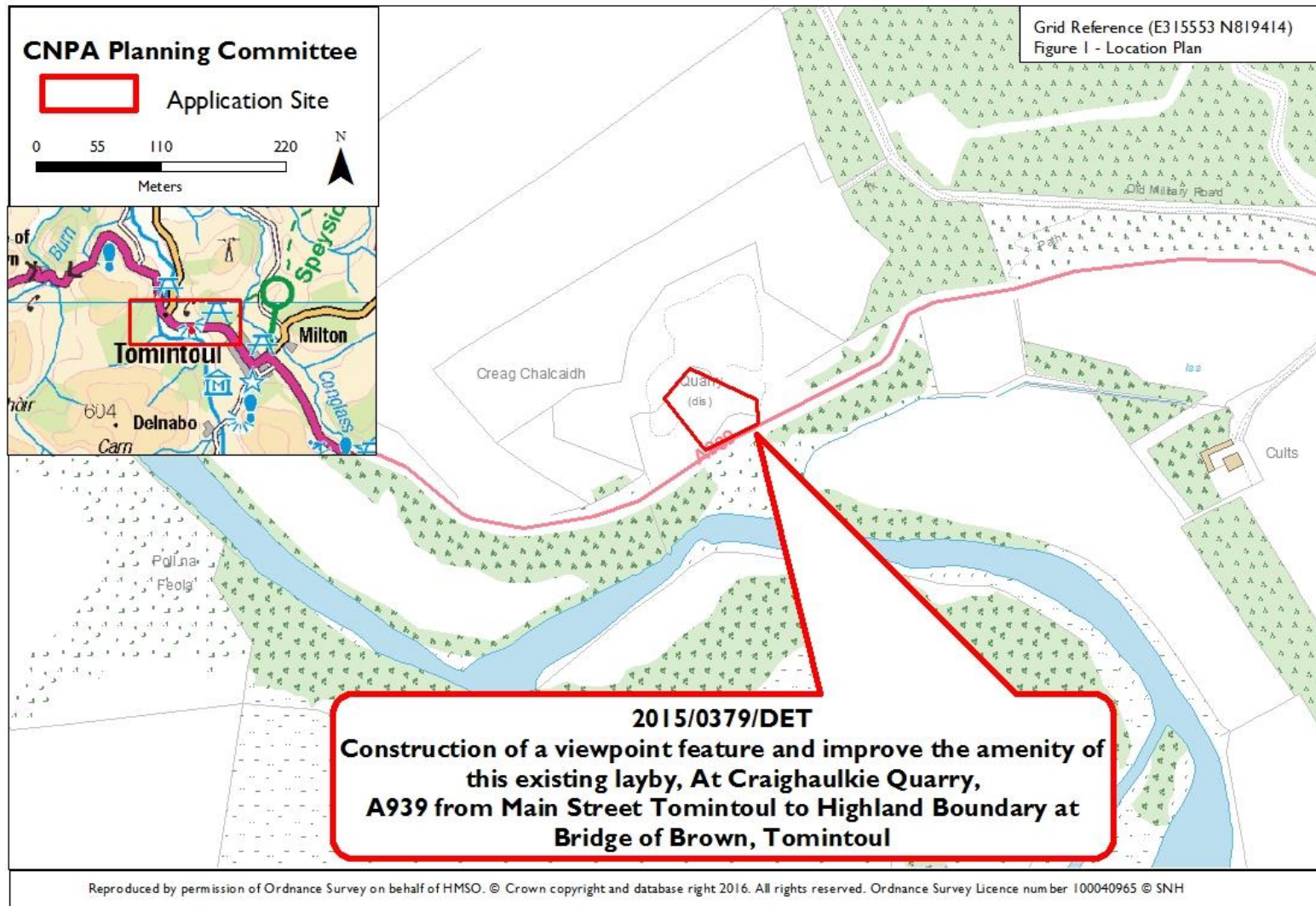
REFERENCE: 2015/0379/DET

APPLICANT: Cairngorms National Park Authority

DATE CALLED-IN: 1st DECEMBER 2015

REASON FOR CALL IN: The proposed development is located in a prominent location close to a key tourist route in the Park and is part of a national initiative - Scotland's Scenic Routes. It is a Type I application - linked to an application previously determined by the Cairngorms National Park Authority and raises issues relating to natural and cultural heritage and the promotion of understanding and enjoyment of the area. It is therefore considered to be of significance to the collective aims of the National Park.

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS



SITE DESCRIPTION, PROPOSAL AND HISTORY

1. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

<http://www.eplanningcnpa.co.uk/online-applications/#searchApplications>

Title	Drawing Number	Date on Plan	Date Received
Location Plan	L(00) 010	23/11/2015	27/11/2015
Site Plan as Proposed	L(00) 001 Revision C	Nov 2015	27/11/2015
Layout Plan as Proposed	L(00) 100	Nov 2015	27/11/2015
Interpretation Point	L(00) 101	Nov 2015	27/11/2015
Elevations as Proposed	L(00) 110	Nov 2015	27/11/2015
Site Survey as Existing	L(EX) 001	Nov 2015	27/11/2015
Reflectivity Study	1996/TOM/07	25/01/2016	25/01/2016
Gabion Specifications	1996/TOM/03	20/01/2016	
Gabion Features	1996/TOM/04	25/01/2016	25/01/2016
Gabion Details	1996/TOM/05	25/01/2016	25/01/2016
Construction Methods Statement Revision B		02/02/2016	02/02/2016

Site Description

2. The application site lies approximately one mile Northeast of the village of Tomintoul, comprising an existing gravel lay-by and quarry bluff associated with the disused Craighaulkie Quarry.
3. The quarry bluff provides an elevated viewpoint, giving access to views over the River Avon and to the Cairngorm Mountains in the East. The existing viewpoint consists of low growing grassland and is partially enclosed by a vegetated berm and low timber fence. The viewpoint also currently provides a location for the Cairngorms Scenic Photo Posts project.
4. Access to the viewpoint from the layby is by way of a grass and gravel track leading to the quarry access gate, followed by a more robust ramped path, partially vegetated with grassland.
5. The layby area has been lightly formalised through the provision of a picnic table and interpretation board and is defined along its inner boundary by large quarried stones. There is currently no formalised parking at the layby nor restrictions on layby access.
6. The site lies adjacent to Creag nan Gamhainn SAC, designated for lime depositing hard-water springs, and Creag nan Gamhainn SSSI, which is designated for Broadleaved Helleborine and Northern Brown Argus species, and for lowland calcareous and neutral grassland, and upland birch woodland habitats.

Development Proposal

7. The proposal is for the construction of a viewpoint feature and for improvements to the amenity of the existing layby at Craighaulkie Quarry, near to the village of Tomintoul. Plans of the location and elevations are included in **Appendix I**.
8. The viewpoint feature will be situated within the existing elevated viewpoint footprint and shall comprise an open-sided viewing lantern constructed of sandblasted copper-finished stainless steel. The viewing lantern measuring 2.4m x 2.4m will sit within a stepped gabion structure 1.8m in height; gabions are to measure 800mm x 800mm x 600mm and be constructed of 5mm welded mesh in a herringbone pattern powder coated in a black finish. Gabions are to be packed with stone sourced from residual supplies at Craighaulkie Quarry and from within the wider Park area, to reflect the Park's geology. The existing timber fence will be removed and replaced with a gabion wall measuring 1.2m in height. A secondary, smaller interpretation point is proposed within the layby and will be consistent in terms of materials and design to the primary feature.
9. The layby is to be increased in overall area, to allow a minimum dimension of 11.0m from the road edge, in accordance with a standard car park layout of 5.0m parking bay and 6.0m aisle. The inner edge of the layby will be defined by gabion structures, which will further serve to provide informal seating.
10. Three types of gabion basket are proposed for use within the site, including: standard mesh gabions, stone-topped gabions, and grass-topped gabions.
11. Access to the viewpoint will be by the existing grass and gravel pathway which is to be improved through infill of holes and soft spots with a crushed rock sub-base. A footpath of 1.8m width shall be formed on top using graded crushed stone sub-base topped with crushed rock fines, to be rolled damp to form a cambered profile.
12. The area to the rear of the layby is to be prepared and planted with native tree species of local provenance in accordance with guidance provided by SNH.

Background

13. This proposal represents the second of three award-winning installations along the A93/939 route from Blairgowrie to Grantown-on-Spey and forms part of the wider Scottish Scenic Routes project.
14. In February 2015, Cairngorms National Park Authority called-in and subsequently approved the development of a viewpoint feature and lay-by improvements at a site on the A93 near Corgarff (2015/0019/DET). In December 2015, Cairngorms National Park Authority also called in a third Scottish Scenic Routes proposal (2015/0404/DET) which will involve another

viewpoint construction and layby works at a site near “the Devil’s Elbow”, by Glenshee and which is item 11 on this Agenda.

Site History

15. There is no recent planning history recorded on the site. However, both the layby and bluff are associated with historic quarry operations.

DEVELOPMENT PLAN CONTEXT

National policy

16. **Scottish Planning Policy** (SPP, revised 2014) sets out national planning policies that reflect Scottish Ministers priorities for the operation of the planning system and for the development and use of land. Under planning law, planning applications must be determined according to the development plan unless material considerations indicate otherwise. The content of SPP is a material consideration in planning decisions that carries significant weight. The SPP promotes consistency in the application of policy across Scotland while allowing sufficient flexibility to reflect local circumstances.
17. The SPP sits alongside four other Scottish Government planning policy documents:
 - a. The **National Planning Framework** (NPF) which provides the statutory framework for Scotland’s long term spatial development. The NPF sets out the Scottish Government’s spatial development policies for the next 20 to 30 years;
 - b. **Creating Places**, the policy statement on architecture and place, containing the Scottish Government’s policies and guidance on the importance of architecture and design;
 - c. **Designing Streets**, a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance; and
 - d. **Circulars**, which contain policy on the implementation of legislation or procedures.

Strategic Policies

Cairngorms National Park Partnership Plan (2012-2017)

18. The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. It sets out the strategic direction and priorities for the Park.
19. Three long term outcomes for the Park are set out as follows:

- a. A sustainable economy supporting thriving businesses and communities;
- b. A special place for people and nature with natural and cultural heritage enhanced; and
- c. People enjoying the park through outstanding visitor and learning experiences.

These outcomes address the interaction of the three main characteristics of the National Park these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. A series of work programmes to help deliver the outcomes is set out in the Plan.

Local Plan Policy

Cairngorms National Park Local Development Plan (2015)

20. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:

<http://cairngorms.co.uk/uploads/documents/Park%20Authority/Planning/LDPI5.pdf>

21. Key policies relevant to the proposed development are summarised below:
22. **Policy 2.2: Tourism and Leisure Development** seeks to support development which enhances formal and informal recreation and leisure facilities; tourism and leisure based business activities and attractions; tourism and leisure related infrastructure including accommodation; and improved opportunities for responsible outdoor access, where it has no adverse environmental impacts on the site or neighbouring areas, makes a positive contribution to the experience of visitors and adds to or extends the core tourist season.
23. **Policy 3: Sustainable Design** seeks to ensure that all development delivers high standards of design, including; siting and design, use of materials, impact on the environment, and accessibility, whilst contributing to the conservation and enhancement of the distinctive characteristics of the Park.
24. **Policy 4: Natural Heritage** recognises that the range and quality of natural heritage in the Park is unique, internationally valued, and underpins all four aims of the Park. It therefore seeks to ensure that developments will not adversely affect the integrity of the areas or qualities designated for their natural heritage.
25. **Policy 5: Landscape** states that there will be a presumption against any development that does not conserve and enhance the character and special qualities of the Cairngorms National Park, and that any adverse effects on the setting of the proposed development are minimised and mitigated through appropriate siting, layout, scale, design and construction.

26. **Policy 9: Cultural Heritage** seeks to ensure that development affecting sites or features of local or wider cultural historic significance will protect, conserve and enhance the feature and its setting, or minimise and mitigate any adverse effects.

Supplementary Guidance

27. The CNPA has prepared a suite of Supplementary Guidance (SG) which is part of the Local Development Plan and provides more detail about how to comply with the policies. There is also non-statutory Planning Guidance to help support the delivery of the Plan. Key topics in this case are guidance on landscape, natural heritage, cultural heritage, sustainable design and supporting economic growth.

CONSULTATIONS

28. **Scottish Natural Heritage (SNH)** note that there are natural heritage interests of international and national importance within the adjacent Creag nan Gamhainn SAC and SSSI. However, it is their opinion that neither site will be adversely affected by the proposal. They have advised that any planting within this site should be strictly limited to native tree species of local provenance so as to prevent any direct adverse impact on the integrity of the SSSI woodland; this may be facilitated through the collection of seed and saplings, under licence, from the SSSI.
29. They further consider that the proposed advanced parking signage lays outwith the development site and may impact upon the SSSI qualifying features. As such, they are of the opinion that this element will require permission either by way of additional planning permission or SNH consent.
30. **Moray Council (Roads)** note that the applicant is required to apply for a road opening permit in accordance with Section 85 of the Roads (Scotland) Act 1984 and this is acknowledged by the applicant.
31. They requested that further information be provided to demonstrate how the parking layout would be sufficient to prevent reversing movements onto the public road. This has been satisfied by way of a revised site plan detailing dimensions of the layby extension and proposed parking arrangements.
32. Following receipt of revised details, the position of the proposed new “P” sign has now been agreed with the Roads Authority. If permission is to be granted, they request a planning condition be attached detailing the provision and location of any road signage. Additionally, any structure or signage within 4 metres of the edge of the public carriageway are to be designed to be TSRGD compliant or protected by appropriate road safety barriers.
33. They also state that no water or loose material shall be permitted to be drained or carried onto the public footway/carriageway and no building materials/scaffolding/skips shall obstruct the public road without the permission of the Roads Authority.

34. They state that the applicant shall free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road. This is acknowledged by the applicant who will provide insurance cover for public liability during the works to cover the consequences of his actions or omissions.
35. **CNPA Ecology Adviser** notes that while there will be some loss of grassland habitat, this is deemed to be a species poor example and the loss negligible.
36. Vegetation reinstatement procedures detailed in the supporting Construction Methods Statement are welcomed, and as per consultation with SNH, it is advised that planting be restricted to native tree species of local provenance. Further to this, an establishment and management period of two years for grassland turves and five years for woodland planting are recommended and have been satisfied by way of a revised construction methods statement.
37. The CNPA Ecology Adviser also notes that there are likely to be common lizards present within the area, and advises that reptile mitigation should include the hand-stripping of vegetation prior to top soil stripping, before the end of March or on a warm day thereafter. Details of appropriate reptile mitigation are included in a revised construction methods statement to the satisfaction of the Adviser.
38. **CNPA Landscape Adviser** notes that currently, while the immediate site has both an air of neglect and sense of its industrial past, this is within the context of a surrounding landscape which has a complex topography and rich diversity of woodland cover and agricultural land use. In addition, they state that the area demonstrates a number of the special landscape qualities of the National Park, and is strongly influenced by the presence and dynamic nature of the River Avon.
39. They state the existing viewpoint provides stunning views, offering a great opportunity for people to better appreciate and understand the diversity of the Park landscapes. As such, this site has already been selected as a location for one of the Cairngorms Scenic Photo posts and this component should be sensitively integrated into the design of the proposed viewpoint feature.
40. The Landscape Adviser further suggests that the proposed development will sit within the context of a disturbed landscape and will create a prominent, eye-catching feature in the skyline. It is anticipated to have a local impact on landscape character, with the potential to be received both positively and negatively – prominent up-standing features are not typical of this area, yet the contrasting form and colours will present a bold local land mark.
41. Evidence has been requested to demonstrate how careful design and siting of the viewpoint feature have considered elements such as sun-tracking as a means to mitigate the potential for dazzling passing motorists. Details have subsequently been submitted to the satisfaction of the Adviser.

42. Gabion baskets are often perceived as utilitarian solutions in civil engineering projects and can be poorly specified and executed. The proposed mesh will contribute to a more rigid structure and packing of the gabions is considered key. It is requested that a sample gabion be approved on site. It is further recommended that grass-topped gabions should use turfs with a soil depth in the region 300mm. Further detail of gabion specification, construction detail and layout has been submitted to the satisfaction of the Adviser requested.
43. **CNPA Outdoor Access Officer** recommends that the safety of site users be considered throughout, given the nature of the gabion structures and the proximity of the viewpoint feature to the slope edge.
44. They further recommend that detail be provided to demonstrate that due consideration has been given to drainage issues. Supporting information in the form of a revised site plan and construction methods statement have been submitted to the satisfaction of the Officer.

REPRESENTATIONS

45. **Glenlivet Community Council** – No comments
46. No other representations have been received within the timescales set out for responses to be submitted.

APPRAISAL

Tourism and Leisure

47. The proposed development represents an opportunity for informal recreation and landscape appreciation which draws on the character and special qualities of the Park. The proposal also has the potential to positively contribute to the future success of the Scenic Photo Posts project through increased photo submissions, and willingness has been demonstrated to sympathetically integrate the existing photo post within the viewpoint feature in liaison with the relevant project officer. As such the proposal is considered to satisfy Local Development Plan Policy 2.2: Tourism and Leisure Development.

Sustainable Design

48. A material sample to demonstrate the finish of the viewing lantern has been provided for approval and is less reflective and darker in tone than originally anticipated. It is considered that this choice of material will help to integrate the structure within its landscape setting, particularly in autumn and winter months. This is further supported by a reflectivity study which satisfactorily addresses the issue of potential glare affecting passing motorists.
49. Further revised plans and additional drawings have been submitted which provide detail on the specification, construction and layout of gabion types within the site. These appear to be of a good quality design. However, to

ensure this, it is recommended that a sample gabion will be available on site prior to the commencement of development for approval. The proposal is therefore considered to satisfy Local Development Plan Policy 3: Sustainable Design.

50. The proposed increase in layby area satisfies the requirement for vehicles to exit the site in a forward movement, and in general, the surface improvements proposed will provide a higher quality parking provision than currently exists. The creation of an improved footpath linking the layby to the viewpoint will also be to the benefit of site users and will contribute to improved accessibility to the viewpoint, further satisfying accessibility requirements of Local Development Plan Policy 3: Sustainable Design.

Natural Heritage

51. An opportunity exists to further improve the aesthetic of the layby through additional landscape planting. Given the proximity of the adjacent SSSI, and in consultation with SNH, it has been agreed that this be limited to species of local provenance, with the potential to source seed and saplings from the SSSI. The implementation of appropriate landscaping is considered to satisfy Local Development Plan Policy 4: Natural Heritage.
52. A revised Construction Methods Statement in support of this application has been submitted which demonstrates appropriate measures will be taken to ensure sufficient levels of environmental protection, including reptile mitigation, and safe in use access.

Landscape

53. Whilst upstanding features are not typical within the area, the scale and form of the structure, which utilises a sympathetic palette of materials and is contained within the footprint of the existing viewpoint, will ensure that the structure does not overly dominate within the landscape satisfying Local Development Plan Policy 5: Landscape. Further, views into the site are limited and fleeting to traffic on the A939.

Cultural Heritage

54. As part of the wider Scottish Scenic Routes project, this proposal will contribute to the promotion of the A93/939 route as valuable tourism route through the Park. It is likely that the development will be widely associated with the nearby settlement of Tomintoul, the highest village in the Highlands, and contribute to its cultural heritage thereby satisfying Local Development Plan Policy 9: Cultural Heritage.

CONCLUSION

55. The proposal presents an opportunity to greatly improve the existing layby provision at Craighaulkie Quarry and draw focus to a recognised viewpoint location. The proposal also forms part of a wider project which aims to utilise key landscape areas along the A93/939 road creating visitor destinations which promote the special character and qualities of the National Park. Through choice of materials and siting within the existing viewpoint footprint, the proposed development will be purposefully identifiable within the landscape yet will not be overbearing. The ecological sensitivity of the site and adjacent SSSI have been duly considered and the integrity of any qualifying features will not be adversely affected. Access provision throughout the site will be improved allowing for a safer and more enjoyable user experience. It is considered that this proposal therefore satisfies the relevant policies of the Cairngorms National Park Local Development Plan.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

56. The proposal is not considered to have an adverse effect on natural or cultural heritage of the area and may present an opportunity for enhancement through sensitive landscape planting and appropriate interpretation.

Promote Sustainable Use of Natural Resources

57. The proposed development supports this aim through the use of residual materials sourced from the adjacent disused quarry and within the wider park area.

Promote Understanding and Enjoyment of the Area

58. The proposal supports this aim through providing a formalised opportunity for engagement with and appreciation of the site and its contextual setting.

Promote Sustainable Economic and Social Development of the Area

59. The proposed enhancement of this viewpoint, in conjunction with the wider Scottish Scenic Routes project, has potential to encourage a greater number of visitors to the area and to contribute to the promotion of Tomintoul village as a visitor destination.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT FULL PLANNING PERMISSION for the construction of a viewpoint feature and lay-by improvements at Craighaulkie Quarry subject to the following conditions:

1. No development shall commence on site until such time that a sample packed gabion basket has been made available for inspection and approved in writing by Cairngorms National Park Authority, as Planning Authority. Thereafter works shall be implemented in strict accordance with the detail provided and that approved by Cairngorms National Park Authority, in the following documents:
 - a. Gabion Specification, Drawing No. 1996/TOM/03
 - b. Gabion Details, Drawing No. 1996/TOM/05

Reason: To ensure that the development is of sufficient quality to protect the special landscape qualities of the Cairngorms National Park, in accordance with Local Development Plan Policy 5: Landscape.

2. No development shall commence on site until such a time that a road signage plan detailing the provision and location of road signage be submitted and approved in writing by Cairngorms National Park Authority, as Planning Authority, in consultation with Moray Council as the Roads Authority and SNH. Thereafter works shall be implemented in strict accordance with the detail as set out in the approved road signage plan.

Reason: To ensure that safe access to and from the site is provided in accordance with Local Development Plan Policy 3: Sustainable Design.

3. All landscape planting shall be implemented in strict accordance with the planting details approved by Cairngorms National Park Authority, as Planning Authority, in the following documents:
 - a. Site Plan as Proposed, Drawing No. L(00) 001 Revision C
 - b. Construction Methods Statement Revision B to apply to the works detailed on Drawing L(00)001 Revision C

Reason: This site is adjacent to Creag nan Gamhainn SSSI which is designated for its upland birch woodland habitat. As such, the approved planting detail has been agreed in accordance with Local Development Plan Policy 4, Cultural Heritage.

4. All works on site shall be implemented in strict accordance with the details approved by Cairngorms National Park Authority, as Planning Authority, in the following documents.
 - a. Construction Methods Statement Revision B to apply to the works detailed on Drawing L(00)001 Revision C

Reason: This construction methods statement has been developed in consultation with and to the satisfaction of Cairngorms National Park Authority

and in accordance with Local Development Plan Policies 3: Sustainable Design, 4: Natural Heritage and 5: Landscape.

Informatives:

1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
2. You are advised to ensure that no water shall be permitted to drain or loose material to be carried onto the public footway/carriageway.
3. Prior to the commencement of development, a notice of the intended date of initiation of development shall be submitted to the CNPA acting as Planning Authority and such notification shall contain the information set out in the 'Notification of Initiation of Development@ Notice as appended, pursuant to Section 27A(1) of the Town and Country Planning (Scotland) Act 1997
4. Following the completion of the development, a notification of the completion shall, as soon as practicable, be submitted to the CNPA acting as Planning Authority and such notification shall contain the information as set out in the 'Notification of Completion of Development' Notice as appended, pursuant to Section 27B(1) of the Town and Country Planning (Scotland) Act 1997.

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.