

# **AGENDA ITEM 5**

## **APPENDIX 3**

### **REPRESENTATIONS**

# Comments for Planning Application 2016/0092/DET

## Application Summary

Application Number: 2016/0092/DET

Address: Land Tp NE Of Speyside Trust Badaguish Outdoor Centre Glenmore Aviemore

Proposal: Erection of Building to provide accessible cooking and toilet facilities for wigwams, siting of temporary portaloos and formation of parking area for bike park (amended proposal, ref: 16/00450/FUL (2016/0042/DET))

Case Officer: Katherine Donnachie

## Customer Details

Name: Mr Philip Swainson

Address: Blackmill Farmhouse Littlemill Nairn

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Yet more misinformation from the Speyside Trust and their agents.

Ref supporting statement-Drainage. The sewage system has a capacity of 120 people. We are expected to believe the lie that there has been no increase in number of beds on site since 1996 (see capacity chart in 2011 application. There has been a 400+% increase, easily verifiable by the planning authorities. According to the SEPA licence, the sewage system cannot deal with the numbers staying.

We are told that kitchen will be disabled accessible by the "wheelchair access tracks". Anyone else would call them roads. The pods it serves are not wheelchair accessible. This application has nothing to do with serving the needs of disabled people.

Why does the cycle track need a car park. It was stated in previous applications that the facility was exclusively for use of people staying on site. Yet an open evening was advertised in 2014 amongst local shops and clubs, the reason being to discuss use by people other than those staying on the site.

These contradictions need to be resolved before any further permissions are granted

[REDACTED]

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From: [REDACTED]  
Sent: 9 May 2016 23:56:19 +0100  
To: Katherine Donnachie; Planning  
Subject: Planning Comments

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Dear Katherine  
2016/0092/DET Erection of kitchen facilities, toilets etc, Badaguish, revision of  
2016/0042.

BSCG wishes to object to the above application.  
BSCG requests the opportunity to address the planning committee when this application  
is determined.

#### Compliance

BSCG considers that all conditions still outstanding from preceding applications should  
be fully complied with before this application is determined.  
Over £3M of public money has been provided for the development of  
wigwams/biking/camping and associated developments, to which the current application  
is closely related. This level of public financing raises a serious issue of public interest  
and due process that we are concerned is not being diligently upheld by the planning  
authorities in relation to developments at Badaguish, especially given the numerous and  
blatant planning breaches by the applicant.  
Further, Glenmore is one of Scotland's top Caledonian forests and is publicly owned.  
Accordingly, development of any description should be of the highest standards in every  
respect. Yet this deficient proposal represents yet another revision and piecemeal  
approach to development at Badaguish.

#### Car Parking

The retention of the "temporary" hardstanding set down storage area as car parking for  
the biking area and campsite is unjustified. We find it inexplicable as to why a car park is  
needed on top of a bike facility and campsite and do not see a rational justification for  
this. The existing car parking area at Badaguish is very close to the biking area and

campsite. Self evidently bikers can cycle from the existing car park to the biking area; and for campers it is a few minutes easy walk on tarmac and purpose built route from the existing car park to the new campsite.

There are numerous reasons against the proposed car parking. These include the intrusion of vehicles into this area, both on the length of road traversing the wigwam etc area to access the car parking and the car park area itself; the implications for both safety and quality of experience for multi-user routes sharing with cars/vans/minibuses/trailers etc.; and an increase in cross-site vehicle journeys, which would impact on site users as well as on the general public who have an important access route through the site.

In addition, vehicles accessing Badaguish and crossing the Badaguish site impact on many users of Glenmore, such as users on the Sluggan, the Badaguish road and the public access through Badaguish.

It is inappropriate and out of character to have vehicles driving around the biking, camping and wigwam accommodation areas. According to the applicant, the wigwams (and obviously the campsite) are intended to provide a camping experience - vehicles driving around detract from this.

BSCG strongly believes that there should be no expansion of car parking at Badaguish. Any pressure on car parking (e.g. resulting from a specific event) should be met using existing parking facilities at Glenmore, Aviemore etc. Bikers can cycle from other parts of Glenmore, leaving their cars there, and dedicated shuttle bus transport can be used if necessary.

We cannot understand how the applicant can justify the car parking area on the grounds that "It will also be useful as a set down storage area for the construction of the further wigwam phases." It will not be fulfilling a function as a car park if it is also in use as a storage area for construction materials. We note with great concern that there have been large piles of sand etc in the vicinity of the car parking area already, suggesting that the applicant is already using the locality to store construction materials. Nowhere does the applicant state how many vehicles, of what size etc the car park is either required for or would have capacity for, which further draws into question how serious the applicant is about the need for the car park and whether this application has been properly thought through. A dual use of the car parking area suggests that either it is significantly larger than is truly necessary, which from the size of it on the plan provided seems unlikely, or that it will not be able to fulfill its parking role to the full if its used for construction materials.

In terms of climate change impacts, there should be no encouragement to drive to use the bike facility, but rather to cycle there. There are existing car-free routes from Aviemore, Nethybridge etc

Papers for the 2011 application, to which the present application is closely connected, states that the bike facility is for use by residents of Badaguish only. We have two comments to make on this: firstly, there is therefore no requirement at all for any additional car parking because the users are already on site and obviously they are not going to require parking beside the bike trails. Secondly, in 2014 meetings were openly

advertised and held with biking outlets in Aviemore and vicinity, specifically to make arrangements for the bike facility to be accessible to the local community.

We fail to see what rational reason there is to provide a public biking facility at public expense in the heart of one of Scotland's top Caledonian forests and with implications for a Natura site.

#### Landscaping

The landscaping tree planting that is required in Condition 2 of 2015/0132 and 0133 has not been fully complied with. We firmly consider that no further planning approvals should be provided to the applicant until the applicant has proven their willingness to comply with conditions that are supposed to be serving the public and environmental interests.

We understand the applicant has been told by the CNPA that the remainder of the planting has to be completed within 2016. Given all the planning breaches associated with Badaguish we are very concerned that the CNPA has failed to enforce this condition. The planting completion deadline of March 2016 was provided months in advance, and there was plenty of time both for the applicant to complete the tree planting and for the CNPA to check up and be in a position to undertake enforcement actions prior to the end of the tree planting season.

The applicant states "It is proposed to mitigate the loss of planted landscaped area by introducing additional pockets of planting. This will be in particular around the perimeter clear fell areas".

According to Condition 2, there is already supposed to be planting in this area, but this has not taken place. It is unclear what is meant by "introducing additional pockets of planting" when the planting for Condition 2 of the previous applications has not been undertaken.

We are concerned that the planning authority is allowing the applicant to habitually generate confusion through lack of compliance and by varying and revising proposals. This runs counter to achieving high standards of planning and fails to serve the public interest well.

We consider there are strong reasons for the CNPA to seek clarity and not consider future development until clear lines can be drawn under all the conditions still outstanding from previous applications.

#### Piecemeal Approach to Development

We are very concerned about the piecemeal nature of the current proposals. The applicant has been running the Badaguish facility for decades, and is perfectly able to know what facilities are required. It is unacceptable, for example, for the applicant to suggest that there may be an application for further kitchen pods in the future. This raises concerns about whether the applicant is putting forward yet another poorly thought through application that can then be used to justify yet more piecemeal development. This does

not represent high standards of planning and should have no place in a development at the heart of the National Park.

#### Numbers of users

The applicant appears to be continuing to attempt to mislead the planning authority about the numbers of bedspaces and how this has increased. We realise that the present application does not involve an increase in bedspaces, but we are concerned that there is still a lack of clarity about the very substantial increase in bedspaces, as a result of inaccurate statements made by the applicant and the CNPA.

As the CNPA must by now be fully aware, in 1996 there were nowhere near 261 bedspaces. We note that the CNPA planning report (paragraph 82 Access, Paper 2 11<sup>th</sup> Nov 2011, 2011/0206/DET) states there were "approximately 261 bedspaces in 1996". This is unacceptably misleading, as the CNPA must have been aware at the time of writing it.

#### Wheelchair access

The wigwams are not wheelchair accessible; and even if ramps were provided, the space within the wigwam is not specifically designed for wheelchair access and would be cramped. There is a contradiction with the toilets/kitchens being wheelchair accessible when the accommodation isn't.

We find it hard to understand how this charity for disabled users is not complying with best practice in what is purported to be their core business and how this is justified.

#### Accuracy of Information

We are concerned at the inaccuracy of basic information about land ownership. The applicant appears to be attempting to give the impressions that they are the owners of what is land held by Scottish Ministers and is therefore public land. that BSCG has What do CNPA understand by the blue line boundary and the text in the map stating what it represents?

#### "Pilot Schemes"

It is unacceptable for the kitchen to be termed a 'pilot scheme'. The applicant has been running Badaguish for decades and is long past the stage when a pilot for a kitchen facility could remotely be justified.

Presenting bogus pilot schemes can be seen as merely a means of not planning properly ahead and not providing a credible masterplan.

Yours sincerely  
Gus Jones  
Convener