
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT PROPOSED: FULL PERMISSION FOR A COFFEE SHOP AND MINIATURE WHISKY CENTRE AT THE FORMER TOURIST INFORMATION CENTRE

REFERENCE: 05/118/CP

APPLICANT: MR. ROBIN ANDREW LAMBIE, MID MAINS, DUFFUS, MORAY, IV30 5PU.

DATE CALLED-IN: 24TH APRIL 2005

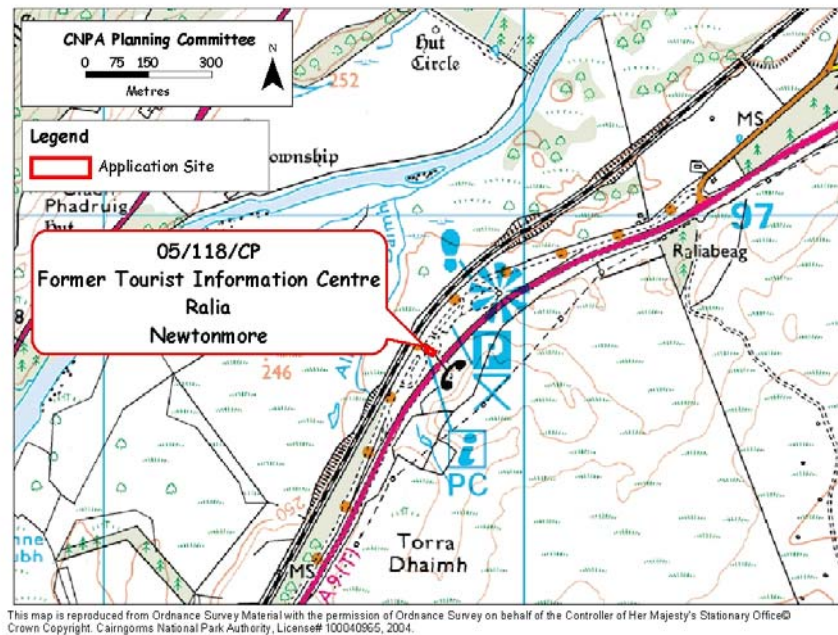


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The proposed development site comprises of the former tourist information centre building at Ralia, off the A9 trunk road, a short distance south of Newtonmore. The building which is the subject of this application is located in the Ralia roadside rest area, which was previously marketed and known as "The Highland Gateway Centre."
2. The roadside rest area is accessed off the northbound carriageway of the A9 via a dedicated single carriage slip road, with the exit from the site being via a link road to the B9150, in close proximity to its junction with the A9. Southbound traffic both enters and exits the site from this area. Advance brown tourist signage is in place to the north and south of the Ralia site referring to the Highland Gateway Centre.
3. The building which is the subject of this application is located in a relatively central position within the rest area, with a coach parking area located to the south and car parking, picnic areas and short walking trails to the north of the structure. In addition to the subject building, there is also a separate structure adjacent that appears to be used for storage purposes, and also a public telephone box.
4. The building is a distinctive two storey design, hexagonal in shape. The ground floor area consists of a white wash render finish, while the upper floor has a timber clad finish, and includes large picture windows. The upper floor, which formerly served as a tourist information centre is accessed via an external ascending path that alights at a suspended wooden bridge leading to the main entrance. This area is closed at present. Public access to the ground floor of the building is maintained, and toilet facilities are located in this area.
5. The development proposal involves full permission for a coffee shop and miniature whisky centre in the former tourist information centre. The more detailed description of the proposal, as contained in the application form lists three intended uses – (1) to provide light refreshments, sandwiches and snacks; (2) to provide tourist information and internet access; and (3) to provide whisky miniatures. The applicant has provided the CNPA with additional information regarding the proposed internal layout. The floor area is approximately 79 square metres and it is intended to be an open plan area, sharing the three functions. A whisky display is proposed along one wall, adjacent to the catering servery, whilst tourist information is to be displayed on shelving around the perimeter of a centrally positioned hexagonal shaped storage area. Three internet terminals are also to be located alongside the tourist information display area. Seating areas to serve the coffee shop element of the proposal are intended to occupy the remainder of the space.
6. Following the decision of the Committee to call in the application at the meeting of 24th March 2005, the applicant submitted a business plan

(unsolicited) to the planning department of the Cairngorms National Park Authority. Although this does not form part of the planning application, some of the information contained in it may be of relevance to the understanding of the overall concept of the development proposal and reference is therefore made to some of that information in this report.

7. The business plan refers to the fact that the Ralia location has “already proven to be strategically important for a natural break” and goes on to state that due to the geography and style of the proposed operation, it is intended to appeal to visitors who have little time to spare but “need a quick and satisfying pit-stop.” The promoter suggests in his business plan that the development concept would attract an incremental, more affluent market and not compete directly with existing facilities in the area. The three components of the proposed business are detailed, and it is suggested by the promoter that in addition to the provision of general tourist information, more specific information on the Cairngorms National Park would be available (information proposed to be made available through a combination of internet access, appropriate printed material and verbally from trained staff). The coffee shop element of the development is described as a modern operation, serving food and drinks with a ‘Scottish twist’, with service by trained ‘Baristas’. The third component of the proposed commercial development is the Whisky Shop that would focus on the retailing of miniature bottles, to capitalise upon its geographic location at the gateway to Whisky Country.
8. The proposed development is intended to operate all year round. The details contained in the business plan refer extensively to the importance of signage and refer to hopes that the existing signage advertising The Highland Gateway Centre can be maintained and modified to advertise the proposed business. The most recent information received from the applicant on the issue of signage acknowledges that alterations to the existing road signs would require consultation with relevant parties, and should the proposed development be permitted, the applicant does not anticipate that alterations to the signage would take effect prior to the 2006/2007 season. It has also been confirmed in the most recent correspondence received that there are no plans at present for signage on the existing structure. There are existing flag-poles within the Ralia picnic site, close to the A9 and also near the building which is the subject of this application, and the applicant has stated in recent correspondence that the Highland Council (owners of the site) have agreed that the existing flag poles can be used to fly flags promoting the business.
9. The business plan includes a specific section on the applicants’ perceptions of the effect of the proposed development on local businesses. It is stressed in that submission that the proposed Ralia development, due to its limited scale, would not be a destination but rather an impulse stop. The applicant puts forward the theory that the

level of convenience, quality and service to be provided at the facility would necessitate prices up to 100% greater than at local businesses, and would therefore be unlikely to detract from the existing customer base of existing local businesses, but would rather serve a new market of “discerning customers in a hurry.”

DEVELOPMENT PLAN CONTEXT

National Policy

10. **NPPG 9 on The Provision of Roadside Facilities on Motorways and Trunk Roads in Scotland** includes a specific policy pertaining to the A9. Entitled *Other Trunk Roads – A9 Policy*, para. 23 refers to the existing policy of restricting service facilities to those provided in the bypasses settlements on the sections of the A9 which were reconstructed approximately 30 years ago between Inveralmond (Perth) and Arduillie on the Cromarty Firth. Para. 24 details the fact that the policy was reconfirmed in 1995 when it was announced that there would be no fundamental change to the policy on roadside services. The policy did however refer to the need to identify opportunities for a limited number of non-commercial facilities such as rest areas, toilets and telephones.
11. **SPP 17 : Planning for Transport (Consultation Draft)** was published in January 2004 and is intended to replace **NPPG 9 – The Provision of Roadside Facilities on Motorways and Other Trunk Roads in Scotland**, **NPPG 17 – Transport and Planning** and **SPP17 – Transport and Planning Maximum Parking Standards Addendum to NPPG17**. A consultation procedure was undertaken in 2004, but SPP17 has not yet been adopted.
12. The summary of **SPP 17 : Planning for Transport (Consultation Draft)** highlights the issue of roadside service facilities stating that they are a “special case of development affecting strategic routes”, where the comfort and safety of drivers should be accommodated through the provision of opportunities to stop and rest, with additional facilities in appropriate locations from toilets through to full service area provision.
13. Para. 64 of **SPP 17** deals specifically with the *A9 Policy*. Reference is made to the “long standing policy embodied in structure plans of restricting service facilities to those provided in the by-passed settlements” but acknowledges that in the 30 years since A9 reconstruction, the economies of the by passed settlements have successfully adopted to their new role. Accordingly, **SPP 17** proposes that “national policy for the A9 should now revert to the general considerations under *Development affecting trunk and other strategic roads*, and *Roadside service facilities provision – General and Other Trunk and Strategic Roads*, as detailed elsewhere in the document.

14. In terms of the policy on *Roadside service facilities provision – General*, it is stated that the “level of facilities provided should be realistic relative to traffic flow, operator interest, the impact on the economies of the wayside and bypassed communities, infrastructure costs, and the environmental character of the route corridor.” It is stated that Planning Authorities should make provision in their development plans for a range of roadside facilities and should avoid being unduly restrictive unless there are legitimate land use, environmental, road safety or traffic management justifications.
15. In relation to the policy for roadside service facilities provision on *Other trunk and strategic roads*, para. 60 alludes to the fact that travellers will have greater opportunities to stop en route or make a short diversion to find fuel, refreshment and rest, and consequently there is “less justification for dedicated service provision adjacent to the road.”
16. Para. 64 concludes in relation to the A9, that in the event that local authorities, having regard to the aforementioned policies, “decide that roadside facilities on the A9 are acceptable, design quality will be an additional paramount consideration of continuing national concern”. The policy specifically mentions the fact that any developments occurring should “complement the special character of the area, including the Cairngorms National Park.”
17. The current status of **SPP 17 : Planning for Transport (Consultation Draft)** has been queried with the Scottish Executive. At the time of writing this report, informal advice from the Scottish Executive suggested that **SPP 17** is programmed to be issued towards the end of June 2005, and that the provisions regarding the A9, as contained in the consultative draft, are “unlikely to change.”

The Highland Structure Plan 2001

18. Section 2.16.7 details the Structure Plan policy on Roadside Services and refers to the fact that central Government guidance i.e. NPPG 9, had re-affirmed the policy of resisting roadside service developments outwith existing settlements on the A9. It is stated that Highland Council fully supports the policy in the interests of the economies of bypassed settlements and the environmental safeguarding of this key strategic route.
19. Policy TC8 details the specific Service Facilities policy, where it is stated that “The Council will promote and support commercial service facilities for road users within nearby settlements on the A9 between the Drumochter Pass and Arduillie and oppose direct facilities on the Trunk Road. The Council will support appropriate signage of these facilities from the A9. Informal roadside facilities from the A9, such as toilets and picnic sites, will be supported subject to the Route Strategy Study of the National Roads Directorate.”

20. The subject site is located within an *Area of Great Landscape Value* (AGLV) and consequently Policy L4 on Landscape Character applies, where any proposed development must have regard to the desirability of maintaining and enhancing present landscape character.

Badenoch and Strathspey Local Plan 1997

21. The Local Plan includes a specific section on *Roadside Development* (section 2.2.18) where it is stated that the Highland Council will continue to operate their joint A9 policy with the Scottish Office which presumes against the provision of roadside commercial facilities in favour of concentrating services within by-passed communities.
22. With regard to the Local Plan policy on *Tourism Promotion*, specific reference is made to the Ralia site in section 2.2.11 where there is recognition of the benefit of 'key gateway information sites' promoting by-passed communities, alternative tourist routes, visitor facilities and attractions. The policy expressly states that there will be a presumption against commercial facilities at such locations.

CONSULTATIONS

23. The Scottish Executive Trunk Roads Network Management Division were consulted on the development proposal and have recommended that a condition be attached in the event of a grant of planning permission stating that no goods shall be displayed adjacent to the trunk road and no advertising boards or signs shall be erected adjacent to the trunk road.
24. The Environmental Health department of the Highland Council advised that they have no comment to make on the application.
25. The Natural Resources Group have stated that the development proposal does not raise issues of concern regarding natural heritage as it is essentially for a change of use of an existing building.
26. The Visitor Services and Recreation Group have made reference to the fact that the Drumochter Pass northbound A9 route is the most high profile entry point into the Cairngorms National Park, with 7,060 estimated vehicles per day entering. Accordingly, VSR state that a proposal which upgrades the site and information and interpretation about the Park "should be encouraged." The Group are currently preparing an Interpretative Framework which is due to be presented to the Board in May, and one of the recommended actions includes the CNPA continuing to work with partners to develop Park Branded information and interpretation in Tourist Information Centres, Ranger Bases and Visitor Attractions.
27. The Visitor Services and Recreation Group have also provided some background information in the form of extracts from a consultants

report which was prepared regarding the Cairngorms National Park Entry Points. The consultants responsible for the report, although not commissioned to do so, briefly examined the role of the Highland Gateway Centre at Ralia and noted that the facility as a whole represents a much under-used resource. The report refers to the “on going policy deliberations with to the provision of A9 service areas” and suggests that depending on their outcome, “information provision might be the primary function of the facility or it might share equal billing with the availability of refreshments.”

28. Economic and Social Development Group responded by outlining the potential benefits of the proposed development, including the fact that it would utilise a vacant structure, is a potential location from which to promote the National Park (including its activities, services and aims), as well as having the potential to support local communities through providing an information point for their services. The general presumption against services on the A9 was also acknowledged in the response. However, the Economic and Social Development Group consider that the limited scale of the proposed development would appear to compliment and support local services rather than impact on them.

REPRESENTATIONS

29. No representations have been received in respect of this application.

APPRAISAL

30. The proposed development at the Ralia Highland Gateway Centre is essentially for a change of use of the former tourist information centre to a commercial development comprising of three functions – provision of refreshments, a retail sales area for miniature whisky sales and tourist information provision, all of which is to be contained within the existing premises, in an open plan multi functional space. At present the erection of new or additional signage does not form part of the development proposal, and the development could not therefore be considered to impact on the visual quality of the general area or the specific setting of the premises.
31. In general, it is considered that the proposed development would be unlikely to give rise to any adverse visual impact on the scenic qualities of this area, which is designated as an Area of Great Landscape Value. The existing structure, although distinctive in design, is located in a relatively non obtrusive position, below the level of the adjacent A9 and screened by an embankment and planting between the road and the facility. In addition the remainder of the Ralia site surrounding the structure has been landscaped and is maintained to a high standard, thereby generally creating an aesthetically pleasing environment for users of the site. Although there may be future intentions for

advertising signage on either the building or the roadside, such proposals do not form part of this current application. In the event of the submission of an application to the relevant Authority in the future, an appropriate decision can be made on the proposal at that stage.

32. Due to the nature and limited scale of the proposed development, and its proposed location within an established and recognised rest area which already provides toilet, telephone and picnic facilities, I agree with the thrust of the business plan which suggests that the development would not be a destination but rather an impulse stop. However, as regards suggestions in the business plan of retail prices at the proposed facility being significantly higher than local businesses, thereby attracting a new market of discerning customer and not drawing custom from existing operators in bypassed settlements in close proximity, there can be little control or regulation of this matter through the planning system.
33. The key issue in this paper centres on the fact that the development proposal, if permitted, would essentially introduce a commercial service facility on the A9 trunk road – contrary to policy which has been in place for the past 30 years since the reconstruction of the A9, but possibly in accordance with current emerging thinking as detailed in **SPP 17 : Planning for Transport (Consultation Draft)**.
34. There is currently a long established policy in place restricting service facilities along the A9 between Inveralmond (Perth) and Arduilie on the Cromarty Firth to those provided in by passed settlements, as expressed in **NPPG 9 – The Provision of Roadside Facilities on Motorways and Trunk Roads in Scotland**, and as subsequently reiterated in both the **Highland Structure Plan 2001** (Policy TC8) and the **Badenoch and Strathspey Local Plan 1997** (section 2.2.18 on Roadside Development). Reference should also be had to the Local Plan policy on Tourism Promotion – A9, where Ralia is specifically identified as a key gateway information site, but where it is categorically stated that an absolute presumption will be maintained against commercial facilities at this location. Therefore, in the context of the existing policy, the proposed development is considered to be contrary to national, structure and local plan policies.
35. However, in examining the development proposal in the context of the draft national policy, as expressed in **SPP 17 : Planning for Transport (Consultation Draft)**, i.e. the abandonment of the restrictive A9 policy and reverting back to general considerations regarding trunk roads and roadside service facilities provision, there are a number of criteria which the proposal must conform to, including –
 - (i) Design quality, and in particular the need to ensure that development complements the special character of the area, especially the Cairngorms National Park;
 - (ii) the level of facilities provided should be realistic relative to traffic flow, operator interest, the impact on the economies of

- the wayside and by-passed communities, infrastructure costs and the environmental character of the route corridor;
 - (iii) safe and appropriate access design is achieved;
 - (iv) justification for dedicated service provision adjacent to the road, as opposed to a location within a settlement where travellers can make a short diversion to avail of facilities;
 - (v) service areas accessible to traffic in the same direction should generally not be closer than 24 km to each other.
36. As has been stated elsewhere in this report, the development proposal concerns a change of use of an existing building that has been accepted in the landscape, and therefore design quality is not considered to be an issue of concern.
37. On the basis of the information provided in this application, the development is a limited small scale enterprise to serve users of the existing Ralia site, with information contained in the business plan suggesting that it would not impact on the economies of nearby bypassed communities. The business plan also details the type of food which would be served in the proposed development and also outlines the limited extent of the proposed miniature whisky sales area, and it is considered that both are of a scale which are intended to provide speed and convenience to the visitor, as opposed to those diverting off the trunk road to avail of more extensive facilities at a more leisurely pace in the by passed settlements in the area. Access arrangements to the proposed development are already established since the creation of the Highland Gateway Centre at Ralia, and the development would not therefore necessitate additional infrastructure costs. The proposed development is therefore considered to comply with four of the five criteria detailed above.
38. As regards the proposals compliance with the draft National Policy which recommends that service areas accessible to traffic in the same direction should generally not be closer than 24 km to each other, the Members attention is drawn to a permission recently granted by the Highland Council for the erection of a tourist information centre, exhibition centre, restaurant and shop at Dalwhinnie (Highland Council Planning Reg. No. 02/00119/FULBS refers). Members may recall that the CNPA were invited by Highland Council to comment in the course of the assessment of that application. The report prepared at that time by the Interim Planning Manager referred to the on-going re-assessment of the A9 policy at national and local level, and advised that the Board should take “no final position” on the Dalwhinnie proposal or “any other location, until the review is complete.”
39. That permitted development site is located less than 8 miles from the current subject site. In the event that the two developments were to proceed, the proximity of the sites would not be in accordance with the recommended separation distances between service areas as stated in **SPP 17** (Consultation Draft). Furthermore, the potential close proximity

of two service facilities would also set a precedent for further development of this nature along the A9, particularly within the National Park area.

40. It is considered relevant at this stage to make reference to relatively recent indications from the Highland Council regarding their views on abandoning the existing restrictive A9 policy. Towards the latter end of 2003, the findings of the A9 Services Working Group were supported by a majority vote of the Council. The recommendations of note in that report include proposals to have Ralia (as well as Blackmount, near Carrbridge) serve as a focus for promoting by-passed communities in Badenoch and Strathspey with information, toilets and light refreshments and picnic facilities for north and south bound traffic. The report recommends that catering facilities would be taken forward in consultation with local communities, but acknowledged that only one of the locations mentioned could support a commercial opportunity.
41. In addition, the current position of the Highland Council was further re-affirmed in a submission to the Scottish Executive, dated 2 April 2004, on the consultation draft of **SPP 17 – Planning for Transport**. In relation to roadside services facilities provision, it is stated that the “Council is content that the A9 between Inveralmond and Arduilie is no longer a special case. The wording of the guidance for trunk and strategic roads is supported.”

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

42. The proposed development is not considered to have any significant impact on the natural or cultural heritage of the area.

Promote Sustainable Use of Natural Resources

43. The development proposal does not make any particular contribution to this aim, although there may be the potential to use local produce in connection with the catering element of the proposal, in addition to the sale of locally produced whisky miniatures.

Promote Understanding and Enjoyment of the Area

44. Having regard to the location of the proposed development site close to the busiest entry point to the Cairngorms National Park and at a location which has in the past been promoted (and continues to be advertised on road signage) as the Highland Gateway Centre, and also taking into account the proposed mix of uses, which includes tourist information provision, it is considered that the development has the potential to assist in the promotion of the understanding and enjoyment of the area.

Promote Sustainable Economic and Social Development of the Area

45. The proposed development, if limited in scale and use to the activities detailed in the business plan, would be unlikely to detract from existing businesses in the by passed settlements in the vicinity, and it could create additional employment opportunities in the area. The proposed development would therefore have the potential to promote the sustainable economic development of the area.

RECOMMENDATION

That Members of the Committee support a recommendation to:

Grant planning permission for a coffee shop and miniature whisky centre at the former tourist information centre at Ralia, Newtonmore, for the following reasons –

- (i) Details of any proposed illumination and external light sources to serve the proposed development shall be submitted for the agreement of the Cairngorms National Park Authority prior to use, and all lighting shall be designed to minimise overall light emission from the proposed development and to prevent glare or dazzle on the adjoining access road and public road.
- (ii) All public services for the development including electrical, communal television and telephone cables, shall be undergrounded throughout the site.
- (iii) For the avoidance of doubt, this planning permission does not include for the erection of signage at the site. No goods shall be displayed adjacent to the trunk road or at any location outside the structure and no advertising boards or signs shall be erected adjacent to the trunk road, or elsewhere within the Ralia site or on the exterior of the structure without prior consent from the relevant Authority.

**Mary Grier
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12 May 2005

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