
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: ANDREW TAIT, PLANNING OFFICER (DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: CONSTRUCTION OF MOUNTAIN BIKE TRAIL AT GLENMORE LODGE NATIONAL OUTDOOR TRAINING CENTRE, GLENMORE

REFERENCE: 05/033/CP

APPLICANT: TIM WALKER, GLENMORE LODGE

DATE CALLED-IN: 11 FEBRUARY 2005



Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The site is essentially the western side of the grounds of Glenmore Lodge National Outdoor Training Centre, to the west of the main group of buildings and entirely within the Lodge grounds. The area for the trail is relatively small and largely through heathland and pine forest, which rises to the Glenmore Road. The area for the mountain bike trail is partly within the existing loop of a tarmaced roller ski track. The trail also takes in part of the rifle range.
2. The trail would be laid out on a loop circuit with many curves and changes of direction to challenge trail riders. A series of differing surfaces for the trail would be used including a boulder field and a raised timber boardwalk and crushed stone/sand surfacing through the forested area. The trail would be approximately 0.7 of a metre wide. A section of stone pitching would also be included adjacent to the Glenmore Road. This range of surfaces are intended so that users can experience a range of riding surfaces in a small managed area. It is important to note that this area could be used for mountain bike training without planning permission, given the existing recreational use of the site and there has been some debate as to whether this proposal as a whole actually requires planning permission. However, my view is that some elements such as the raised boardwalk in combination with the other elements constitute an engineering operation requiring planning permission.
3. The purpose of the application is to provide a purpose built mountain bike-training track. Glenmore Lodge runs Mountain Bike Leader Training courses during which students are coached in a range of skills to tackle particular surfaces and obstacles. The use of the trail would generally be for Glenmore students and the track would not be open to the public. Such courses also involve educating students to appreciate the potential environmental impacts of their activity. The route for the trail has been designed with the local environment in mind and no trees, or stands of juniper are to be removed to accommodate the trail. Scottish Natural Heritage had been consulted on this proposal and visited the site prior to the application being submitted.

DEVELOPMENT PLAN CONTEXT

4. In the **Highland Structure Plan 2001, General Policy G2 (Design for Sustainability)** states that proposed developments will be assessed against certain criteria, including the extent to which they, contribute to the economic and social development of the community and impact on resources such as habitats, species, landscape, scenery, freshwater systems and cultural heritage. The Structure Plan's Indicative Forestry Strategy states that there will be encouragement given to the development of a diverse, multi-purpose forest resource which creates lasting employment opportunities, and, amongst other things, enhances public access and recreational opportunities. **Policy T2 (Tourism**

Developments) states that support will be given to high quality tourism development proposals, particularly those which extend the tourist season, spread economic benefits more widely and provide opportunities for the sustainable enjoyment and interpretation of the area's heritage. **Policy L4 Landscape Character** of the Structure Plan considers that the council will have regard to maintaining and enhancing present landscape character in the consideration of development proposals.

5. In the **Badenoch and Strathspey Local Plan, Policy 2.5.4** states that protection will be given to existing trees and established woodland areas, including small groups of trees or individual granny pines which are important landscape, wildlife and amenity features in the countryside. These should include significant areas of ancient and semi natural woodlands, incorporating important areas of remnant native forest as well as exotic specimens, notably associated with estate policies. Generally, development should not be sited within 20m of the trunks of large mature trees, and careful consideration will be given to the effect of related access and services on their stability. In addition, **Policy 2.2.9 (Tourism and Recreation)** states that tourist activities will continue to make a vital contribution to the economy. The priority is to ensure that broadening the range and quality of facilities is balanced with protecting the area's exceptional scenic and heritage resources. The Local Plan also states that the more accessible intermediate lowland areas have potential for a broad range of activities and that provision should be made in the more robust locations better able to absorb visitor pressure, for upgrading facilities for recreation, tourism, interpretation and education/research. Multiple use of forest areas in particular is encouraged.
6. The area is zoned by the **Badenoch and Strathspey Local Plan** as part of the "main area of existing settlement" at Glenmore and is subject to **Policy 4.14.1** which considers that while reasonable consolidation and improvement of established businesses is acceptable in principle, the Council will maintain a strong presumption against further new development throughout the area except where development is considered essential for the proper management of visitors.
7. In addition to these regional and local planning policies, **National Planning Policy Guideline 11 (Sport, Physical Recreation and Open Space)** recognises that mountain biking or off-road cycling is growing in popularity. However, it also states that intensive use of a trail or path can lead to a deterioration of the surface and eventually to erosion. In the management of their countryside facilities, the NPPG supports authorities, which encourage mountain biking by providing hire facilities and marked trails, which can help draw demand away from the more sensitive landscapes and areas.
8. Latest Scottish Executive advice in the form of **PAN 73 Rural Diversification** considers that many rural businesses are expanding into new areas and diversification should be encouraged. Planning Authorities along with others can support diversification in ways that benefit the

economy and lead to good development on the ground. Balanced against this the advice recognises that many areas are special in terms of natural and cultural heritage, particularly landscapes and natural heritage that is special in European terms. The advice goes on to consider that some parts of these valued environments can accommodate certain types of development, where it can be demonstrated that there will be no adverse environmental impact.

9. The site has status as a Site of Community Importance (SCI) under EC Directive 92/43EEC on the conservation of the Natural Habitats and of Wild Flora and Fauna (the "Habitats Directive") means that the Conservation (Natural Habitats&c) Regulations 1994 (the "Habitats Regulations") apply.
10. "Regulation 48 requires that, where an authority concludes that a development proposal unconnected with the Nature Conservation management of a Natura 2000 site is likely to have a significant effect on that site, it must undertake an appropriate assessment of the implications for the conservation interests for which the area has been designated".
11. The above advice means that the competent authority must determine whether the proposal is directly connected with or necessary to site management for conservation; and if not, determine whether the proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; and if so, then make an appropriate assessment of the implications (of the proposal) for the site in view of that site's conservation objectives.

CONSULTATIONS

12. The **Forestry Commission (Scotland)** have been consulted upon the proposal and given that it is entirely within the grounds of the Lodge and that it is for the use of Lodge students the Commission has no comment to make on the proposed development as it appears that there is little risk of increased use of the surrounding forests, which have important conservation designations.
13. **Scottish Natural Heritage** note that the proposal lies within the Cairngorms National Scenic Area. In addition most of the development lies within Glenmore Forest SSSI, Cairngorms SPA and Cairngorms SCI. The interests in relation to the SCI and SPA include pine woodland, juniper on heath, bog woodland, capercaillie and Scottish Crossbill.
14. **Scottish Natural Heritage's** advice is that the effects of the proposal on the site are likely to be significant and recommend that an appropriate assessment is taken of the implications of the proposal for European conservation interests. This assessment should address the loss of pine woodland and the possible loss/extent of loss of juniper/heathland and disturbance to capercaillie and Scottish crossbill. SNH would advise that

in undertaking this assessment the proposal if carried out strictly in accordance with the following conditions, then the proposal will not adversely affect the integrity of the features of interest.

- a. that juniper bushes are maintained
 - b. that there is no removal of limbs from pine trees other than for health and safety reasons
 - c. that individual trees/shrubs are protected where necessary from damage by mountain bike users where they accidentally diverge from the proposed trail
 - d. that although SNH are not aware of any wood ants nests in the locations specified the area should nonetheless be surveyed for their presence. Should they occur in the proposed locations, they should be marked and avoided or relocated where this is not possible.
 - e. That the proposal must be carried out in accordance with the submitted plan.
15. With regard to the NSA designation SNH consider that the proposal will not have any significant landscape impacts as the site is sufficiently screened by woodland, individual trees and shrubs.
16. SNH's response notes that the application refers to environmental education, although this is not covered in any detail. SNH is supportive of the development of education opportunities in relation to the use of mountain bikes in areas of significance for natural heritage interests.
17. **The CNPA Natural Resource Group** consider that the nature of the disturbance from the proposal can also be split into a) disturbance during construction of the cycleway and b) disturbance during operation of the cycleway. Crucial to this will be where the nearest lekking sites are, as these are the most sensitive areas, along with habitat used by breeding hens and their chicks. NRG do not have such detailed info to hand, but it is likely/possible that the operation of Glenmore itself will have created a level of disturbance around the site. NRG believe SNH would have raised concerns if there were breeding birds present at Glenmore. NRG are mindful that any assessment should take account of the Delphi report in relation the impact of recreational disturbance on Capercaillie.
18. **The CNPA Economic and Social Development Group** consider that it makes sense to build on existing facilities at Glenmore and this approach will also help to make Glenmore Lodge more economically sustainable as an outdoor leisure centre.

REPRESENTATIONS

19. A letter of support for the proposal from Scottish Cycling is attached at the back of the report.

APPRAISAL

20. The key issues with regard to this proposal are the affects of the trail in landscape terms and secondly its effect upon the conservation designations at the site.
21. In terms of Policy T2 of the Highland Structure Plan and Policy 2.29 of the Badenoch and Strathspey Local Plan the application is supportable in principle. However, an assessment of the proposal must take place against protective aspects of policies and L4 'Landscape Character' and G2 'Design for Sustainability' as well as an assessment against the various conservation designations at the site illustrated by SNH's response. The proposal is not connected with the conservation management of the site, so an appropriate assessment must be made of the likely impacts of the proposal in line with SNH's advice.
22. With regard to landscape the development site is within the Cairngorms National Scenic Area. Scottish Natural Heritage have no objection to the proposal on landscape grounds and it is important to note that the proposal does not involve the felling of any trees or removal of shrubs. The nature of the development involves a ground based trail, within the existing grounds of the lodge and given this taken together with the nature of screening around the site (and in particular to the Glenmore Road) any significant landscape impact would be most unlikely to occur. Consequently, the proposal is considered to accord with Policy L4 Landscape Character.
23. There is little doubt that the proposal is positive in terms of social and economic development in the park and also in promoting understanding and enjoyment and it is noted that any mountain bike courses would emphasise responsible trail riding and respect for the environment in any course syllabus. However, the key issue with regard to the proposal is the potential impact upon the designated conservation interests. The mountain bike trail takes up a small area and would be sited on existing ground levels and the applicant has confirmed that no trees would be felled, so it can be considered that the application would not have significant impacts upon the scots pine around the site. There are stands of juniper evident but on walking the route of the trail with the applicant it is clear that the line has been designed to avoid the stands of juniper. The sections of trail proposed through the forest area are carefully designed and little excavation would take place beyond a scrape of 100mm with crushed stone from Alvie Quarry placed on top. Some larger rocks will be used to protect trees, and work close to trees will be carried out by hand. This would ensure that there is no damage to trees or tree roots. In addition, any works adjacent to trees would be carried out by hand. Given the above, it is considered that the proposal accords in principle with the development aspects of Policy G2 Design for Sustainability, as the proposal helps to reinforce an existing use at the site which would be likely to have negligible landscape impact.

24. In relation to species of conservation importance the capercaillie and Scottish crossbill are the key protected birds in the area. In relation to capercaillie, the Delphi Report has provided information on likely disturbance from recreation activity and the impacts of mountain biking upon the birds was one area of consideration. The findings show that such an activity can cause disturbance, although activities such as walking a loose dog were found to have more significant impacts and it was found that biking may cause less disturbance than some other activities. However, one particular area of concern was the amount of ground that mountain bikers could cover and the range of disturbance that could be caused by this to wider and more remote areas. With regard to this it is noted that the site for the trail is contained within a relatively small area within the grounds of the lodge and also partly within an existing tarmaced loop that functions as a roller ski trail. In addition, it is to be noted that the primary intention of the trail is as a training feature for users to practice negotiating differing surfaces rather than it being regarded as a racing trail. Given the location of the roller ski track within the site, and the fact that a section of the trail would run parallel to the Glenmore Road the site is already subject to a level of disturbance that would be unlikely to be significantly increased by the addition of the mountain bike trail. Additionally, the applicant confirms that they have not seen any capercaillie within the grounds for many years. There is no evidence to suggest any lekking at the site and it must be recognised that this is Scotland's national outdoor training facility with the associated and expected numbers of activities and comings and goings to/from the site. Particular disturbance at this site is also caused by helicopter activity, as this is a landing/fuelling point for mountain rescue helicopters. Because of the overall existing activity at this site it is considered most unlikely that any significant level of disturbance would occur to capercaillie, which are most unlikely to be in the immediate vicinity in the first instance.
25. Scottish Natural Heritage raise no objection in principle to the proposal subject to a stringent range of conditions being applied to any consent including the need for a wood ant survey of the site and mitigation measures should they be in evidence.
26. In conclusion, it is my view that this proposal would provide a range of positive benefits and contributes strongly to aims 2, 3 and 4 of the park without having any significant detrimental impact on the first aim as evidenced by the assessment of natural heritage interests and the response from SNH. It is also important to note that the activity proposed could be carried out in this area without planning permission and that this application allows the authority to ensure that natural heritage interests are protected by the conditions suggested at the end of the report.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

27. The proposal is for a mountain bike trail in an area that is subject to a range of conservation designations and a sensitive environmental area. However, the nature of the proposal and the information supplied with conditions in the report should ensure that there is no significant level of impacts upon natural heritage interests at the site. The agent for the proposal is local and was involved in the construction of the much larger Strathsmashie cycle track.

Promote Sustainable Use of Natural Resources

28. There is no detailed information regarding exactly where materials for the trail would be sourced from. However, it is likely that the small amount of timber required would be sourced locally. In addition, local contractors are being considered for any works.

Promote Understanding and Enjoyment of the Area

29. The proposal would clearly promote the enjoyment of the area and with underlying environmental principles intended to inform the mountain bike training courses the proposal would be likely to foster greater understanding of the potential environmental impacts of mountain biking both within the Park and beyond.

Promote Sustainable Economic and Social Development of the Area

30. The proposal would help to promote the social and economic development of the area by providing work in the construction of the trail but also for instructors at the lodge, the proposal would help to reinforce the reputation of the site as a centre of excellence for outdoor training.

RECOMMENDATION

31. That Members of the Committee support a recommendation to: **GRANT** Planning Permission for a Mountain Bike Trail at Glenmore Lodge, Glenmore, subject to the following conditions:-

1. The development to which this permission relates must be begun within five years from the date of this permission.
2. All scots pine trees and juniper bushes at the site shall be retained and protected during construction, a detailed survey plan showing the location of juniper stands and trees and how they would be protected during the construction of the trail shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as planning authority.

Protective measures for all trees and juniper stands shall be in place prior to works starting at the site.

3. A scheme to protect trees/shrubs from accidental collisions from trail users shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as planning authority prior to the commencement of the development hereby approved. The agreed measures shall be in place prior to the trail being first brought into use.
4. The proposal must be carried out strictly in accordance with the approved plans; any changes must be discussed with the Cairngorms National Park Authority and Scottish Natural Heritage prior to any development, or any changes being carried out.
5. Prior to the commencement of development at the site a wood ant survey, shall be carried out at the site and submitted to the Cairngorms National Park Authority in consultation with Scottish Natural Heritage. Should wood ants be found to occur at the site they should be marked and avoided or relocated where this is not possible. Any proposals for their relocation shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as planning authority in consultation with Scottish Natural Heritage. All measures shall be in place/completed prior to any construction works starting at the site.
6. No trees shall be lopped topped or felled without the prior written permission of the Cairngorms National Park Authority acting as planning authority.

Andrew Tait

planning@cairngorms.co.uk

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