
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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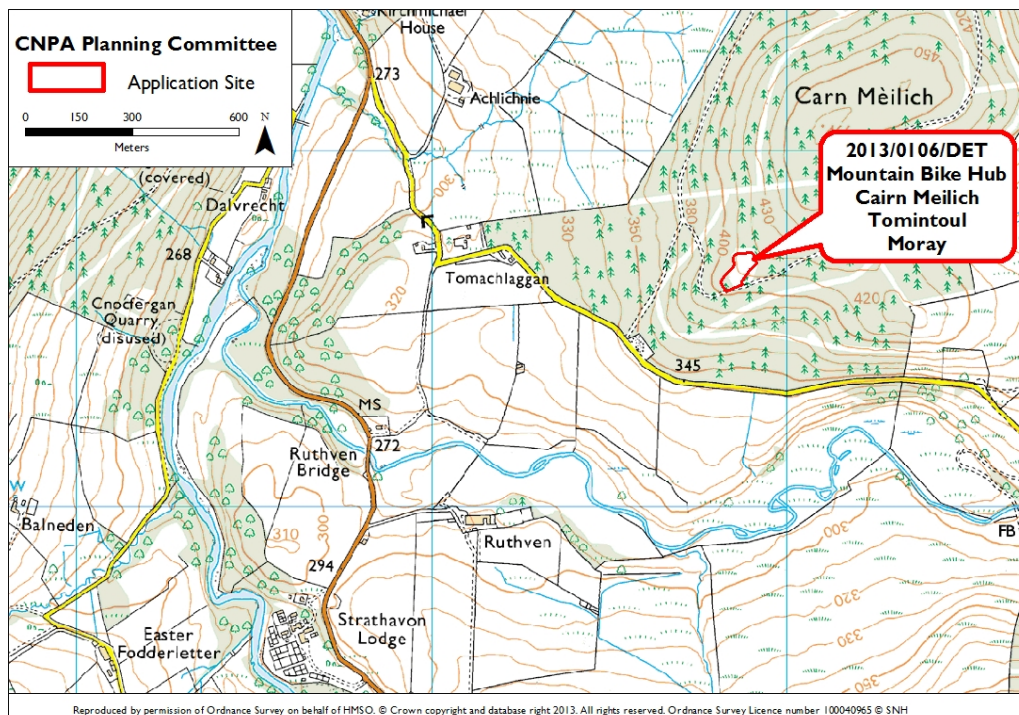
DEVELOPMENT PROPOSED: DEVELOPMENT OF MOUNTAIN BIKE HUB (CAFE, PUBLIC TOILETS, INFORMATION FACILITIES AND ASSOCIATED CAR PARKING) AT CAIRN MEILICH, TOMINTOUL

REFERENCE: 2013/0106/DET

APPLICANT: THE CROWN ESTATE C/O SMITHS GORE, EDINBURGH

DATE CALLED-IN: 8 APRIL 2013

RECOMMENDATION : APPROVE WITH CONDITIONS



Grid reference : 315866 822670

Fig. 1 - Location Plan



Fig. 3 : Former quarried area

3. The proposed hub building is a pitched roof L shape single storey structure. Vertical larch cladding is proposed on the external wall and dark coloured steel box profile cladding would be used on the roof. All windows and doors would be timber. The building would have a gross floor area of 96.87 square metres. The main area of the building would be occupied by a cafe and seating area, as well as toilet facilities.² The wing which would project from the eastern elevation would accommodate the kitchen facilities. Double entrance doors are proposed on the southern (gable) elevation of the building. A single entry door is proposed on the western elevation, to serve the toilet facilities. Bat and bird boxes would be included in the development. In addition to the cafe facility, it is also stated in supporting information that the building would include an information area and “potentially bike hire / spares sales.” An area of ground at the front of the building is proposed to be levelled and landscaping in order to form an external seating area.

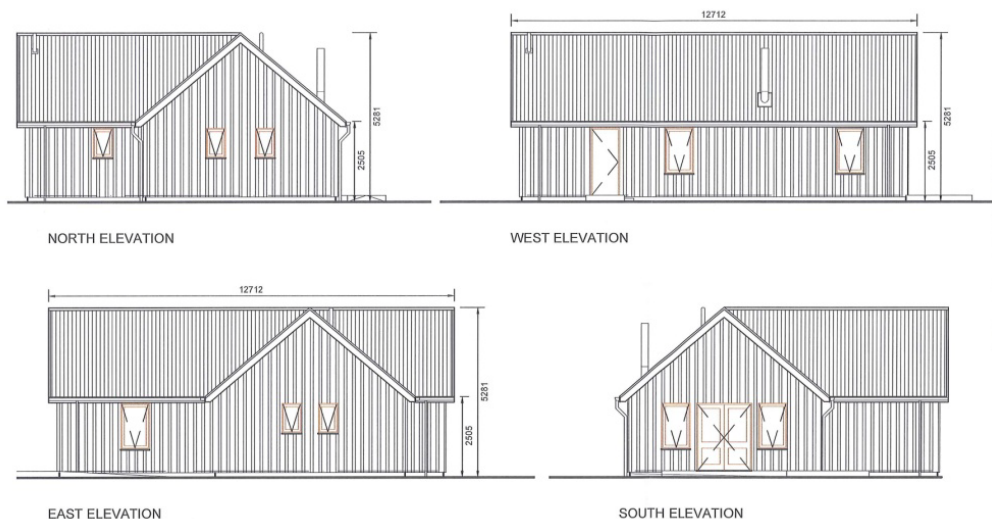


Fig. 4 : Hub elevations

² The floor plan and entrance arrangements has been designed to facilitate access to the toilets even when the rest of the hub building is closed.

4. The hub building is proposed towards the southern area of the identified site and would be set back a short distance from the existing forest access road. 30 car parking spaces are proposed to the north of the building, with 2 of those being designated for disabled parking. The site access road, parking areas and paths within the site would have a bound hardcore finish. The existing quarry face which surrounds the site on the eastern, northern and western elevations would be benched in order to produce a more stable facade. A landscaping plan has also been submitted in support of the proposal. It includes proposals for native tree planting³ around the perimeter of the developed area, at the base of the quarry face. Various areas of soft landscaping are proposed, some of which would be in the form of cut grass verges⁴ adjacent to pathways and the access route through the site, while other grassland areas would be planted with a native wild meadow flower mix.
5. There are no public services in the area. The proposed servicing arrangements at the hub include a private water supply⁵ and a septic tank / treatment plant which would be located within the hub site. The building is proposed to be powered by a generator.⁶ The car parking facility and landscaped areas would have a permeable surface in order to allow appropriate soak away.
6. Details included in the supporting information state that a Pay and Display machine would be installed at the site and a parking charge would be requested of users. It is intended that money raised would be used for the maintenance and upkeep of trails and could contribute to future additional facilities and improvements. It is also commented in the documentation that car parking charges are standard practice across mountain bike centres and bikers are generally willing to pay as they view it as their contribution to using high quality trail facilities.

Locational justification

7. Following the approval of the original planning permission for the mountain mountain bike centre, the Crown Estate reconsidered the proposed location of the hub facility. The intention is to locate it where it can provide the best experience for customers and users of the mountain bike trails, as well as providing opportunities for the successful development of the business at the hub. In this context, the currently proposed location was identified as better fitting the character of the trails and would also offer an elevated location at which bikers could begin their journey, rather than the previous starting point at Glenconglass, which would have necessitated an uphill start for cyclists.

³ Native species identified include gorse, broom, juniper, hazel, blackthorn, aspen, rowan, sessile oak, and Scots pine.

⁴ 600 mm wide verges.

⁵ Supporting information states that the identified private water supply “currently does not serve any properties, therefore there will be no adverse effect on any current supplies.”

⁶ Reference is made in supporting information to a generator which has been used by the trail build team at the site for over six months and cannot be heard outwith the immediate vicinity.

DEVELOPMENT PLAN CONTEXT

National Policy

8. **Scottish Planning Policy⁷ (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.
9. **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 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.
10. 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.”
11. 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.
12. Economic development : Planning authorities are required to respond to the diverse needs and locational requirements of different sectors and sizes of businesses. Planning authorities are advised in para. 48 to ensure that new development safeguards and enhances an area's environmental quality and should also promote and support opportunities for environmental enhancement and regeneration.

⁷ February 2010

13. Rural development : **Scottish Planning Policy** recognises that the planning system has a significant role to play in supporting sustainable economic growth in rural areas. Para. 92 advises 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 expected to respond to the specific local character of the location, fit in the landscape and seek to achieve high design and environmental standards. Planning authorities are also advised to apply proportionate standards to access roads to enable small developments to remain viable.
14. 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.
15. **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 Partnership Plan 2012-2017

16. The Cairngorms National Park Partnership Plan 2012 – 2017 is the management plan for the National Park for the next 5 years. It sets out the vision and overarching strategy for managing the Park and provides a strategic context for the Local Development Plan. Three long terms outcomes have been identified to deliver the vision for the Park, to continue the direction set out in the first National Park Plan and to together deliver the four aims of the National Park. The outcomes are :
 - A sustainable economy supporting thriving businesses and communities;
 - A special place for people and nature with natural and cultural heritage enhanced; and
 - People enjoying the park through outstanding visitor and learning experiences.

Structure Plan Policy

Moray Structure Plan 2007

17. The Structure Plan outlines the development strategy for Moray. “The central pillar of the strategy is to promote economic growth whilst safeguarding and

enhancing the natural and built environment, and promoting overall sustainability.” The subject of ‘economic development’ is discussed in section 3 of the Plan, entitled ‘Development and Community.’ Tourism is identified as a key opportunity to grow the local economy and it is advised that the tourism opportunities created by the Cairngorms National Park and the Moray Coast should be strongly pursued.

18. There are a number of strands of Structure Plan **Policy I- Development and Community** which are of relevance to a development of the nature proposed, including :
 - (b) the encouragement of tourism development opportunities;
 - (e) the encouragement of low impact, well-designed development in the countryside to support local communities and rural businesses; and
 - (h) the protection and enhancement and new provision of facilities for community use, healthcare, sport and recreation.

19. Section 4 of the Structure Plan is entitled ‘Environment and Resources’ and the Plan notes the need to balance the protection and conservation of the environment with the need to support and develop the economy and provide recreational opportunities. “Sound location, design and siting principles” are expected to be followed in all areas to ensure acceptable integration of development into the landscape. Within Areas of Great Landscape Value (AGLVs) and the Cairngorms National Scenic Area, the Structure Plan requires that priority is given to scenic quality and any development proposals will require to incorporate best principles of siting and design.” Aspects of **Policy 2 – Environment and Resources** which are applicable to the development proposal include :
 - (b) protecting the wider natural environment and local biodiversity from inappropriate development and promote opportunities for environmental enhancement and restoration where possible; and
 - (c) working in partnership with the Cairngorms National Park Authority and other interested parties to implement the objectives of the National Park.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

20. 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> 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. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.

21. *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.

22. 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.
23. 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. The design of all development is encouraged to :
 - 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.
24. 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 an existing business. Part C of the policy sets out the criteria for ‘Other business opportunities’ and where business development would be considered favourably if it
 - (a) Supports the vitality and viability of a farm, croft or other business in a rural location; or
 - (b) Is complementary to that current rural business activity; or
 - (c) Promotes diversification within that business; or
 - (d) Creates new small scale development which supports the local economy.
25. Policy 33 – Tourism related development : the policy supports tourism related development which has a beneficial impact on the local economy through enhancement of the range and quality of tourism attractions and related infrastructure, provided that they do not have adverse impacts on the landscape, built and historic environment, or the biodiversity, or the geodiversity, or the culture and traditions of the Cairngorms National Park.

26. Policy 34 – Outdoor Access : development which improves opportunities for responsible outdoor access, which adheres to the Cairngorms National Park Outdoor Access Strategy will be encouraged.
27. Policy 35 – Sport and Recreation Facilities : development of formal sport and recreation facilities, diversification of, or extensions to existing sport and recreation related business activities will be supported where they demonstrate best practise in terms of sustainable design and future maintenance, and where there are no adverse environmental impacts on the site or the neighbouring areas and where they meet an identified community or visitor need.

Supplementary Planning Guidance

28. 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

29. The guide highlights the fact that 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.
30. 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.

CONSULTATIONS

31. Glenlivet Community Council and Glenlivet Community Association : Both the Community Council and the Community Association were consulted on the development proposal. At the time of preparing this report no response had been received. Members will be updated verbally at Committee in the event that there is any change to this position.
32. Moray Council Transportation : It is noted in the response that the junction capacity (i.e. the junction of the public road and the forest access track leading to the proposed site) is “not considered to be a likely issue for normal operation.” Reference is however made to there being considerable lengths of single track access road, with passing places, leading to that junction. It is recommended in order to reduce potential conflicts that additional provision

for passing places is required, together with improvements to the junction and visibility onto the UI35H Croughly Road.

33. In commenting on the proposed car parking arrangement at the subject site, the response from the Transportation Section expresses some concern that the arrangements provide insufficient space for turning and lack a one way system which would better suit the angled parking proposals. It is also suggested, similar to concerns expressed in relation the previously approved alternative location of the mountain bike hub, that the parking proposals currently submitted are unlikely to be adequate for potential event uses. In order to address this it is recommended that a condition is included in any planning permission granted requiring that no organised events shall take place prior to there being agreement of the details and provision for any additional overspill parking arrangements to be provided based on event sizes.
34. A number of other conditions are also recommended in the event of planning permission being granted, including the aforementioned requirement to provide passing places; revisions to the on-site car parking proposals to provide a minimum of 30 car parking spaces in a layout that includes appropriate aisle widths and turning provision; and the surfacing of the first 15 metres of the forest access track with bituminous macadam.
35. **Moray Council Environmental Health** : The initial consultation response from the Environmental Health Officer (EHO) in respect of the proposed private water supply stated that further information was required in relation to the proposed water supply. The required information was subsequently provided by the planning agent and the final consultation response from the EHO confirms that those details indicate that the supply is suitable to meet the requirements of the development.
36. **CNPA Access** : The Access Officer notes that the Outdoor Access Strategy recognises that Glenlivet and Tomintoul are not well known as a possible destination for outdoor activities. The proposed development is considered to have the potential to assist in addressing this shortcoming. It is noted that the currently proposed hub location would be in close proximity to the start of the trails. In respect of the proposals for pay and display car parking charges, it is recommended that interpretation panels are erected at the site to explain the reason for the car parking charges and what the money would be used for. The proposed location of the hub is described as being well thought out, with attention to location detail and design specification. The fact that the toilet facilities could be accessed when the hub is closed is particularly welcomed. It is however noted that the proposal does not include bike racks or stands and it is suggested that such apparatus, as well as the car parking interpretation signage already referred to, be provided at the site.
37. **CNPA Economic Development** : It is stated at the outset that the response relates specifically to the potential economic impact of the development proposal. It recognises that a previous permission has been granted for the mountain bike hub development at an alternative location. It is noted that prior to the previous planning permission the applicant commissioned an

Economic Impact Assessment, although this has not been updated in the context of the currently proposed hub location. Commentary is provided in the response from the Economic Development section on the mountain bike market in Scotland – over 1.3 million mountain bike visits are made in Scotland each year, including visits to built trail centres and wider countryside visits. Mountain biking has grown as an activity and tends to attract a different type of visitor, generally being above average earners with a close connection with natural heritage which means that they often undertake other activities while on their trip.

38. The response from the Economic Development section considers the possible visitor scenario at Glenlivet, noting that the Economic Impact Assessment estimated around 16,000 visitors per annum. The response from the Economic Development section concludes that the project will generate additional benefits to the local area through attracting new visitors that would otherwise not have come or stayed overnight in the area. The development therefore has the potential to have a positive impact on tourism and the local economy.
39. **CNPA Landscape** : The Landscape Officer notes that the development is within a former quarry site in an area of commercial plantation woodland. Due to its location and the surrounding terrain views into the site are very limited other than in the immediate vicinity from forestry tracks. There is no objection to the proposal and it is considered that the landscape impact in the medium to long term will be positive, including quarry faces being stabilized, the lower faces planted with trees and the timber clad hub building settling into its landscaped surroundings. The landscape proposals which have been submitted in support of the proposal are considered to be generally well suited to the context, although some minor modifications are recommended (gorse and blackthorn to be omitted⁸ and broom confined to use on the steeper slopes in order to aid stabilisation).

REPRESENTATIONS

40. The development proposal was advertised in the Northern Scot newspaper on 12th April 2013. A total of 4 representations have been received, of which one expresses support for the proposal, one is neutral although expressing some positive points and the two remaining representations raise points of concern.
41. The representation in support of the proposal suggests that the development “will perhaps bring a much needed boost to the areas summer tourist income” and that the boost in passing trade may encourage better facilities to open in the area. Comments in another representation state that the revised location of the car park and building go some way to reduce pressure on roads in the area and that the siting of the hub facilities in a disused quarry would provide

⁸ The Landscape Officer explains that gorse can quickly ‘take over’ a site once it becomes established, and may swamp other species, as well as presenting a fire hazard. Broom has similar growth characteristics hence the reason to limit it to select areas. Blackthorn is not considered to be typical of the area.

adequate screening, shelter and noise limitation and is therefore the preferred option.

42. Points of concern which have been expressed in the remaining representations include :
- Concern regarding the adequacy of water supply and the need for reassurance that the water supply to existing properties will not be affected;
 - Queries on how power will be provided and a strong objection to the potential use of a generator. Concern is expressed by one representee that the proximity of the proposed new hub would result in unacceptable disturbance to their residence and self catering business due to constant noise;
 - Car parking potentially spilling over onto existing access tracks, thereby creating access difficulties for others;
 - Questioning why the hub is not situated in Tomintoul in order to ensure interaction between bikers and businesses, and a suggestion that the proposed location of the hub will result in bikers being self sufficient and have no reason to go to the village; and
 - A preference that the hub would be located at the site on which it was originally approved.

APPRAISAL

43. The principle of mountain bike trails and an associated hub has already been accepted in the Cairn Meilich / Cairn Daimh area, albeit with the hub being in a different location. The mountain bike trails are substantially complete and will soon be coming into use. The aspect of the overall plan which remains to be developed is the hub facility, which is now proposed at the currently identified alternative location. The principle of a hub facility as part of the overall mountain biking facility remains acceptable and it is only the site specific elements of the currently proposed hub which require consideration in this application.

Location

44. The currently proposed hub site is located within a former quarry and surrounded by commercial forestry. It has the benefit of being at the heart of the mountain bike trail network that has been developed at Cairn Meilich and because of this would provide mountain bikers with more immediate access to the trail network rather than the previously permitted hub site which was in a more peripheral location. The currently proposed location also offers considerably greater potential to minimise the impact of development than in the previously proposed location. Given the already cleared nature of much the site due to the previous quarrying activity the proposal would not result in tree felling or extensive engineering operations. In addition the surrounding landform and the current existence of forestry on that land will also ensure that the new building nestles into its location and has extremely limited visibility, except from the immediate vicinity of the site. In that respect the

proposal can be considered to accord with CNP Local Plan Policy 6 – Landscape.

Siting and design

45. The proposed siting of the hub building in the southern area of the site (i.e. towards the front, with car parking towards the rear) is considered to be both practical from an access and operational point of view as well as being appropriate from a landscape perspective. Ground levels rise gently from south to north. The siting of the hub would involve minimal excavations due to the relatively minor change between the existing ground level and the proposed finished floor level of the building.⁹ Landscaping is proposed to be undertaken in the surrounding areas, most of which is on slightly higher ground, and would assist in providing an immediate backdrop for the building, before the land graduates to the surrounding steeper quarry face.
46. The design of the building, including its scale, external finish and consideration of orientation (having a south facing principle elevation) is appropriate to the setting. With a floor area of 96.87 square metres the building is of a modest size. The simple L shape footprint and the extensive use of timber will ensure that it would retain a certain rustic character which is appropriate to its proposed woodland setting. The building will assimilate well into its surroundings rather than dominate the setting. In this context it can be considered to accord with the principles of Policy 16 of the CNP Local Plan which concerns ‘Design Standards for Developments’ and encourages for example the use of materials and landscaping that complement the setting of the development.

Servicing and Access Arrangements

47. Given the somewhat remote location of the subject site, it is clear that any development in this location would not have the benefit of available public water and sewage facilities and that provision would have to be made to provide private services at the site. Concern has been expressed in some representations regarding the water supply and in particular potential impacts on the water supply serving existing properties in the surrounding area. As detailed in paragraph 5 of this report, and as further confirmed in a submission from the planning agent to Moray Council’s Environmental Health section on 30 April 2013, the proposed water supply “serves no other properties.” Various assessments of the water supply were undertaken. All of the information provided in response to the original queries from Moray Council’s EHO have been considered and the final response from the Environmental Health Officer confirms that the supply is suitable to meet the needs of the development.
48. Concern has also been expressed in one representation regarding the potential disturbance to a residential property and a holiday letting business in the event of a generator being used to provide power at the site. However, given the secluded nature of the site, the benefit of the surrounding landform in acting as a type of buffer, as well as the distance of the hub from the nearest residential

⁹ 404.20 metres and 404.00 metres respectively.

properties,¹⁰ the use of a generator is not considered likely to have a significant impact on the residential properties in the area.

49. As detailed in paragraphs 34 - 36, the response from Moray Council's Transportation section has raised some issues, although it is not an objection to the development proposal. In essence the concerns raised are similar to those that were highlighted in the course of the previous application in which the hub was proposed on an alternative site, particularly in relation to the need to make provision for overflow car parking prior to organised events taking place on the trails. The Crown Estate as applicants have indicated their willingness to investigate and propose possible options for consideration as overspill car parking. Given that the Crown Estate owns significant tracts of land in the surrounding vicinity, adequate opportunity exists to identify a suitable location for overflow car parking. Similar to the case in the previous planning application where the hub was proposed in an alternative location, it remains appropriate in the course of this planning application to include a condition prohibiting the operation of organised events¹¹ until such car parking provision has been provided at an appropriate location. Such a proposal would be the subject of a separate planning application.
50. Other issues raised by Moray Council's Transportation section pertained to the car parking arrangement proposed on the hub site and a recommendation that it should be reorganised in order to improve traffic flow and provide adequate manoeuvring space. Adequate space is available within the site to reorganise the 30 proposed car parking spaces and again this is a matter which could be dealt with by the use of an appropriately worded condition.

Conclusion

51. The principle of developing a hub building to provide a variety of on-site facilities for use by mountain bikers using the trails as well as by the wider public who may visit the area, was previously accepted as being a core part of the overall mountain bike trail project. The applicants have provided adequate justification for the proposed change of location. In addition, all site specific considerations have been examined in the foregoing sections of this report and have been found to be acceptable. Consequently it is recommended that planning permission granted for the development.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

52. The development is proposed in a disused quarry, in an area which is surrounded by a commercial forestry plantation. Given the already disturbed nature of the site due to historic quarrying operations, the development is not considered to give rise to adverse impacts on the natural heritage of the area. The proposed landscaping on the subject site, together with measures to

¹⁰ 591 metres, 612 metres and 735 metres.

¹¹ With the exception of an opening event.

stabilise the quarry face through benching, all have the potential to enhance the natural heritage value of the site.

Promote Sustainable Use of Natural Resources

53. The proposed hub building would include the extensive use of larch cladding, which could be locally sourced. A wood burning stove is proposed as the main heat source within the building.

Promote Understanding and Enjoyment of the Area

54. The facilities which are proposed to be provided in the hub (cafe, information, and toilets) would be of benefit to users of the new mountain biking trails, and would also be of benefit to other visitors to the area.

Promote Sustainable Economic and Social Development of the Area

55. The development of the hub facility has the potential to attract increased visitor numbers to the site and to the wider area. The hub building would accommodate a mix of facilities (cafe, information and toilet facilities) and its operation would create employment opportunities.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT planning permission for the development of a mountain bike hub consisting of a building for the provision of a cafe, public toilets, information facilities and associated car parking at Cairn Meilich, Tomintoul, 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. For the avoidance of doubt, only one hub building shall be developed in conjunction with the mountain bike trail development at Cairn Meilich and Cairn Daimh. The commencement of development at the subject site shall supersede any entitlements to develop a hub building at the site on which it was previously permitted through CNPA Planning Ref. No. 2011/0302/DET.

Reason : In the interests of orderly development.

3. Prior to any development commencing the following must be submitted for the written approval of the Cairngorms National Park Authority acting as Planning Authority in consultation with the Moray Council Transportation and shall thereafter be implemented in accordance with the agreed measures :
- (a) details of the passing place and track upgrading works for the section of private access track leading from the U135H to the proposed hub site; and
 - (b) details of the proposed works to the access track and junction with the U135H including works which will be undertaken to achieve visibility splays of

4.5m x 120m, proposed drainage arrangements, extent of surfacing, drainage and construction details for the access track.

Reason : To ensure that acceptable infrastructure is provided on the route to the development and to ensure that the development does not create any hazard to road users, in the interests of road safety.

4. Prior to commencement of development and notwithstanding the details submitted for the proposed car parking layout (Drawing No. 1025352/PI/01 Rev F) a detailed revised site plan shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority in conjunction with Moray Council Transportation, and shall show a minimum of 30 car parking spaces arranged in a layout that provides appropriate aisle widths and turning provision.

Reason : To ensure that there is an appropriate level of car parking provision at the hub site and within an acceptable layout that will ensure the satisfactory functioning of the car park.

5. Prior to any part of the facility opening to the public the following must be completed in accordance with the approved plans
 - (a) A minimum of 30 car parking spaces shall be provided at the proposed hub;
 - (b) A signage strategy must be submitted for the written approval of the Cairngorms National Park Authority acting as Planning Authority in consultation with Moray Council Transportation and shall thereafter be implemented in accordance with the approved plans;
 - (c) All agreed passing places, including those previously identified through the associated planning permission CNPA Planning Ref. No. 2011/0302/DET must be completed;
 - (d) The proposed passing place on the U135H (as shown on drawing no. 1025352/05 attached) must be constructed in accordance with the Moray Council specifications.

Reason : To ensure that the development is acceptable and that adequate infrastructure is in place to accommodate users of the hub building and associated mountain bike trails.

6. With the exception of an opening event, no organised events shall be permitted at the mountain biking facility until :
 - (a) Adequate over flow car parking provision has been developed in the vicinity. Any proposed additional / over flow car parking facilities shall be the subject of a separate planning application;
 - (b) A traffic management plan and detailed proposals for a signage strategy, as previously required through CNPA Planning Ref. No. 2011/0302/DET, have been submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in consultation with Moray Council Transportation and the provisions required are in place thereafter;
 - (c) Passing places (as shown on previously approved drawing no. 1025352/05) have been constructed in accordance with Moray Council specification;

- (d) The first 15m of the access track, measured from the edge of the public road (U135H), shall be constructed to the Moray Council specification and surfaced with bituminous macadam; and
- (e) No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.

One single opening event may be organised at the mountain biking facility in advance of the requirements of (a) to (c) above. Prior to the holding of the opening event, a temporary overflow car parking area shall be identified and agreed with the Cairngorms National Park Authority acting as Planning Authority in conjunction with Moray Council Transportation. The identified car parking area shall only be used as a temporary measure specifically in conjunction with the operation of an opening event.

Reason : In the interests of ensuring acceptable development and the provision of appropriate infrastructure on the route to the development, in the interests of road safety.

- 7. Prior to the first operation of the hub facility, detailed proposals shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority to show the following :
 - (a) The provision of bike stands (including details of specification and specific location);
 - (b) Details of 'pay and display' machines (including specifications and specific locations);
 - (c) The provision of interpretation signage within the car park to provide an explanation of the purpose of monies accrued from car parking charges; and
 - (d) A revised landscaping plan to show the omission of gorse and blackthorn from the planting mix; and to show the planting of broom confined to the steeper slopes of the site.

All measures shall thereafter be implemented in accordance with the agreed details.

Reason : In the interests of enhancing the general public's enjoyment and understanding of the area and in order to enhance the natural heritage of the area.

- 8. The exterior larch cladding on the visitor hub building shall be of local provenance.

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

- 9. Prior to the commencement of development, proposals shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority detailing all measures, including timescales, for the

reinstatement of the visitor hub site and the removal of all signage associated with the mountain biking facility in the event of the facility ceasing operations and use. The reinstatement works shall thereafter take place in accordance with the agreed measures.

Reason : To ensure that the area is appropriately restored and that the restoration measures enhance the natural heritage of the area.

Advice notes

- A. The developer is encouraged to engage with the local community and business interests in the vicinity, in order to ensure that any marketing strategies for the mountain bike trails facility encourage and maximise the delivery of ancillary benefits to Tomintoul, Glenlivet and the wider area.
- B. Details required as part of the Traffic Management Plan referred to in condition no. 7(b) of this permission include proposals for managing events, including stewarding / marshalling, temporary signage, any shuttle bus arrangements and additional parking provision and any other elements as appropriate.
- C. Details required in respect of a one off opening event as referred to in condition no. 7 include temporary car parking, management and marshalling and measures to demonstrate that vehicles can turn and exit in a forward gear onto the public road.
- D. The following advice, provided by Moray Council Transportation should also be adhered to in the preparation of the Traffic Management Plan –
 - A requirement for the traffic management plan will be that, prior to the first 3 events for over 100 competitors taking place, the applicant will be required to contact TMC Transportation Manager at least 4 weeks in advance. A traffic survey of the two-way vehicle movements on the U135H will be required east and west of any event traffic access to the site from the U135H for the period at least 3 days prior to the event, during the event and at least 3 days following the event.
 - The cost of any traffic survey requirements shall be met by the applicant.
 - No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.
 - The applicant shall be responsible for ensuring that surface/ground water does not run from the public road into his property.
 - The applicant shall ensure that their operations do not adversely affect any Public Utilities, which should be contacted prior to commencement of operations.
 - The applicants shall free and relieve the Roads Authority from any claims arising out of his operations on the road or extension to the road.
 - The Transportation Manager must always be contacted before any works commence. This includes any temporary access, which should be agreed with the Roads Authority prior to work commencing on it.

- The developer must contact the Roads Authority Roads Maintenance Manager (West) at Ashgrove Depot, Elgin – Tel (01343) 557300, Ext 7349 to discuss the proposals.
- E. Planning consent does not carry with it the right to carry out works within the public road boundary and the applicant is obliged to contact the Transportation Manager for road opening permit in accordance with the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road.

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15 May 2013

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