
CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Renovation and erection of extension to building at Ptarmigan Restaurant
Glenmore Aviemore

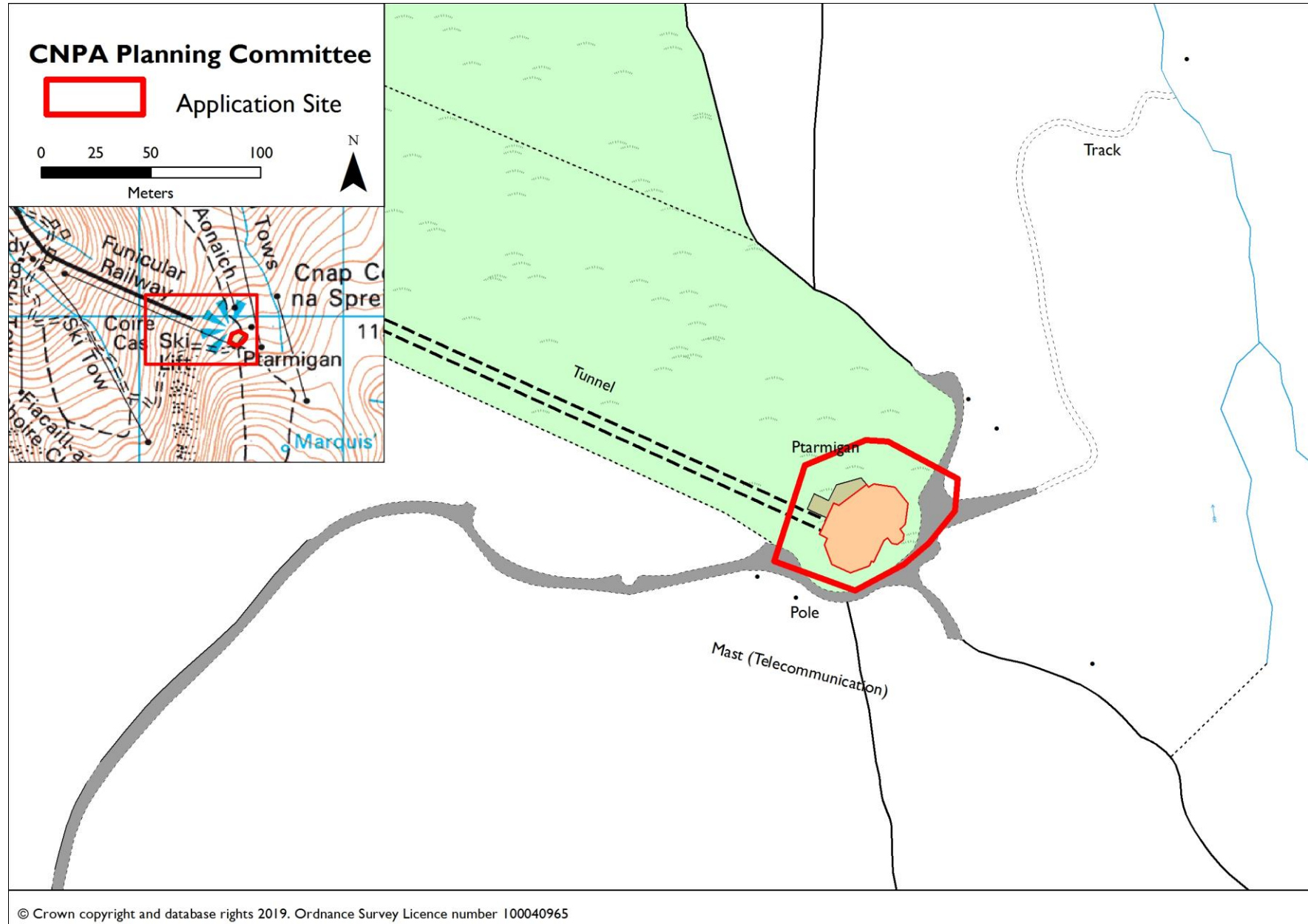
REFERENCE: 2018/0177/DET

APPLICANT: Highlands and Islands Enterprise

DATE CALLED-IN: 8 May 2018

RECOMMENDATION: Approve subject to conditions

CASE OFFICER: Katherine Donnachie Planning Officer



© Crown copyright and database rights 2019. Ordnance Survey Licence number 100040965

SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The proposed site is the Ptarmigan restaurant at the top of Cairngorm, within the Cairngorm Ski Centre around 12 miles south east of Aviemore. The restaurant is located close to the mountain top is accessed by an existing funicular railway which is presently out of use whilst repairs to a structural issue is investigated. The restaurant can also be accessed by a path up the mountain and there is a vehicle track for maintenance and service purposes. The site location is shown in **Appendix I – Plans**.
2. The existing building contains café, shop, viewing area, funicular railway terminus and exhibition areas. It was constructed between 1999 and 2001 as part of the Cairngorm Mountain funicular railway project. There is no unsupervised access permitted from the restaurant to the mountain top/plateau for environmental reasons. This is controlled by an existing legal agreement dating from the original railway and restaurant proposals.
3. Ski tows and lifts, snow fencing and associated ski infrastructure is located in this area including the recently extended west wall tow to the east. The Ptarmigan building itself is partly set into the topography.
4. The wider ski centre site is accessed by the existing B970 road from Glenmore which terminates at a large parking area, beside the day lodge and funicular railway base station, to the far north west of the restaurant. As noted earlier the funicular railway then leads up the mountain to the Ptarmigan.
5. The site lies within the Cairngorm Mountain Ski area which lies within the Cairngorms National Scenic Area. There are no other designations on the site itself. The Cairngorms Special Area of Conservation (SAC) designated for habitat interest, the Cairngorms Special Protection Area (SPA) designated for bird life including golden eagle and dotterel and the Cairngorms Site of Special Scientific Interest (SSSI) designated for breeding bird assemblage, bryophyte assemblage, dotterel and dystrophic and oligotrophic lochs (freshwater habitats) all lie within proximity to the site. The Cairngorms Wild Land Area No. 15 as identified in Scottish Natural Heritage's wild land area map also lies to the west of the site encircling the ski area.

Proposal

6. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:
<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P8GH3HSI0CA00>

Title	Drawing Number	Date on Plan*	Date Received
General Arrangements Existing Plans	PL (20) 0001	13/03/18	
General Arrangements Existing Elevations	PL (20) 0002	13/03/18	
General Arrangements Proposed Plans and Elevations	PL (20) 0003	13/03/18	
General Arrangements Proposed Plans and Elevations	PL (20) 0004	13/03/18	
General Arrangements Proposed Sections	PL (20) 0005	13/03/18	
Site Information Site Plan	PL(90)001	13/03/18	
Location Plan	PL(90)002	14/03/18	
Landscape Appraisal		04/04/18	
Site waste management plan	SW1183	28/02/18	
Drainage Statement	C2133	28/03/18	
Supporting Statement		12/03/18	
Design and Access Statement	Rev C	02/05/18	
Visualisations			
Transport Statement			
Transport Assessment	18037 Revision 01	July 2018	
Ptarmigan redevelopment mitigation and enhancement plan	8061	01/02/18	
Cairngorm Mountain Long Term Strategy		-	
NVC Survey		July 2018	
Outdoor Access Management Plan	Revision A	01/11/18	
Traffic Management Plan	Issue no. 05	26/10/18	
Construction Phase Method Statement	Issue no. 04	29/10/18	
Ptarmigan Design Precedents report	D(00)002 Rev A	July 2018	
Ornithology Report	GEL18242 Revision 3	24/10/18	

**Where no specific day of month has been provided on the plan, the system defaults to the 1st of the month.*

7. This application seeks full planning permission to renovate and extend the existing Ptarmigan building.

8. The existing building is an irregularly shaped building with complex hipped, pale grey cladding roof as shown in the existing plans and elevations in **Appendix I – Plans**. External finishes are a mixture of natural stone and timber. The ground/basement level of the building contains the platform area for the funicular railway. The remainder of this level contains shop, exhibition area and toilet facilities. There are steps and lift up to the next level which contains the café, kitchen and viewing

platform facilities along with ski patrol office, switch/control rooms and funicular platform area. The top level of the building contains plant room and void space.

9. The proposed development seeks to alter and extend this building to provide additional facilities and viewing platforms, wrapping around the building in an almost circular manner. In brief the proposals involve extending the existing building by way of new build on stilts/supports radiating out in an angled manner from the original building so minimising ground impacts and excavations, and at the same time seeking to maximise views out from the building and to improve circulation, accessibility and the facilities on offer. This is explained in the design statement and accompanying plans and shown on the massing images contained in **Appendix I - Plans**. The existing building would be extended by around one third.
10. The proposals may be summarised as follows:
 - a) The ground/basement level will continue to house the funicular railway platform and exhibition/shop area along with toilet provision. To the west of the entrance to the funicular railway the opportunity will be taken to improve snow clearance at fire exits here which will now lie underneath the decking area to be constructed above. The ground here will remain open as shown in the north elevation. A new stair is proposed to the summit room at the top of the extended building.
 - b) On the first floor level new toilet facilities will be provided, a larger café area, new arrival foyer provision with extensive glazing, external decking areas on either side of a new glazed fronted “summit” room which will house conference facilities/meeting room on a second floor. This will be achieved by glazed, sloping extensions around the original building, constructed on stilts/supports.
 - c) The main entrance to the building for visitors arriving and departing will now be on this first floor level with additional lift to summit room.
11. Details of these proposed works are shown in **Appendix I – Plans**.
12. Proposed external finishes are indicated as roof finish to match existing, and a mixture of stone and timber wall finishes. The supports/stilts are to be constructed in steel. To reduce solar glare the proposals will have faceted glazing constructed from specialist reflective glass. To avoid light pollution at night black out blinds will be placed in strategic locations with a black out curtain proposed to divide the café to create a space that may be used as a dark sky observation zone. (This point was highlighted by parties responding to the applicants’ public engagement.)
13. The accompanying design statement explains how the proposed changes are intended to address issues with the existing layout by including better toilet provision and relationship to the main café; enlarged café facilities and viewing facilities; conference facilities; improved accessibility for visitors with limited mobility, alleviate operational issues such as winter snow clearing; improvement of the visitor experience on arrival into the building by having a single, simplified entry foyer point; and improvement of all year round user experience.
14. The accompanying supporting statement also outlined that at the time of submission of the application Cairngorm Mountain received on average 210,000 visitors a year,

with approximately 60% of visitors arriving in the winter months between December and April. It was intended that improved visitor facilities at the Ptarmigan would help to increase visitor numbers outwith the peak winter season and enhance the all year round visitor experience.

15. In terms of servicing, the existing water supply and tanks serving the Ptarmigan will be used with the application outlining that there is capacity for the new development. Energy provision will be electricity as existing as will water supply. Surface water will be dealt with in a similar manner as existing by way of piping into existing drains which ultimately discharge to the ground and the various ditches and loosely defined watercourses around the building. Foul drainage will use the existing waste water treatment system at the Daylodge.
16. At the time of submission of the application the applicants were Cairngorm Mountain Ltd who has since gone into receivership. The application site is under the control of Highlands and Islands Enterprise who are now the applicants with revised application forms submitted and they wish the application to proceed to a conclusion. It is proposed to carry out the works whilst the existing restaurant and complex remains operational with plans contained the design statement setting out the phasing.
17. Supporting information includes:
 - a) Traffic Management Plan which explains that smaller items of equipment etc. will be transported via the funicular railway or by 4 x 4 vehicles, with larger items flown in by helicopter or potentially by purpose built tractor/trailer using existing access road which may require to be dressed and graded.
 - b) Construction Phase Method Statement - this was updated in October 2018 and now highlights that the use of helicopters is no longer to be employed as a result of the potential for impacts upon bird life.
 - c) Site Waste Management Plan.
 - d) Drainage Statement.
 - e) Transport Statement which explains that the potential for increased year round use of the facility may help to support the case for better transport links. A series of possible actions to improve sustainable travel are set out including marketing, partnership working and investment in active travel infrastructure.
 - f) Transport Assessment which covered both the Ptarmigan proposals and the proposed dry ski slope at the Day Lodge which was the subject of a separate planning application which was refused last year by the CNPA Planning Committee. This assessment proposed some sustainable transport initiatives to improve access including improved signage and publicity of designated path networks, cycle storage, bus stop and shelter facilities at day lodge area, and work with stakeholders to improve bus services.
 - g) Traffic Management Plan which was updated in October 2018.
 - h) Supporting Statement.
 - i) Landscape appraisal including Zone of Theoretical Visual Influence (ZTV) information, visualisations and special landscape qualities impact assessment. Key visualisations are included in **Appendix I- Plans**.
 - j) Mitigation and Enhancement Plan including invertebrate survey report, lichen survey report, NVC survey report and ecological survey report all of which

informed the mitigation proposals to minimise impacts during construction and operation, and enhancement measures to improve habitat post construction.

- k) Design and Access Statement.
 - l) Ptarmigan Design Precedents to support the use of glazing showing how this has been achieved elsewhere.
 - m) NVC Survey.
 - n) Cairngorm Mountain Long Term Strategy prepared by the original applicants. This strategy described activity within three core areas of operation of the business:
 - i. Conservation of the mountain plateau;
 - ii. Year round operations and visitor experience; and
 - iii. Sensitive development opportunities and ongoing maintenance. The expansion of the Ptarmigan was identified as being one of the short term (1-5 years) development opportunities of the strategy.
18. Following discussion further supporting information was provided in November 2018 including:
- a) Outdoor Access Management Plan outlining measures to ensure that unrestricted access will be maintained for recreational use.
 - b) Ornithology Report which provided additional evidence relating to the impacts of the proposed glazing upon birdlife. This supplemented the previously submitted Design Precedents Report.

History

- 19. CNPA officers provided pre-application advice for this development via the Highland Council pre application process and outlined key issues to be addressed and information to be provided with any submission. (PRE/2017/0004)
- 20. Some members may recall that an application for beginners and intermediate ski slopes was refused contrary to officer recommendation to the far south beside the day lodge in 2018 on the grounds of unacceptable landscape impacts. (reference 2018/0112/DET)
- 21. There have been numerous planning applications in the Cairngorm Mountain area for works to tows, tracks etc. as well as the original funicular railway application approved in 1997 and dealt with by the Highland Council prior to the forming of the National Park. (Reference 94/00254/FULBS) Full planning permission granted by the Highland Council in 2002 to vary condition 11 of the original funicular railway consent in order to retain 3 metre wide access track for vehicular use (Reference 02/00382/FUL)
- 22. Full planning permission was also granted by the Highland Council in 2015 for an extension to the west wall poma ski tow beside the Ptarmigan and a new return wheel at the southernmost end of the ski tow (Reference 15/01000/FUL)

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014	
Strategic Policy	Cairngorms National Park Partnership Plan 2017 - 2022	
Local Plan Policy	Cairngorms National Park Local Development Plan (2015) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	X
POLICY 3	SUSTAINABLE DESIGN	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	SPORT AND RECREATION	X
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER CONTRIBUTIONS	

23. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:
<http://cairngorms.co.uk/uploads/documents/Park%20Authority/Planning/LDPI5.pdf>
24. The site sites with the area covered by the **Cairngorm and Glenmore Strategy** that was approved by the CNPA Board in September 2016. The strategy is a partnership document that sets the aspirations for management of publicly owned land, not a planning policy document. The strategy identifies the Cairngorm Mountain area as one that is principally managed for recreation and learning. The long term direction for the area includes enhancement of visitor infrastructure and facilities to ensure high quality, low impact development, referring to working with on-site businesses to develop plans for the enhancement of visitor facilities at Cairngorm Mountain with the Ptarmigan identified as a site for visitor infrastructure improvements. It also refers to changing the way people access the area to increase the proportion of non-car use. The Strategy sets out more detailed actions including proposals for spatial plans for Glenmore and Cairngorm and refers to development of a Cairngorm Mountain masterplan.
25. The CNPA is currently considering responses to the Proposed Local Development Plan 2020 and at present this Plan has no additional materiality with regard to decision making for this current application.

Planning Guidance

26. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	New Housing Development Non-Statutory Guidance	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	X
Policy 3	Sustainable Design Non-Statutory Guidance	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	
Policy 8	Sport and Recreation Non-Statutory Guidance	X
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance	

CONSULTATIONS

Summary of the Main Issues Raised by Consultees

27. **Scottish Natural Heritage (SNH)** was consulted as the development lies close to the Cairngorms Special Protection Area (SPA) for a variety of birds species, including dotterel which is a species in an unfavourable declining condition, and close to the Cairngorms Special Area of Conservation (SPA) designated for a variety of habitat types.
28. When initially consulted SNH highlighted that in order to comment they would require, (as requested at the pre- application stage) additional information to demonstrate that an evidence based design for avoiding bird strike will be provided. The initial design precedent report provided by the applicants was not considered to be sufficient to determine whether or not there would be a significant effect on the dotterel qualifying interests of the Cairngorms Special Protection Area and further information was requested.
29. SNH highlighted that dotterel can be active at any time throughout day and night and the Ptarmigan building is subject to variable weather conditions particularly low cloud. This means that dotterel can be active in the vicinity of the building during periods of poor visibility. Also as the building is used during the hours of darkness the windows are lit up which in itself can attract birds. Accordingly any increased risk to dotterel must be fully considered in the light of the additional glazing now proposed which is also at a different angle.
30. A further ornithology report was provided by the applicants and SNH has now advised that the proposal could be progressed with appropriate mitigation, and providing any consent is subject to conditions requiring that this mitigation be undertaken they do not object. SNH detailed the necessary mitigation, highlighting that if this is undertaken they did not consider that the proposals would adversely

affect the integrity of the designated sites and that the mitigation is considered sufficient to minimise the risk of bird collisions.

31. The mitigation required is as follows:
 - a) Reduce the area of reflective and transparent glass by the type of glazing specification and by adding manifestation patterning of the types recommended in paragraph 4.3.4 of the Gavia Ornithology Report.
 - b) Corners where panes join to be heavily framed.
 - c) A combination of blinds and curtains to be used to keep artificial light within the building during internal events held in the building in evenings and during periods of low level external natural light.
 - d) During construction newly erected glazed areas to be covered until the agreed manifestation measures have been added to the glass.
32. As the approaches outlined in the ornithology report are derived from research overseas and so are novel in terms of the bird species and light/weather conditions in Scotland SNH also require that post construction monitoring be carried out. This is generally as recommended in the ornithology report and SNH recommend imposition of a planning condition to this end.
33. SNH also advise that dotterel are unlikely to be disturbed at the construction stage as they are relatively resistant to disturbance, using areas near the Ptarmigan despite existing noise, vehicle movements and walkers/skiers. They further note that there is no evidence to suggest dotterel were disturbed during construction of the funicular and the Ptarmigan originally.
34. SNH have highlighted that the CNPA as competent authority require to undertake an appropriate assessment in relation to significant effects on the dotterel qualifying interests of the Cairngorms SPA. They do not consider that there will be a significant effect on other qualifying species of the SPA due to their absence or insignificant presence in the vicinity of the building. They also consider that it is unlikely that the proposal will have a significant effect on the Cairngorms SAC whereby an appropriate assessment of effects on the SAC will not be required.
35. **Scottish Environment Protection Agency (SEPA)** initially objected to the development on the basis of lack of information in relation to ground water terrestrial dependent ecosystems (GWTDEs) They also requested imposition of a planning condition regarding pollution prevention measures at the construction stage and the need for the final site specific Construction Method Statement (CMS) to contain all mitigation measures on plan. SEPA also noted that the increase in summer visitor numbers would improve the functioning of the waste water treatment plant and welcomed proposals for only 10-12 cubic metres of soil to be excavated.
36. On receipt of additional GWTDE information SEPA note that one highly dependent GWTDE has been identified to the east of the building, identified as M31 in the NVC survey. It is recommended that the Ecological Clerk of Works mark this off on site to ensure it is protected and providing a planning condition is attached to achieve this then SEPA has no objection. They also note that the construction method

statement satisfactorily proposes good practise to avoid/mitigate negative impacts providing all commitments made are delivered.

37. **The Highland Council Transport Planning Team** considered the submitted Transport Assessment (which relates to the application site and another application pending at the time for a dry ski slope beside the Day Lodge which has since been refused) and noted that it explains that the main driver behind the development is to increase visitor numbers during the summer months. The Team are sceptical of the visitor projections set out in the TA, and are disappointed that it fails to consider traffic management arrangements during severe winter weather; review problems regarding damage from informal parking areas; or review any impacts on informal parking areas from recent introduction of car parking charges at the main car park.
38. However despite this lack of clarity the Team agree that there will be an increase in visitor numbers which will have a negative impact on the public road. To mitigate this impact improvements to the C1126 road will be required. In line with the Glenmore Visitor Improvement Plan, the Team recommend that conditions be attached to secure:
- a) The provision of a scheme to reduce the speed of traffic and improve pedestrian crossing facilities through the settlement of Glenmore and to improve signing included the variable message signs;
 - b) Improvements to the bus passenger waiting facilities including a shelter and real time information and provision of cycle parking at the centre;
 - c) Provision of a Travel Plan based on the actions set out in the TA; and
 - d) A review to assess the work required to improve the quality of the existing core path (GR12) to the Coire Cas car park to provide an extension to the successful and well used logging way in order to increase the number of people walking and cycling to the site especially in the summer and reduce the number of vehicles using the ski road.
39. On this basis they have no objections to the application.
40. The Team also asked for submission of further information in relation to the submitted traffic management plan in order to assess the impact of construction traffic upon the public roads (B970 and C1126). On receipt of further information they have advised that they have no objection to the draft plan but require a fully detailed construction traffic management plan to be provided which should be secured by planning condition.
41. **CNPA Outdoor Access Officer** initially noted that the site lies within an area popular for outdoor recreation promoted to the public for this purpose whereby a Public Access Management Plan is required in order to show how interaction with the public will be managed at the construction stage. The officer provided ongoing advice on what would be required with such a plan. The applicants submitted an Outdoor Access Management Plan and the Officer advises that this sets out appropriate measures to ensure that public recreation and access is appropriately managed during construction. The Officer has highlighted that the Construction Method Statement and Traffic Management Plans should be updated to reflect the existence of the Access Plan.

42. **CNPA Ecology Advisor** initially highlighted that a bird strike assessment (as requested at the pre application stage) was required. The Officer also noted that the use of helicopters at the construction stage had potential to disturb birds whereby an assessment of this risk was required. All of this information was also required in order to inform the Habitat Regulations Appraisal required here in order to consider impacts on designated sites. Further information on habitat restoration was also sought and a more detailed construction method statement.
43. On receipt of additional information the Officer welcomed the submission of an Ornithology Report addressing impact on birds, and noted that the CNPA would defer to the advice of SNH on this particular aspect. Whilst generally welcoming the updated Construction Method Statement and its inclusion of material on protection of vegetation and role of Ecological Clerk of Works the Officer considers that the plan lacks sufficient detail on protection and future management of the habitat around the Ptarmigan to prevent further degradation, and a specific Habitat Restoration Plan is still required. Otherwise the Officer has no objections with the material submitted addressing previous concerns regarding environmental safeguards and future monitoring.
44. A Habitat Regulations Appraisal (HRA) has been carried out in view of the potential for the development to impact upon NATURA sites. This attached as **Appendix 2**.
45. The HRA concludes that there would be no likely significant effects on the Cairngorms Special Area of Conservation (SPA), but that dotterel could be at risk from collision with the glazing on the new building and at risk from disturbance from the construction works there may be a likely significant effect upon the Cairngorms Special Protection Area (SPA) The detailed assessment also concluded that there would be no impacts on habitat supporting dotterel and they would be unlikely to be disturbed by construction as they are relatively resilient. However, mitigation measures are necessary to reduce the risk of collision to dotterel and a Species Protection Plan will be required to detail measures to reduce the impacts including all measures set out in the ornithology report.
46. On this basis the HA concluded that there are no likely significant effects on the conservation objectives of the Cairngorms SPA or any adverse effect on the site integrity of the SPA.
47. **CNPA Landscape Advisor** notes in terms of landscape character that the new development will use largely the same pallet of materials and similar geometric form as existing with the increased height relatively modest. The majority of the extension is at or below the existing roof level and the footprint change is small due to the use of angled beams, minimising ground take and impact on natural landforms. The style and design is in keeping with the character of the ski resort and presents no significant change in character. Similarly the use of angled glass is also in keeping and there is a positive effect from this in that it may reduce reflection and flare from low level sunshine which at the moment can draw attention to the building. Accordingly it is considered that the proposal is a straightforward extension to an existing building which presents few challenges to retention of current landscape

character, and indeed modernisation of the building may be seen as a positive enhancement to the immediate vicinity.

48. In terms of visual character the key receptors are considered to be recreational users of the mountain core and residents and visitor to lower areas. All are considered to be of high sensitivity. In this regard the current building is visible from a wide area and it is considered that the extension will not make a significant change to the extent of visibility. The most significant view of the new extension will be coming down from Cairngorm Mountain where it will be seen in the context of the existing buildings and infrastructure. Accordingly there is not considered to be a significant change. The provision of black out screening is welcomed and it is assumed that if the building is to be used at night these will be applied to ensure the building is not a source of artificial light – this matter should be conditioned.
49. **Note** – *as noted earlier in this consultations section the black-out blinds are also part of the proposed mitigation for impacts upon dotterel.*
50. In terms of impacts upon special landscape qualities, the Advisor has commented on the approach of the applicants' assessment in terms of considering the strength of the quality being considered rather than the number. However the Advisor has concluded that in view of there being no significant landscape or visual effects that there will be negligible effects on the special landscape qualities.
51. Similarly in terms of impacts upon wildland the Advisor broadly agrees with the conclusion that there is no significant adverse effect on wildland qualities, noting that the assessment is about the additional effect of the proposals rather than about a new feature in the landscape.
52. **Aviemore and Vicinity Community Council** consider that the application is premature to the production of a masterplan for Cairngorm Mountain as highlighted in the Cairngorm and Glenmore Strategy agreed by the CNPA Board. They also consider that the proposed new tower feature will restrict views from the external viewing area and question the need for the tower in terms of the function of the summit room, concluding it is overpowering within the context of the building.
53. Their comments are attached as **Appendix 3**.
54. On receipt of additional information from the applicants the Community Council was re-consulted but had no further comment to make.

REPRESENTATIONS

55. The application was advertised in the local press and 5 representations have been received which are attached as **Appendices 4 (a) and (b)**. Four of these object, and one provides comments. One further representation was received outwith the time period for commenting but did not raise any new material issues not considered elsewhere in this report.
56. Key points raised are as follows:
- a) Concern regarding track record of operators particularly in relation to environmental issues.
 - b) Poor use of public money and investment which could better used on other aspects of the ski centre including improved alternative uplift facilities to relieve strain on the funicular railway as well as other initiatives such as mountain biking routes and walking paths.
 - c) Proposed development will not improve custom at site- customers have been loss due to poor management and reduction in facilities across the centre and this will not be addressed by spending money on the current proposals.
 - d) Development will not improve winter tourism and snow sports.
 - e) Inappropriate size of building which will be visually intrusive.
 - f) Use of glass may have potential environmental impacts upon birds and there is a lack of information on the measures to mitigate and monitor this.
 - g) Recommendations made to reduce impacts on wildlife during construction and operation.
 - h) Application premature whilst HIE and applicants are conducting a review of the infrastructure at the Mountain.
 - i) Potential effects on nearby Special Protection Areas and Special Protection Areas.
 - j) Any changes in visitor numbers should be reflected in the agreed visitor management plan – submission lacks information on how the proposals will reduce pressure on the existing “closed system” here.

APPRAISAL

Principle

57. **Policy 2:** Supporting Economic Growth of the Cairngorms Local Development Plan 2015 sets out that development which enhances formal and informal recreation and leisure facilities; tourism and leisure based business activities and attractions; tourism and recreation infrastructure, including accommodation; and improved opportunities for responsible outdoor access will be supported where:
- a) It has no adverse environmental impacts on the site or neighbouring areas;
 - b) It makes a positive contribution to the experience of visitors; and
 - c) Adds to or extends the core tourist season.
58. Similarly **policy 8:** Sport and Recreation also supports developments of sports and recreation facilities, diversification of or extensions to existing sport and recreation

related business activities or the enhancement of the quality and design of existing facilities where they

- a) Demonstrate best practise in terms of sustainable design, operation and future maintenance and where there are no adverse environmental impacts on the site or neighbouring areas;
- b) They will meet an identified community or visitor needs; and
- c) They maintain and maximise all opportunities to link into the existing path network.

59. Scottish Planning Policy also presumes in favour of development that contributes to sustainable development, giving weight to net economic benefit, whilst also seeking to preserve important environmental assets such as landscape and wildlife habitats that underpin continuing tourism visits and quality of place.
60. All the ski centres within the National Park play important roles in the local economy and Cairngorm Mountain plays a particularly important role in making Badenoch and Strathspey a significant year-round visitor destination for the National Park and the Highlands.
61. Set against this background there is policy support in principle for a proposal which in principle seeks to improve the existing facilities at the existing ski centre at Cairngorm Mountain and to encourage all year round use of the facility.
62. In terms of the principle of development it is noted that the Community Council has raised concern that the application has been submitted in advance of any masterplan for the wider site at Cairngorm Mountain being produced as the Cairngorm and Glenmore Strategy sets out. However, the Cairngorm and Glenmore Strategy is not a planning policy document and the proposals must be considered against the policies of the Local Development Plan. However it may be worth noting that, as will be outlined later in this report, the proposed development has the potential to deliver on some of the management principles of the Cairngorm and Glenmore Strategy in terms of improvements to transport and access infrastructure to increase public transport and non-motorised access to the area and improvements to existing facilities.
63. Objectors also raised concern in relation to the principle of the development, considering it to be premature to a review by the landlord (Highlands and Islands Enterprise) of the operations at the Mountain. Since submission of this application the original applicants (Cairngorm Mountain Ltd) have gone into receivership, the landlord (HIE) is now the applicant and they wish the application to proceed to determination. An independent review of the infrastructure at Cairngorm Mountain for HIE has been published which identified the expanding and remodelling of the Ptarmigan restaurant as one of a number of potential investments to improve operations, capacity, experience and revenues across the resort. However it must be stressed that the operation of the ski resort and any investment in it is one for HIE and the operating company. The current planning application must be determined on planning policy and land use planning merits.
64. The key land use planning issues, as with any planning application, are the siting, servicing, design and environmental impacts of the proposal in relation to adopted

Local Development Plan policies. Accordingly this report concentrates on the land use planning implications of the proposed development.

Landscape Impacts

65. The application site is located within the Cairngorms National Scenic Area, the National Park and close to the Cairngorms Wild Land Area No. 15. As such it is important that the landscape impacts of the proposed development are fully considered in relation to Policy 5: Landscape of the Cairngorms Local Development Plan 2015 which seeks to ensure that all new development conserves and enhances the landscape character and special landscape qualities of the National Park and the setting of the development. Any significant adverse impacts must be clearly outweighed by social or economic benefits of national importance and all adverse effects must be minimised and mitigated. Similarly policy 3: Sustainable Design seeks to ensure that development is suitably designed.
66. In this regard the proposed development is clearly related to the existing Ptarmigan at Cairngorm Mountain and will be viewed as an extension and remodelling of the original building, set in a context of ski tows and associated infrastructure. As a result of the angled design there will be minimal impact in terms of land-take, with the new works effectively encircling the original building in a design radiating out from the original. The most significant change in design terms is the summit tower component which is designed to match the overall concept, and provides an interesting and innovative feature.
67. Supporting landscape material has demonstrated how the new facility will sit in this landscape. Whilst it will inevitably be visible from the immediate surrounding area and further afield these impacts will be minor and clearly related to extending an existing building. The design itself is considered to be entirely appropriate to the location in landscape terms and has been informed by its location, designed to take advantage of the outstanding views here whilst minimising impact on the sensitive montane environment, and delivering angled viewing platforms which in terms of both function and appearance are considered to represent an enhancement to the existing design.
68. As noted by the CNPA landscape advisor due to the design the impacts on landscape and visual character are not considered to be significant nor are the impacts on the special landscape qualities of the National Park.
69. Finally, also as noted by the CNPA landscape advisor the landscape impact of the development at night requires to be considered. In this regard the measures outlined earlier to address potential bird collision with the new areas of glazing will satisfactorily address this point by preventing light spillage for environmental reasons. This will also ensure that the local landscape and dark skies qualities will not be adversely affected.
70. These various factors as described above also serve to ensure that there will be negligible impact upon the wild land area and in these overall circumstances the application is considered to comply with Policies 3 and 5 of the Cairngorms Local Development Plan 2015, subject to appropriate planning conditions being attached to

any consent issued regarding lighting and the finer detail of the finishes of the building.

Environmental Impacts

71. **Policy 4:** Natural Heritage of the Cairngorms Local Development Plan 2015 seeks to ensure that there are no adverse effects on natural heritage interests, designated sites or protected species and that any impacts upon biodiversity are avoided, minimised or compensated. **Policy 10: Resources** also seeks to ensure that disturbance to soils, peat, water and any associated vegetation is minimised.
72. Satisfactory environmental studies and work has been carried out to enable impacts in this montane environment to be fully considered, apart from the need to have full details of restoration work to degraded habitats in the immediate vicinity of the site. This can be addressed by an appropriate planning condition in the event of the application being supported as can matters relating to protection of ground water dependent terrestrial ecosystems. Planning conditions would also be required in respect of implementation of satisfactory construction method statements and traffic management plans to ensure construction operates without environmental damage.
73. Although the site is not located within any NATURA designations it is located close to these designations all as noted earlier. Consequently a key environmental issue in this case is the potential impact upon the Cairngorms SPA and in particular the dotterel qualifying interests. Dotterel are present in the vicinity of the Ptarmigan building and can be active at any time during day and night. Although there are no records of birds colliding with the building to date, it is essential that the design of the new building and its glazing does not impact adversely upon dotterel through collisions with glass, particularly if lit up at night or when visibility is poor. Sufficient information has now been provided by the applicants to demonstrate to the satisfaction of SNH that adequate mitigation (in terms of glazing construction and use of blind and curtains) can be implemented along with post construction monitoring all as outlined in the consultation section.
74. As noted earlier a Habitats Regulation Appraisal has also been undertaken (**Appendix 2**) which concludes that, providing the mitigation is implemented and a condition imposed to this end, there will be no likely significant effect on the conservation objectives of the Cairngorms SPA nor any adverse effect on its integrity.
75. On this basis the application is considered to comply with **Policy 4: Natural Heritage** and **Policy 10: Resources** subject to the imposition of appropriate planning conditions in the event of the application being approved.

Servicing General

76. **Policy 3:** Sustainable Design and **Policy 10: Resources** of the Cairngorms Local Development Plan 2015 seek to ensure that development can be satisfactorily serviced and that unacceptable impacts on the water environment are avoided.

77. The site will be accessed by existing road network to the day lodge and this is considered in more detail in the following section of the report. Water supply arrangements will also be as existing.
78. Otherwise the main servicing issue is drainage. The development will utilize existing foul drainage arrangements, and surface water will be similar to existing all of which is acceptable to the technical consultees. Accordingly the application is considered to comply with Policies 3 and 10 subject to the imposition of appropriate planning conditions as required by consultees.

Servicing - Access

79. **Policy 3:** Sustainable Design of the Cairngorms National Park Local Development Plan 2015 set out the need for new development to be satisfactorily serviced and to include an appropriate means of access, egress and space for off-street parking. In this regard the site will initially utilize existing road access and car parking arrangements at the day lodge at the foot of the funicular railway. These are considered to be satisfactory in terms of vehicular traffic subject to signage and crossing improvements all as outlined in the consultation comments of the Highland Council Transport Planning Team.
80. From the Day Lodge the site is usually serviced by the existing funicular railway link. As members will be aware, this railway is currently out of use whilst HIE undertake investigations into repair of a structural issue. The outcome of these investigations is not known at present, but in land use planning terms a transport link exists which, subject to suitable repairs, will be able to service the site on operation. The timetable for repair is outwith the remit of land use planning but it may reasonably be concluded that if the railway is not to be repaired within the duration of any planning permission for the current proposal, then the permission would be unlikely to be implemented, either on a commercial basis or as a good use of public funding. Equally however, if the funicular repairs are understood and programmed, then refurbishment of the Ptarmigan building at the same time would make sense to minimise longer term disruption to operations on the mountain.
81. **Policy 3:** Sustainable Design also sets out that new development should be designed to maintain and maximise all opportunities for responsible outdoor access including links into the existing path network and to promote sustainable transport methods including making provision for the storage of bicycles and reducing the overall need to travel.
82. In this regard, and as noted by the applicants, the intention of the proposals is to increase all year round use of the Ptarmigan. Accordingly it is important to ensure that (1) any impacts upon non-motorised users of the network serving the site are minimised as a result of any increase in vehicular traffic and (2) opportunities to access the centre by non-motorised means are maximised. These objectives can be secured by imposing conditions to cover some of the requirements of the Highland Council Transport Planning Team with respect to crossing points at Glenmore and provision of bus stop and cycle parking at the ski centre. However, a requirement to assess the work needed to improve the Allt Mor Path from Glenmore to the Mountain would not be a reasonable or necessary planning condition. It is any case

being investigated by Forestry and Land Scotland as the landowner of the section that is least accessible.

83. On this basis the application is considered to comply with Policy 3: Sustainable Design.

Other Issues Raised in Consultations and Representations

84. Matters raised by consultees and contributors have been largely addressed throughout this report. There is however some additional points to comment on as noted below.
85. Concern has been raised in relation to the record of the applicants at the time of submission of the application in respect of lack of management of the wider site, which it is considered has resulted in loss of customers, and this will not be addressed by the current proposals. This is not a relevant land use planning consideration – the focus of this planning appraisal is upon land use planning merits. Similarly, concerns raised regarding the track record of developer are not material land use planning considerations. What is important is to ensure that any conditions imposed are enforceable and thereafter complied with and if necessary enforced.
86. There has also been concern regarding the use of public monies in relation the development which contributors consider could be better spent on other projects. In this regard the use of public money is not a material land use planning consideration, but rather it is the land use planning merits of the proposed development which are under consideration.
87. Finally there has been concern that there are alternative proposals which would be more appropriate to ensuring an improvement in all year round visitor numbers and experience. It is the application that is before the Planning Committee that must be considered, not other possible schemes.

CONCLUSION

88. This application involves the alteration and extension of an existing building at Cairngorm Mountain to provide improved visitor facilities. The principle of this development complies fully with Local Development Plan policies, the proposed development clearly relates to the activities at the existing, well established ski centre and the applicants consider there is a need for such a facility to enhance and expand the offering.
89. The layout and design of the new development is considered to be entirely satisfactory, in keeping with the location and offering improved accessibility, facilities and viewing opportunities for users, and an innovative and attractive design solution for this montane environment. Mitigation for environmental impacts is also considered satisfactory by the appropriate authorities in order to ensure compliance with Local Development Plan policies and avoid any impacts on designated NATURA sites.

90. The development is also capable of being satisfactorily serviced and accessed subject to planning conditions as requested by consultees.
91. On this basis the proposed development is considered to fully comply with Local Development Plan policies subject to appropriate planning conditions being imposed to achieve landscape, ecological and servicing requirements. Approval is therefore recommended.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT full planning permission for the Renovation and erection of extension to building at Ptarmigan Restaurant Glenmore Aviemore subject to the following conditions:

** Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.*

Conditions

1. **No development shall commence on site until (a) details of a suitably qualified Landscape and Ecological Clerk of Works to be retained by the developer to supervise construction (b) details of the scope of their work and (c) monitoring regime and (d) frequency and method of reporting have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. Thereafter the approved person shall provide monitoring reports in accordance with the approved scheme to the Cairngorms National Park Authority with any recommendations implemented in accordance with the monitoring report and any comments from the CNPA.**

Reason: To ensure that the construction of the development is satisfactorily supervised to ensure that there are no adverse impacts on the landscape character, special landscape qualities and natural heritage of the National Park in accordance with Policy 4: Natural Heritage and Policy 5 :Landscape of the Cairngorms Local Development Plan 2015.

2. **No development shall commence on site until the area identified as M31 in the approved National Vegetation Survey report dated July 2018 has been demarcated on site and confirmation of this provided by the Ecological Clerk of Works in writing to the Cairngorms National Park Authority acting as Planning Authority. This area shall remain marked off and protected throughout the duration of construction works.**

Reason: To ensure that the construction of the development is undertaken in a manner that ensure that there are no adverse impacts on the habitats, water resources and natural heritage of the National Park in accordance with Policy 4: Natural Heritage and Policy 10:Resources of the Cairngorms Local Development Plan 2015.

3. **No development shall commence on site until a Species Protection Plan detailing measures to minimise impacts on Dotterel has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. This plan to include the following measures:**
- a) **Reduce the area of reflective and transparent glass by the type of glazing specification and by adding manifestation patterning of the types recommended in paragraph 4.3.4 of the approved Ornithology Report GEL18242 Revision 3 dated 24 October 2018**
 - b) **Corners where panes join to all be heavily framed**
 - c) **A combination of blinds and curtains to be used to keep artificial light within the building during internal events held in the building in evenings and during periods of low level external natural light**
 - d) **During construction newly erected glazed areas to be covered until the agreed manifestation measures have been added to the glass**
 - e) **Measures for undertaking post construction monitoring in accordance with the protocol set out in paragraph 4.4 of the approved Ornithology Report GEL18242 Revision 3 dated 24 October 2018 subject to the modification that monitoring may be undertaken once a day, first thing in the morning**
 - f) **Measures for notifying the Cairngorms National Park Authority and SNH within 2 working days of any dotterel collisions and for adding higher density manifestation patterning to affected windows within 5 days of the incident**

The development shall not be brought into use until confirmation from the Ecological Clerk of Works that approved measures have been implemented has been submitted to and approved in writing by the CNPA acting as Planning Authority. The development shall thereafter be maintained, and monitored thereafter in accordance with the approved plan.

Reason: To minimise the risk of bird collisions and to avoid an adverse impact on the integrity of the Cairngorms Special Protection Area NATURA Site in accordance with Policy 4: Natural Resources of National Park Local Development Plan 2015, to ensure that there is no light spillage or light pollution which could adversely affect the special landscape qualities of the National Park, in accordance with Policy 5: Landscape of the Cairngorms Local Development Plan 2015 and to monitor the impact on birds, in particular dotterel, and so avoid any adverse impact on the integrity of the Cairngorms Special Protection Area NATURA Site in accordance with Policy 4: Natural Resources of National Park Local Development Plan 2015.

4. **No development shall commence on site until a Habitat Restoration Plan has been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority. This Plan shall detail measures for the restoration and ongoing monitoring of degraded habitats post construction. Thereafter the measures shall be implanted and monitored in accordance with the approved plan.**

Reason: To ensure that there are no adverse impacts on the habitats and natural heritage of the National Park and to conserve and enhance the montane habitats of this sensitive area in accordance with Policy 4: Natural Heritage of the Cairngorms Local Development Plan 2015.

5. **No development shall commence on site until an updated site specific Construction Phase Method Statement has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. This plan to include the following:**
- a) **Reference to the approved Outdoor Access Management Plan.**
 - b) **Details of construction stage SUDS.**
 - c) **Schedule of Mitigation, including a single site plan showing all mitigation measures detailed in the Construction Method Statement, Waste Management Plan, Traffic Management Plan and Outdoor Access Management Plan.**

The construction of the development shall thereafter be implemented in accordance with the approved plan.

Reason: To ensure that work on site proceeds without damage to the environment in accordance with Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms Local Development Plan 2015.

6. **No development shall commence on site until a detailed Construction Traffic Management Plan has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. This plan shall:**
- a) **Refer to the approved outdoor access management plan.**
 - b) **Reflect the proposals for no helicopter transport of materials.**
 - c) **Detail any works to the access track including pedestrian refuges.**
 - d) **Include a plan of the site set up, construction compound, and fencing.**

Thereafter all construction works shall be implemented in accordance with the approved plan.

Reason: To ensure that the site is appropriately accessed and that there are no adverse impacts upon the environment in accordance with Policy 4: Natural Heritage and Policy 3: Sustainable Design of the Cairngorms Local Development Plan 2015.

7. **No development shall commence on site until details of the maintenance arrangements for the surface water drainage have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The surface water drainage arrangements shall be implemented in accordance with the approved drainage statement before the development is brought into use and maintained thereafter in accordance with the approved details throughout the lifetime of the development hereby approved.**

Reason: To ensure that work there are no adverse impacts upon the environment and that surface water is appropriately managed in accordance with Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms Local Development Plan 2015.

8. **No development shall commence on site until the following information has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority in consultation with the Highland Council Transport Planning Team:**

- a) **Details of a scheme to reduce the speed of traffic and improve pedestrian crossing facilities through the settlement of Glenmore and to improve signing included the variable message signs;**
- b) **Details of improvements to the bus passenger waiting facilities including a shelter and real time information and the provision of cycle parking at the ski centre.**

Thereafter the development shall not be brought into use until all works are completed in accordance with the approved plans

Reason: In order to promote sustainable transport methods in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015 and improve pedestrian safety within the settlement of Glenmore.

9. **No development shall commence on site until a Travel Plan based on the actions set out in the approved Transport Assessment has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. Thereafter the Travel Plan shall be implemented in full throughout the lifetime of the development.**

Reason: In order to promote sustainable transport methods in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

10. **No development shall commence on the construction of the building works hereby approved until sample of all finishes have been submitted to and approved in writing by the Cairngorms National Park Authority. The development shall thereafter be constructed in accordance with the approved details.**

Reason: To ensure that there are no adverse impacts upon the landscape character and special qualities of the National Park are conserved and enhanced in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms Local Development Plan 2015.

11. All mitigation measures detailed in the approved Ptarmigan Mitigation and Enhancement Plan dated February 2018, shall be implemented during construction in accordance with the approved details and supervised by the retained Ecological Clerk of Works.

Reason: To ensure that the development does not adversely affect natural heritage interests in accordance with Policy 4: Natural Resources of National Park Local Development Plan 2015.

12. The development hereby approved shall be constructed in accordance with the approved plans and sections.

Reason: To ensure that the development conserves and enhances the landscape and special landscape qualities of the National Park in accordance with Policy 4: Natural Heritage and Policy 5 :Landscape of the Cairngorms Local Development Plan 2015.

13. The development hereby approved shall be managed during construction in accordance with the approved Outdoor Access Management Plan Revision A dated 1 November 2018.

Reason: In order to maintain and maximise opportunities for responsible outdoor access in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

Informatives

1. The development hereby approved must commence within 3 years of the date of this decision notice. If development has not commenced within this period then this planning permission will lapse.
2. The person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.
3. Following completion of the development, a notification of the completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.
4. The person undertaking the development should note that they may need to apply for a construction site license from SEPA. SEPA's regulatory team at Elgin may be contacted for advice telephone 01343 547663.

The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.