

CAIRNGORMS NATIONAL PARK AUTHORITY

Title: **CONSULTATION FROM HIGHLAND COUNCIL ON
PLANNING APPLICATION TO ERECT A TOURIST
INFORMATION CENTRE, RESTAURANT AND
SHOP, AND EXHIBITION AT DALWHINNIE**

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Purpose

This report has been prepared in response to a request from Highland Council for the views of the CNPA on a current planning application

Recommendations

- The CNPA thanks Highland Council for the opportunity to be consulted on this planning application.
- The CNPA considers that this planning application should be determined against the background of the current review of the A9 policy and the related traffic safety review. It does not, therefore, wish to take a position for or against the proposal at present.
- The CNPA requests that it be consulted on the outcome of the current policy reviews.

Executive Summary

This report relates to the first planning application on which the Board's views have been sought by one of the existing planning authorities. The site lies within the Park boundary and raises an important policy issue because of the longstanding restrictions on approval of commercial facilities on or immediately adjacent to the trunk road. As there are, at present, concurrent reviews of the policy in terms of planning and road safety issues the report suggests that this proposal needs to be determined after these reviews have been completed and any adjustments to the policy agreed.

Enclosures

- The site plan referred to in paragraph 13
- Management Resource Report also referred to in paragraph 13
- A9 SERVICES. Draft Principles and Strategy - Consultation by The Highland Council

CONSULTATION FROM HIGHLAND COUNCIL ON PLANNING APPLICATION TO ERECT A TOURIST INFORMATION CENTRE, RESTAURANT AND SHOP, AND EXHIBITION AT DALWHINNIE

Background

1. In 1974, at the start of the process of reconstructing the A9, the Secretary of State of the day announced that there would be a complete prohibition along the new road on the creation of commercial roadside services. The justification for the restriction was to provide reassurance to established businesses in the bypassed communities that any trading difficulties they encountered as a result of the removal of through traffic would not be exacerbated by new competition on the road itself. This was in recognition of the strong links many businesses had developed as service providers to the traffic which passed through them.
2. Since then, there has been considerable controversy about whether this prohibition was intended to have everlasting effect or merely provide transitional protection so that existing businesses could adjust to the new circumstances. This has been difficult to ascertain since the policy was expressed only in the form of a Press Statement. It has, nevertheless, been a cardinal principle of planning policy in central and local government since that date that proposals for commercial roadside facilities should be resisted although, as members will be aware, considerable ingenuity has been applied to circumvent the restrictions and there are now some facilities in existence (principally in Perth and Kinross) which might be described as "marginal" in terms of compliance with the spirit, if not the letter, of the policy. These have generally arisen because of the lack of precise guidance on how to judge whether a site is "on" or "adjacent" to the A9.
3. Nevertheless, Perth and Kinross and Highland councils continue to have policies in their Structure and Local Plans which oppose facilities directly on the road and National Planning Policy Guideline (NPPG) 9 also contains a clear statement precluding this type of development between the section of the A9 from Inveralmond Roundabout (Perth) to Arduillie in the north.
4. At the time of writing this report, therefore, the restriction remains firmly in place and could not be abandoned, or modified by planning authorities, unless preceded by a change of view from the Scottish Executive.

The Case For and Against a Change of Policy

5. Since the road was reconstructed there has been a very large increase in traffic using it with consequential benefits to businesses in bypassed communities linked, of course, to the growth of tourism over the 30 year period during which the policy has operated. Some businesses have undoubtedly closed, or relocated, but others have been created and, overall, the communities have adapted to the new circumstances. Understandably, however, there will always be an inclination by some businesses to feel threatened by the prospect of new, competing, businesses providing a service at, or closer to, the road.

6. Conversely, it could be said that the policy is increasing anomalous in that it puts the interests of the providers of services above those of the users who, in this case, are the travelling public. Given the choice, travellers would naturally prefer to have commercial services in places where they have to make the minimum diversion from the road.
7. It is also said with some justification, that the relative lack of commercial roadside services on long stretches of the road - particularly in Highland - is a factor which contributes to accidents and, by encouraging many road users to make uninterrupted journeys along its length, denies the wider community some of the economic benefits which would accrue from having more people stop and be alerted to visitor attractions.
8. In response to these latter concerns, there are two important studies underway which are due for completion in the late summer. The first, under the direction of Highland Council, is reviewing the planning/economic development aspects of the policy and the second, led by the Scottish Executive Roads Directorate in conjunction with the police, is considering the road safety issues.
9. Highland Council are currently consulting publicly on a document ("A9 Services - Draft Principles and Strategy") seeking views of a wide range of interests and organisations on the current policy regarding provision of roadside services on the A9. The consultation ends on 27th June.
10. The responses to the consultation, together with an independent economic impact assessment will be considered by Highland Council, with a view to putting their conclusions to the Scottish Executive in the autumn. The Executive, who are simultaneously undertaking a road safety assessment, will decide in due course whether a change in policy is justified. If so, this would be reflected in a modification to National Planning Policy Guidance (NPPG 9) and, subsequently, the structure plans of Highland and Perth and Kinross Councils.
11. The specific question is raised in the Consultation document (para 4.6) as to whether A9 services should combine a National Park "Gateway" facility. A logical approach to this would be to allow the decision to be made, in the first instance, on whether there should be a change in the policy on A9 roadside development. Given that this will be informed by views of the same communities and businesses of the area which would form any view taken by CNPA, there seems no added value in the CNPA itself responding to the consultation unless Board members feel so strongly committed, in principle, to the concept of a Gateway centre that this should in itself be a factor for the reviewing authorities to take into account in reaching a decision on the content of future policy. There has, of course, been no time for the Board to take a considered view on that principle and, to avoid making a hurried decision dictated by the consultation period, my advice would be to let that judgement follow rather than precede the present reviews. However if the policy is changed, then the issue of a gateway centre(s) is one the CNPA will wish to address - but a decision about the need (or otherwise) for a gateway centre should not be driving the re-assessment of the A9 policy.

Consultation from Highland Council on Planning Application for "Erection of Building to Accommodate Tourist Information Centre and Exhibition in Partnership with Highlands of Scotland Tourist Board, Restaurant and Shop"

12. This is a detailed planning application which has been registered for almost one year. The area planning and building control manager has made a formal request for the CNPA's opinion.
13. The site is virtually at the Dalwhinnie turn-off on land between the A889 and the river. (see attached site plan) Immediately to the south of the same junction I believe there is also a longstanding proposal for a Little Chef restaurant but this is not being actively progressed at present. The application on which the CNPA is being consulted is accompanied by a report prepared by The Management Resource Partnership which I also attach as an annex since it presents a full description of the background to the proposal.
14. I understand that the delay in determining this application is due to the council's desire to have the conclusions to the studies I have referred to above before making a decision on the application. I think it is also acknowledged that despite what is said in paragraph 1.7 of The Management Resource Partnership's report, the proposal does not comply with present policy and, before an approving decision could be issued, there would need to be an explicit relaxation of the policy restrictions contained in the NPPG and current Development Plan.

Issues for CNPA to Consider

15. The need for, and form of, a policy on roadside services on the A9 is primarily a matter for the Scottish Executive and the two councils - Highland and Perth and Kinross - through which the road passes. They are in the best position to formulate a strategic overview of the level of control which serves the interests of the travelling public and the adjacent communities.
16. In view of Highland Council's current consultation and review on A9 policy, my advice to the Board is to take no final position on the Dalwhinnie, or any other location, until the review is complete. At that time, a further report will be prepared for the Board on the emerging policy content which, logically, should precede decisions on specific sites. If a relaxation of the present restrictions emerges as a preferred option there would be a need to investigate more thoroughly the best location for a new facility and the services it should offer.

Denis Munro
27th June 2003