

CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: CREATION OF A 75M LONG MOUNTAIN BIKE TRAIL (PUMP TRACK). GLENLIVET MOUNTAIN BIKE TRAILS, TOMINTOUL.

REFERENCE: 2014/0203/DET

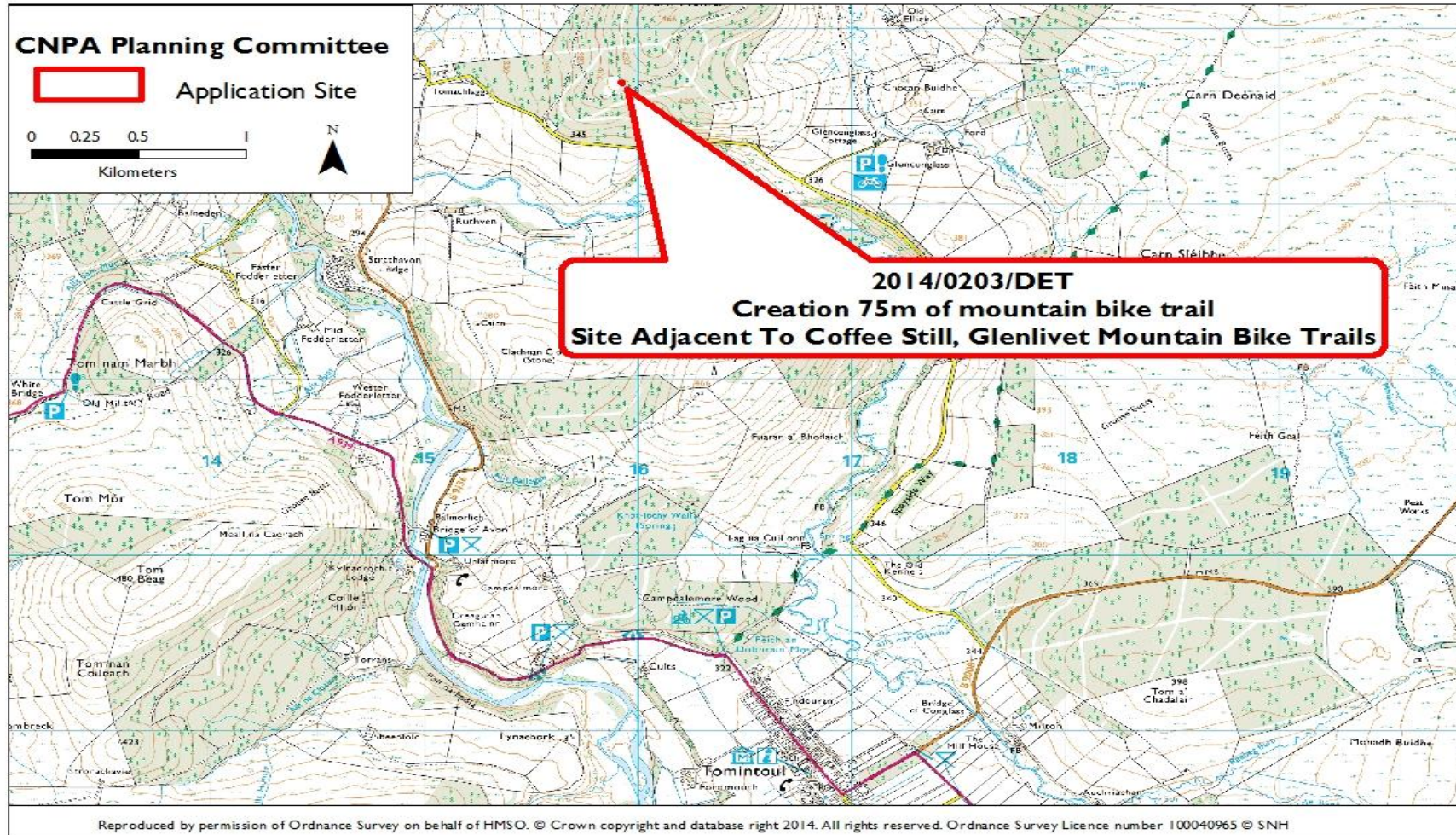
APPLICANT: THE CROWN ESTATE

DATE CALLED-IN: 14/07/2014

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

Grid reference E/3315923 N/822693

Fig. 1 - Location Plan



SITE DESCRIPTION AND PROPOSAL

1. The application site is approximately 0.13ha of rough land at the base of a former small quarry and located adjacent to and south east of the hub building and car park of some 30 spaces serving the existing cycle trails. Surrounding land is afforested with the existing access road to the trails located nearby to the south east.
2. The proposal seeks to create a 75m long 'pump' track and 900mm in width formed on a base of hardcore material quarried locally from the estate. Serpentine in its configuration with four legs, the track would be configured in raised bumps and berms (banked corners) that would be linked to an existing cycle trail nearby to form a loop.
3. Additional landscaping would consist of low level maintenance grass located on cleared land to the south and east with an area of trees and shrubs formed from native species located to the west.
4. A supporting statement has been submitted (the full version of which has been included in Appendix 1) which provides further details of the proposals. It states that the pump track is intended to provide a safe area that riders can practice on and, in particular children can 'play' on before starting their ride. The statement advises that it is not envisaged that the facility will attract any more users to the site, thus visitor numbers and parking will not be affected. Parking will therefore be provided for in the existing 30 space car park (with two designated disabled parking bays). No existing trees will be cut back and no felling will take place. The proposal site does include an area that was identified in the original plans that was to be landscaped. In order that these areas are not lost, alternative tree planting and landscaping areas of an equivalent size are indicated on the plan.

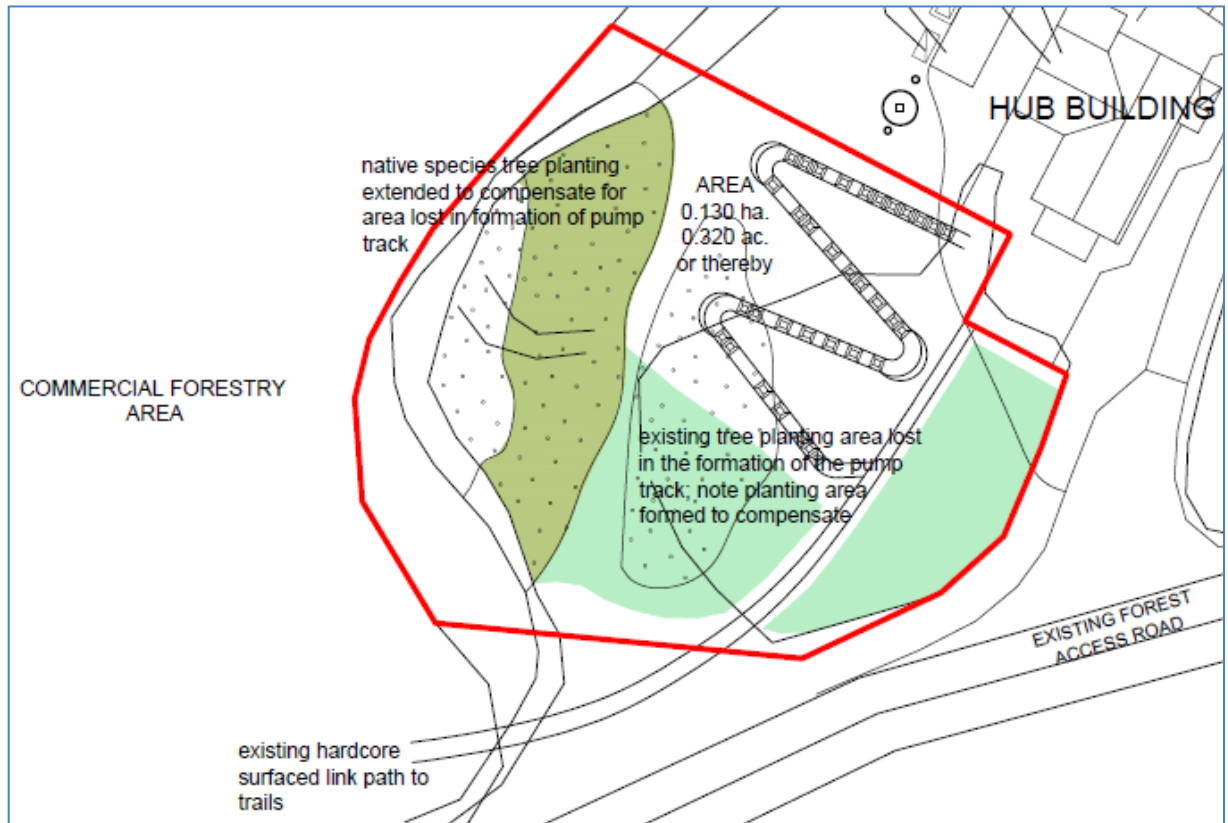


Site Facing North



Site Facing South

Pump Track Details



- 2011/0302/DET - Planning permission was granted on 18/12/2011 for the creation of a mountain bike centre with new car park and building to provide toilets and cafe.

2013/0106/DET – A further planning permission was granted on 24/05/2013 to provide for a hub building for the mountain bike centre containing a cafe and toilets, superseding the building previously approved, plus associated parking for 30 vehicles.

DEVELOPMENT PLAN CONTEXT

National policy

- Scottish Planning Policy (SPP, revised 2014)** sets out national planning policies that reflect Scottish Ministers priorities for the operation of the planning system and for the development and use of land. Under planning law, planning applications must be determined according to the development plan unless material considerations indicate otherwise. The content of SPP is a material consideration in planning applications that carries significant weight.

The SPP promotes consistency in the application of policy across Scotland while allowing sufficient flexibility to reflect local circumstances.

The SPP sits alongside four other Scottish Government planning policy documents:

- The **National Planning Framework (NPF)**, which provides the statutory framework for Scotland's long term spatial development. The NPF sets out the Scottish Government's spatial development policies for the next 20 to 30 years
- **Creating Places**, the policy statement on architecture and place containing the Scottish Government's policies and guidance on the importance of architecture and design
- **Designing Streets**, a policy statement putting street design at the centre of place making. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance
- **Circulars**, which contain policy on the implementation of legislation or procedures

Strategic Policies

Cairngorms National Park Partnership Plan (2012 - 2017)

7. 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 term 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.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

8. 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>

9. 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. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
 - Chapter 3 - Conserving and Enhancing the Park;
 - Chapter 4 - Living and Working in the Park;
 - Chapter 5 - Enjoying and Understanding the Park.
10. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with other policies, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
11. Policy 6 – Landscape – There will be a presumption against any development that does not complement and enhance the landscape character of the Cairngorms National Park and in particular the setting of the proposed development.
12. Policy 16 – Design Standards for Development – Sets out design standards, including the need to use materials and landscaping that will complement the setting of the development
13. Policy 18 – Developer Contributions - States that development which gives rise to a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects, will normally require the developer to make a fair and reasonable contribution in case or kind towards the additional costs or requirements. Such contributions will be consistent with the scale and nature of the development proposed.
14. Policy 33 - Tourism Related Development – Supports tourism related development that would have a beneficial impact upon the local economy through the enhancement of the range of tourism attractions and facilities.
15. 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.
16. Policy 35 - Sport and Recreation – Support of development that increases sport and recreation facilities to existing facilities.

CONSULTATIONS

17. **Moray Council Transportation** advises that the proposal should be approved unconditionally. The applicant has indicated that they do not envisage any additional users as a result of the proposed 75m 'pump track'.

Transportation advises that there may be some additional demand as a result of the proposals, however given the scale of the proposals, its ancillary function and from on-site observation of the overspill parking available, Transportation are not seeking any additional parking provision in association with this application.

18. **CNPA Landscape Adviser** states that the inclusion of the pump track and proposed alterations to the landscape proposals will have negligible landscape impact. The development raises no issues in relation to landscape.
19. **CNPA Access Officer** advises that the development raises no concerns in respect of CNPA's statutory responsibilities under the Land Reform Act 2003. The development accords with the current CNPA Outdoor Access Strategy aims. As such the proposals raises no issues in relation to public access.
20. **CNPA Natural Heritage Officer** notes that (1) the site comprises bare ground adjacent to the existing mountain bike trail hub, which is situated in an old borrow pit, (2) no mature trees are proposed to be removed and (3) alternative areas for tree planting and wildflower meadow of at least equivalent size has been provided in compensation for the area lost. On this basis it is confirmed that the proposal has no adverse impact on ecology and therefore no further comments are made.
21. **Scottish Natural Heritage** advises that the proposal will not impact on the River Spey SAC. The applicant's supporting information explains that no trees will be removed and that the site is currently free from most ground vegetation having previously been a quarry and it is therefore unlikely that protected species or plants will be present or affected by these proposals.
22. **Aberdeenshire Developer Obligations Officer** advises that in this instance this type of development will not attract any Developer Obligations. No further comments to make on this application

REPRESENTATIONS

23. None.

APPRAISAL

24. In terms of the Local Plan policies, it is considered that the proposed cycle track would not adversely affect the nearby woodland. Located within a cleared area of mature plantation woodland and located away from the highway, there is no significant landscape and visual impact in respect of the surrounding countryside in compliance with Policy 6. The development is well designed within this landscape and therefore complies with Policy 16. A condition is recommended to ensure the proposed compensatory landscaping is implemented.

25. In relation to outdoor access, the proposed development will increase the facilities available within this emerging tourism site, thereby making it safer and more attractive for younger cyclists. The proposed development would therefore meet with the requirements of Policy 33 (Tourism); Policy 34 (Outdoor Access) and Policy 35 (Sports & Recreation).
26. Moray Council as Road Authority raises no objection and recommends approval without any highway conditions.

Conclusion

27. It is considered that the proposed development complies with the requirements of the Development Plan policies and that there are no material considerations which would suggest that planning permission should not be granted.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

28. The proposed development will have no discernible impact on this aim, and the finished landscape detail of natural grassland and some planting of trees and shrubs of natural Scottish species would all serve to integrate the pump track into its surroundings.

Promote Sustainable Use of Natural Resources

29. The proposed track way will use locally sourced materials.

Promote Understanding and Enjoyment of the Area

30. The provision of an off-road training track for use mainly by youngsters would contribute towards this aim and may be expected to increase the numbers of users to the cycle trail overall.

Promote Sustainable Economic and Social Development of the Area

31. Improving the facilities available to cyclists would encourage an increase in the number of visitors to the area.

RECOMMENDATION

That Members of the Committee support a recommendation to grant planning permission subject to the following conditions:-

- I. The landscaping scheme, as detailed on Plan I047936/PI-01 revision C dated 20/06/14 shall be implemented in full accordance with those details, and

within the next planting season following completion of the development hereby approved.

Reason: To ensure a satisfactory landscape setting for the development in compliance with Policy 6 and Policy 16.

Advice notes:

1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
2. Where the cycle track is located close to existing trees, including mature hazel coppice, care must be taken to avoid damage to tree roots, allowing for sufficient Root Protection Area and protection to trees during construction, according to BS5837:2012.
3. Any tree removal and pruning should take place outside of the breeding bird season.

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Date 19.08.14

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.