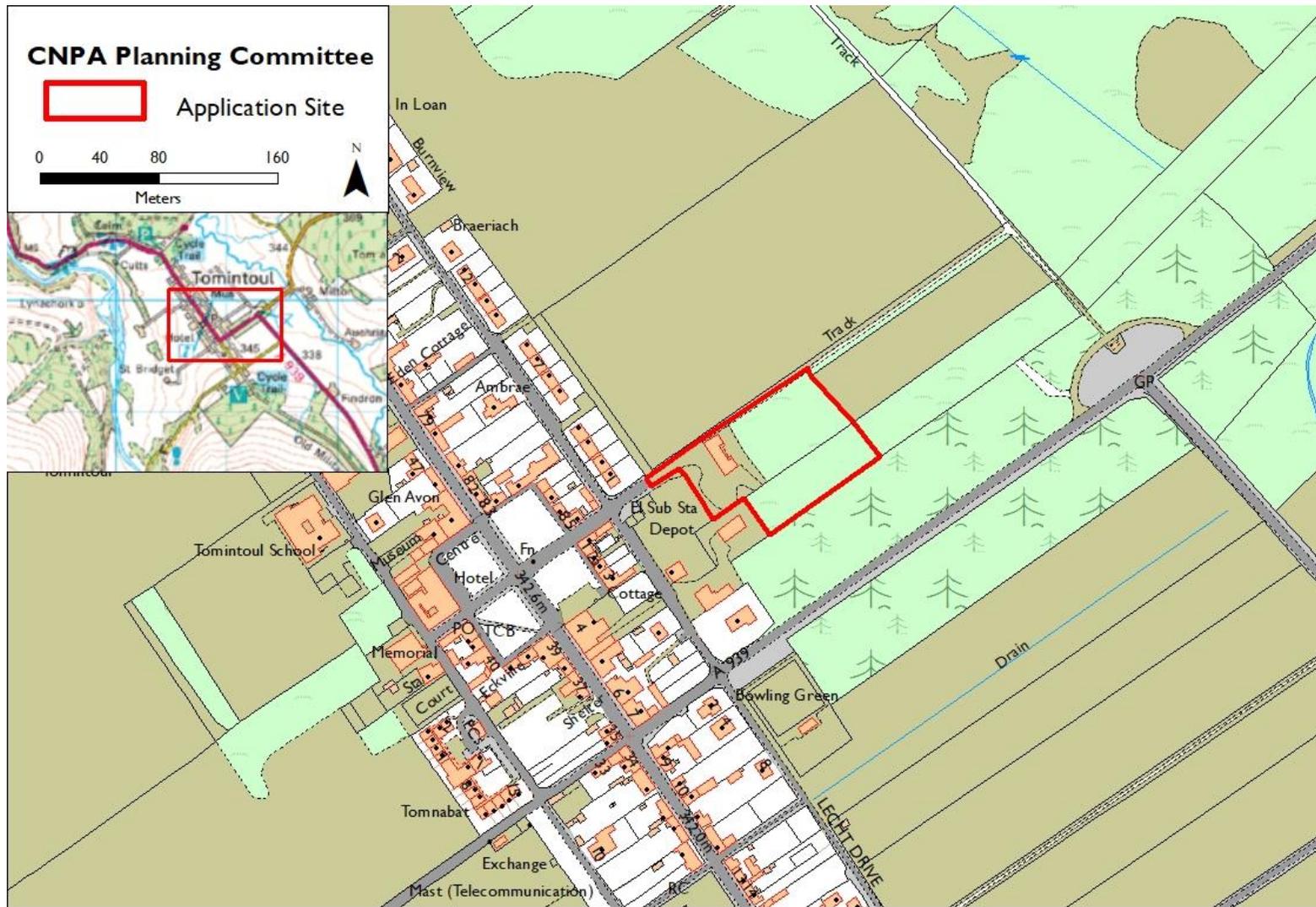


CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Change of use and alteration to form new campsite, shower facility, hard standing and foul drainage at The Old Mart Conglass Lane Tomintoul Moray

REFERENCE: 2023/0087/DET
APPLICANT: Tomintoul & Glenlivet Development Trust
DATE CALLED-IN: 20 February 2023
RECOMMENDATION: Approve subject to conditions
CASE OFFICER: Gavin Miles Head of Strategic Planning



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SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The site is located on the eastern side of Tomintoul, and north of the B939 road towards the Lecht. The site is currently an area of rough disturbed ground associated with the existing business unit and a narrow field area between that part of the site and replanted woodland beside the B939 road.

Proposal

2. 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=RQ4Y92SIOCP00>

Title	Drawing Number	Date on Plan*	Date Received
Plan - Detailed site plan and details	220106.GI LES.03P	10/10/22	21/02/23
Plan - Detailed site plan and details	220106.GI LES.03P	10/10/22	07/06/23
Plan - Shower facilities	220106.GI LES.04P	05/12/22	21/02/23
Plan - Landscape Plan	001	01/06/23	07/06/23
Plan - Detailed site plan and details	220106.GI LES.03P	10/10/22	08/08/23
Plan - Detailed site plan and details	220106.GI LES.03P	10/10/22	21/08/23
Plan - Detailed site plan and details	220106.GI LES.03P	10/10/22	31/08/23
Plan - Detailed site plan and details	220106.GI LES.03P	10/10/22	06/09/23
Other - Drainage Impact Assessment	GMC23-014	08/02/23	07/06/23
Other - Supporting Statement		02/04/21	21/02/23
Other - Bollard Specification		10/01/21	07/06/23

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Other - Breeding Bird Survey		01/06/23	26/06/23
Other - Intercom system method statement		16/08/23	21/08/23
Other - SUPPORTING STATEMENT (TRAFFIC MANAGEMENT)		02/04/21	07/06/23

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

- The proposal is for a change of use of the overall site to form a 1-hectare site for 29 caravan pitches with associated shower and toilet facilities and waste disposal facilities for caravans/motorhomes.

History

- There is no recent planning history on the site.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	National Planning Framework 4 (NPF4) Scotland 2045
POLICY 1	Tackling the Climate and Nature Crises
POLICY 2	Climate Mitigation and Adaptation
POLICY 3	Biodiversity
POLICY 4	Natural Places
POLICY 14	Design, Quality and Place
POLICY 22	Flood Risk and Water Management
POLICY 25	Community Wealth Building
POLICY 29	Rural Development
POLICY 30	Tourism

Strategic Policy	Cairngorms National Park Partnership Plan 2022 – 2027	
Local Plan Policy	Cairngorms National Park Local Development Plan (2021) 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	DESIGN AND PLACEMAKING	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	OPEN SPACE, SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER OBLIGATIONS	

5. All new development proposals require to be assessed in relation to policies contained in the adopted Development Plan which comprises National Planning Framework 4 (NPF4) and the Cairngorms National Park Local Development Plan 2021. The full wording of policies can be found at:

<https://www.gov.scot/publications/national-planning-framework-4/documents/>

and at:

<https://cairngorms.co.uk/wp-content/uploads/2021/03/CNPA-LDP-2021-web.pdf>

Planning Guidance

6. 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	Housing Supplementary Guidance	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	X
Policy 3	Design and Placemaking Non-Statutory Guidance	X
Policy 4	Natural Heritage Non-Statutory Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Non-Statutory Guidance	
Policy 8	Open Space, Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	
Policy 11	Developer Obligations Supplementary Guidance	

CONSULTATIONS

Summary of the main issues raised by consultees

7. **Scottish Water** has no objection to this planning application.
8. **Moray Council Archaeologist** has no comment to make on the application.
9. **Moray Council Contaminated Land Officer** has no comment to make on the application.
10. **Moray Council Flood Risk Management Officer** has no objection to this planning application.
11. **Moray Council Transport Planning** had concerns regarding the maintenance of co-owned land as well as turning areas for cars towing caravans or larger vehicles. However, revised details submitted for the application have satisfied the transport planning team who now have no objection and seek conditions to manage the development.
12. **CNPA Outdoor Access** has no specific comments in relation to outdoor access but recommend the site has interpretive material about the local area and access opportunities, land management activities and the Scottish Outdoor Access Code.
13. **CNPA Landscape Adviser** notes that it will be possible to develop the site without compromising the special landscape qualities of the National Park. The site will be seen in association with the existing buildings of Tomintoul and drops away in views from Tomintoul itself. The proposed planting within the site and on its eastern edge will provide medium to longer term screening in combination with the existing woodland to the southern edge of the site.
14. **CNPA Ecology Officer** notes that the site is considered limited for supporting protected species however it offers potential to support nesting/breeding birds with lapwing and oystercatcher noted in the area and a house martin nest was noted on the building to be converted. They recommend conditions requiring pre-commencement breeding birds surveys and species protection plans if any works are to be undertaken during the bird breeding seasons and for the installation of house martin nest boxes on the shower/toilet block building. The ecology officer also screened the site under the Habitats Regulations but because the site has no connectivity with nearest tributary to the River Spey Special Area of Conservation, no further appraisal was required.
15. **Kirkmichael and Tomintoul Community Association** were consulted but made no comments.

REPRESENTATIONS

16. There have been fourteen representations received on the application within the 28 days following call in by the Park Authority. A number of other late representations and correspondence raising similar points were also received by officers. Most representations raised points of objection or concern with the application, with only one representation wholeheartedly supporting the application for its potential contribution to the tourism sector and economy. Many representations raised matters that were beyond the scope of the planning system.
17. The main relevant planning issues raised through representations were:
 - a) Impacts on water supply and sewage capacity in Tomintoul;
 - b) Impacts on power supplies;
 - c) Impacts of traffic on roads, property and for safety of other road users;
 - d) Impacts of the development on wildlife and wading birds;
 - e) Potential impacts on Dark Skies and the Dark Sky Park;
 - f) Impacts of noise.
18. Other issues raised included:
 - a) Possible effects on crime, security of other properties and insurance premiums for Tomintoul residents;
 - b) Lack of consultation by the applicant with members of the community;
 - c) Concern at competition with the existing campervan caravan hook-up and stopover facilities operated by the Bowling club.
 - d) Lack of facilities for tents;
 - e) Effects on police and medical services

APPRAISAL

19. Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the Development Plan. This now comprises the Cairngorms National Park Local Development Plan 2021, and the National Planning Framework 4. Where there is conflict between policies, NPF4 policies will be used.
20. The main planning considerations are the principle of development, the impact upon landscape, including dark skies, siting and design, including impacts on, the environmental impacts, flooding, access and servicing, and impacts on amenity.

Principle

21. **Policies 25: Community Wealth Building, 29: Rural Development and 30: Tourism** of NPF4, as well as **Policy2: Supporting Economic Growth** of the Cairngorms National Park Local Development Plan 2021, together provide in principle support for:
- a) Community led proposals, increasing spend in communities, local job creation and, development proposals linked to community ownership or management of land, that sustain fragile communities and support local employment;
 - b) The provision of new tourist accommodation, including caravan sites and on sites allocated in the LDP.
22. The proposal is for a caravan/motorhome site in a remote rural community, by the local community development trust as way of helping sustain its activities and support the community, on a site allocated for economic development in the Cairngorms National Park Local Development Plan 2021. In allocating the site with the Local Development Plan, it was anticipated that it could be developed for a range of business uses appropriate to the location and the proposal for a tourism related business is considered an acceptable use of the allocation. Subject to other planning considerations considered in this report, the principle of the development is considered acceptable under the requirements of Policies 25: Community Wealth Building, 29: Rural Development and 30: Tourism of NPF4, as well as Policy2: Supporting Economic Growth of the Cairngorms National Park Local Development Plan 2021.

Landscape Impacts, Layout and Design

23. **Policy 5: Landscape** of the Cairngorms National Park Local Development Plan 2021 presumes against development which does not conserve and enhance the landscape character and special qualities of the National Park and in particular the setting of the proposed development.
24. **Policy 14: Design, Quality and Place** of NPF4 supported by **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021, promotes well designed developments that make successful places by taking a design-led approach and applying the Place Principle. Proposals should be consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, and adaptable.

25. The proposed development will sit on ground at the edge of Tomintoul that runs downhill away from the village. It is partly screened from the village by existing business units and sheds and from the B939 Lecht road by recent amenity woodland planting that replaced a conifer shelter belt. The site is considered to have capacity for the development proposed with the addition of limited tree planting to provide further screening in a way that will not have a significant effect on the special landscape qualities of the National Park during daylight hours.
26. Dark skies are a special landscape quality that is explicitly recognised through the Tomintoul and Glenlivet Dark Sky Park. The external lighting within the site is proposed to be by Drago Bollards, a low height, downward facing directional light with minimal spill that is suitable for use in a dark Dark Sky Park. No information has been provided with the application on external lighting of the existing building to be converted, so a condition requiring an external lighting management plan to minimise external light production across the entire site, including site rules for users of the site will ensure the effects of essential lights are minimised and have no additional impact on the light already emitted from Tomintoul as the largest village and source of light in the Dark Sky Park.
27. The layout of the site itself is functional and designed to be an efficient use of space for caravan and camper vans expected for short stays. The internal plots are large at 12 metres long and 6 metres wide, with 5 metres between plots. A 1.8metre timber fence will surround the site but over time, this will be screened by woodland to the south and east. An informal path to the north of the site that allows a circular walk from Tomintoul will retained by slightly be realigned. The site is close to the centre of Tomintoul and within easy walk of its main businesses. Once the tree planting proposed with the development has established, the site will be further screened and provide an attractive edge to Tomintoul.
28. Subject to a condition requiring a light management plan to minimise light emission from the proposed site to be submitted and approved by the CNPA prior to development, the proposal is considered to comply with Policy 14: Design, Quality and Place of NPF4 and Policies 3: Design and Placemaking and 5: Landscape of the Cairngorms National Park Local Development Plan 2021

Environmental Impacts

29. **Policy 1: Tackling the Climate and Nature Crises** of NPF4 requires that significant weight is given to the global climate and nature crisis when consideration is given to new development. **Policy 3: Biodiversity**

seeks to ensure that development will conserve, restore and enhance biodiversity. **Policy 4: Natural Places** seeks to protect, restore and enhance natural assets including protected areas. **Policy 4: Natural Heritage** of the Cairngorms National Park Local Development Plan 2021, seeks to ensure there are no adverse impacts upon designated areas, protected species, or biodiversity.

30. The proposed development site itself has relatively low biodiversity value in its own right with possible house martin nesting on the existing building and some other common bird species using the site. Beyond the site to the north and east, open fields provide foraging and breeding habitat for breeding wading birds in particular, with 4 pairs of lapwing having successfully raised chicks during 2023. The area may become less attractive to wading birds once existing planted hedgerows and woodland in the vicinity matures, and the limited additional planting proposed as part of the development will provide some additional habitat for other species as well as provide screening of the site. The applicant controls more grassland to the east of the site and further management of that ground as a species rich meadow would secure a biodiversity enhancement from the development that would benefit wading birds and many other species.
31. Several representations have raised the importance of the neighbouring ground for wading birds and the potential for greater disturbance from site users. Appropriate visitor information for users of the proposed site and on the ground managed by the applicant would help inform users of the site on appropriate routes and behaviour to minimise impacts on breeding birds. From the CNPA staff site visits, the area appears to be used by local dog walkers for off-lead dog walking so wider information might also reduce disturbance from Tomintoul residents. The incorporation of house martin boxes at appropriate locations on the existing building would maintain and create opportunities for them to nest.
32. The site is within the wider catchment of the river Spey Special Area of Conservation but the proposal does not have a connection to the nearest water course, will be connected to the existing waste water system, and have licenced disposal of caravan/campervan toilet waste. There will be no effects on the river Spey SAC.
33. Subject to appropriate conditions, the proposal is considered to comply with Policies 1: Tackling the Climate and Nature Crises, 3: Biodiversity and 4: Natural Places of NPF4 and with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2021.

Servicing, Drainage and Water Issues

34. **Policy 2: Climate mitigation and adaptation** and **Policy 22: Flood Risk and Water Management** of NPPF4 require that development is sited and designed to adapt to current and future risks from climate change, don't increase risk of surface water flooding and minimise the area of impermeable surface. The proposed development will not increase risk of surface water flooding and does not increase the area of impermeable surface. The drainage impact assessment provided with the application demonstrates that the ground of the site itself is free draining and will absorb expected rainfall.
35. **Policy 10: Resources** of the Cairngorms National Park Local Development Plan 2021 requires that should not have negative impacts on the water environment and treat surface and waste water separately, connecting waste water to the public sewerage network where possible. The proposed development will connect to the public sewage network and will not generate excess surface water. Scottish Water have raised no objection to the proposed development and while a number of representations have questioned the ability of the network to take further connections, that matter, and the linked point over connection to the public water supply, will be one for Scottish Water to decide at the point connections are requested.
36. The site will also be connected to the mains electricity supply within Tomintoul. Again, the decision on whether the connection is possible without compromising the wider supply is one for the connection provider at the point of a request. The grant of planning permission does not guarantee the availability of supply or right to a connection.
37. A number of other servicing requirements and the demonstration of appropriate waste management arrangements will be controlled through the site licence that will be required via Moray Council's Environmental Health department in order for the proposed site to operate.
38. The proposal is considered to comply with Policy 2: Climate mitigation and adaptation and Policy 22: Flood Risk and Water Management of NPPF4 and with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021.

Access

39. **Policy 13: Sustainable Transport** of NPF4 supports developments that provide direct, easy, segregated, and safe links to local facilities via walking, wheeling, and cycling networks before occupation. **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021 seeks to promote sustainable transport

methods and active travel and maximise opportunities for responsible outdoor access.

40. The development is located close to the centre of Tomintoul on quiet roads and with immediate connections to the local path network. Moray Council's transport planning team are satisfied that with conditions to manage the development, there are no impacts on road safety from the development and no further improvements required to the public road network. Subject to the conditions requested by Moray Council, the proposal is considered to comply with Policy 13: Sustainable Transport of NPF4 and Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

Amenity

41. **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021 states that development should protect the amenity enjoyed by neighbours including minimisation of disturbance caused by access to the development site.
42. A number of representations have raised concerns over access to site, noise from the site. Moray Council are satisfied that the road network and vehicle access arrangements are suitable for the development.
43. The development itself is located beyond existing business and industrial facilities that sit across roads from residential properties and the site licence for the site that will need to be obtained from Moray Council will control noise and set limits on activity in order to protect neighbours further.

Other Issues Raised in Representations

44. One representation noted concern at the competition with the facilities offered by the bowling club for overnight stays by camper vans and caravans that helps fund the upkeep of the bowling club. The proposed development clearly offers an alternative stopping point, and will create choice for customers, but appears to be a different type of stopover with more facilities and presumably a higher cost. Competition on the open market is not a material planning consideration, so is not a relevant matter for the determination of this application. Nevertheless, while it is possible to understand the fears of competition, it is also possible to envisage the two facilities providing different services at different prices that will appeal to different customers.

45. A number of representations and later correspondence complained to the CNPA that they had not been sufficiently consulted on the proposals. This is entirely a matter for the applicant, though officers understand that the proposal was identified through consultation with the community and has been discussed at a number of public meetings. The planning application was advertised in the normal way by Moray Council when it was received and the applicant followed the correct procedures in making the application.
46. A few representations raised concern over security, their insurance premiums, the ability of Moray Council, the police or healthcare services to deal with impacts of the proposed development. Moray Council services have had the opportunity to consider the impacts of the proposed development and there are no unusual impacts expected from the development on policing or healthcare services.
47. A number of residents have raised the lack of facilities for tents as a concern. Officers are satisfied that the applicant will have undertaken their own market research on the demand for stays and have created a proposal and business plan that meets that. The site would be capable of being adapted for tents in future if that demand arises.

CONCLUSION

48. The proposed development will create a new site for caravans and campervans on a busy through route in what is a relatively remote part of the National Park. The application is being made by the community development trust to create a revenue raising social enterprise that also attracts more overnight stays in Tomintoul with a wider economic benefit in terms of customers for other existing or new businesses. The proposal is on a site allocated for business use and subject to some conditions to manage the proposal should be a long term asset to Tomintoul and the wider area so is recommended for approval.

RECOMMENDATION

That Members of the Committee support a recommendation to APPROVE the Change of use and alteration to form new campsite shower facility hard standing and foul at The Old Mart Conglass Lane Tomintoul Moray for the following reasons/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 fully detailed landscaping scheme both hard and soft landscaping proposals and the future maintenance and management of the proposed scheme has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. This shall include, but not be limited to:
 - a) Hard landscaping material specification;
 - b) Soft landscaping plant and tree species including planting specifications (species, number, size and planting mix);
 - c) Proposals for creation and management of a species-rich meadow to the north-east of the site to enhance biodiversity;
 - d) Proposals of the installation of house martin boxes on the existing building;

Thereafter, the development shall be implemented in accordance with those approved details and not later than the expiry of the next planting season following commencement of the development or within such time as approved by CNPA acting as Planning Authority.

Reason: To ensure the long-term retention of an appropriate landscaping setting, enhanced biodiversity and to ensure the development will not have an adverse impact on the landscape setting or ecological quality of the development in accordance with Policy 1: Climate and Nature Crises, Policy 3: Biodiversity and Policy 4: Natural Places of NPF4 and Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

2. No development shall commence until a full lighting management plan has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The lighting management plan shall include details of all external lighting within the site and on the existing building as well as details of site rules for management of light from caravans, camper vans and other vehicles. Thereafter, the development shall be implemented and operate in accordance with those approved details.

Reason: To minimise light pollution from the development and ensure no impacts on dark skies special landscape quality or the Dark Sky Par in accordance with Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021

3. No development shall commence until a construction method statement has been submitted to and approved in writing by the

Cairngorms National Park Authority acting as Planning Authority.
The construction method statement shall include but be limited to:

- a) Details of soil movement and storage within the site;
- b) Details of standard pollution prevention and dust and runoff prevention measures;
- c) If any works are to be undertaken during bird breeding season, species protection plans for any birds that would be disturbed.
- d) Details of pre-construction checks for protected species

Thereafter the development shall be implemented in accordance with those approved details.

Reason: To ensure the construction of the development has no detrimental environmental effects in accordance with Policy 3: Biodiversity and Policy 4: Natural Places of NPF4 or Policy 3, Design and Placemaking, Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

4. **No development shall commence until a visibility splay 2.4 metres by 25 metres has been provided in both directions at the site access onto Conglass Lane, with all boundaries set back to a position behind the required visibility splays; and maintained thereafter at all times free of any obstruction greater than 0.26m in height measured from the level of the carriageway.**

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit, in the interests of road safety for the proposed development and other road users.

5. Prior to the first occupation of the campsite, details of an information pack for visitors will be submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The information shall include but be limited to:
 - a) Details of information on site and off site explaining outdoor access opportunities nearby;
 - b) how the Scottish Outdoor Access Code is applied in the area and any measures needed to avoid disturbance to livestock and to breeding birds;
 - c) Site management rules to avoid disturbance to neighbours.

Thereafter the approved information shall be installed and maintained in perpetuity unless otherwise agreed in writing by the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure the customers understand opportunities to enjoy the area responsibly and to protect the amenity of neighbours in accordance with Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

6. Prior to the first occupation of the campsite parking shall be provided in accordance with submitted drawing reference "220106.GILES.03PP Revision J". The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure the permanent availability of the level of parking necessary for customers/staff/others in the interests of an acceptable development and road safety.

7. Prior to the first occupation of the campsite a new traffic sign "Unsuitable for caravans" shall be erected on the existing street lighting column located at Ordnance Survey grid reference 316928,818789 in prior agreement with and to the written satisfaction of the Roads Authority (Traffic Signs Regulations and General Directions 2016, Sign diagram number 820).

Reason: To ensure acceptable development in the interests of road safety.

8. Prior to the first occupation of the campsite white carriageway edge markings shall be provided within Conglass Lane across the full extents of the Moray Council yard frontage, including a section of hatched area to the north of the Council yard access (as shown on submitted drawing "220106.GILES.03PP Revision J"). The carriageway markings shall be provided in prior agreement with and to the written satisfaction of the Roads Authority.

Reason: To ensure acceptable development in the interests of road safety.

9. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access.

10. Prior to the first occupation of the site, a turning area shall be provided within the curtilage of the site to enable vehicles to enter and exit in a forward gear.

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Reason: To ensure the provision for vehicles to enter/exit in a forward gear in the interests of the safety and free flow of traffic on the public road.

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 developer should note that the section of Conglass lane between the site access and the A939 Nairn - Tomintoul - Ballater Road is private and is not adopted by the Roads Authority. The section of access leading onto Conglass Lane is also private. It would be the developer's responsibility to establish any Rights of Vehicular Access with the party (parties) in control of the private road which serves the site. The developer would also be responsible for ensuring that the existing vehicular access along the access track to the rear of nos 1-4 Conglass lane is retained, and that continued parking/access to the adjacent electricity sub-station is also accommodated.
5. The new traffic advisory sign shall be provided in accordance with The Traffic Signs Regulations and General Directions 2016, Sign diagram number 820 "Unsuitable for caravans", x-height 50mm, class ref 2 material. Mounted on existing lighting column with clips and rubber banding to protect the street lighting column. Minimum mounting height of 2.1 metres above the carriageway.

6. The road markings shall also be provided in accordance with Traffic Signs Regulations and General Directions 2016 (please refer to sign diagram number 1040.4 for the hatched markings). Further technical advice on the road markings and new traffic advisory sign is available by emailing james.smith@moray.gov.uk (Engineer Traffic). Note - the developer shall be responsible for all costs associated with the procurement and provision of the new sign and road markings.
7. Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 56 of the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road. Advice on these matters can be obtained by emailing roadspemits@moray.gov.uk
8. Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.
9. The applicant shall be responsible for ensuring that surface/ground water does not run from the public road into their property.
10. No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.
11. The applicant shall free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road.

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.