
CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Proposed new Tasting Lodge with associated boundary fence and access track at Land 440M West Of Grant Cottage, Glenlivet, Ballindalloch, Moray

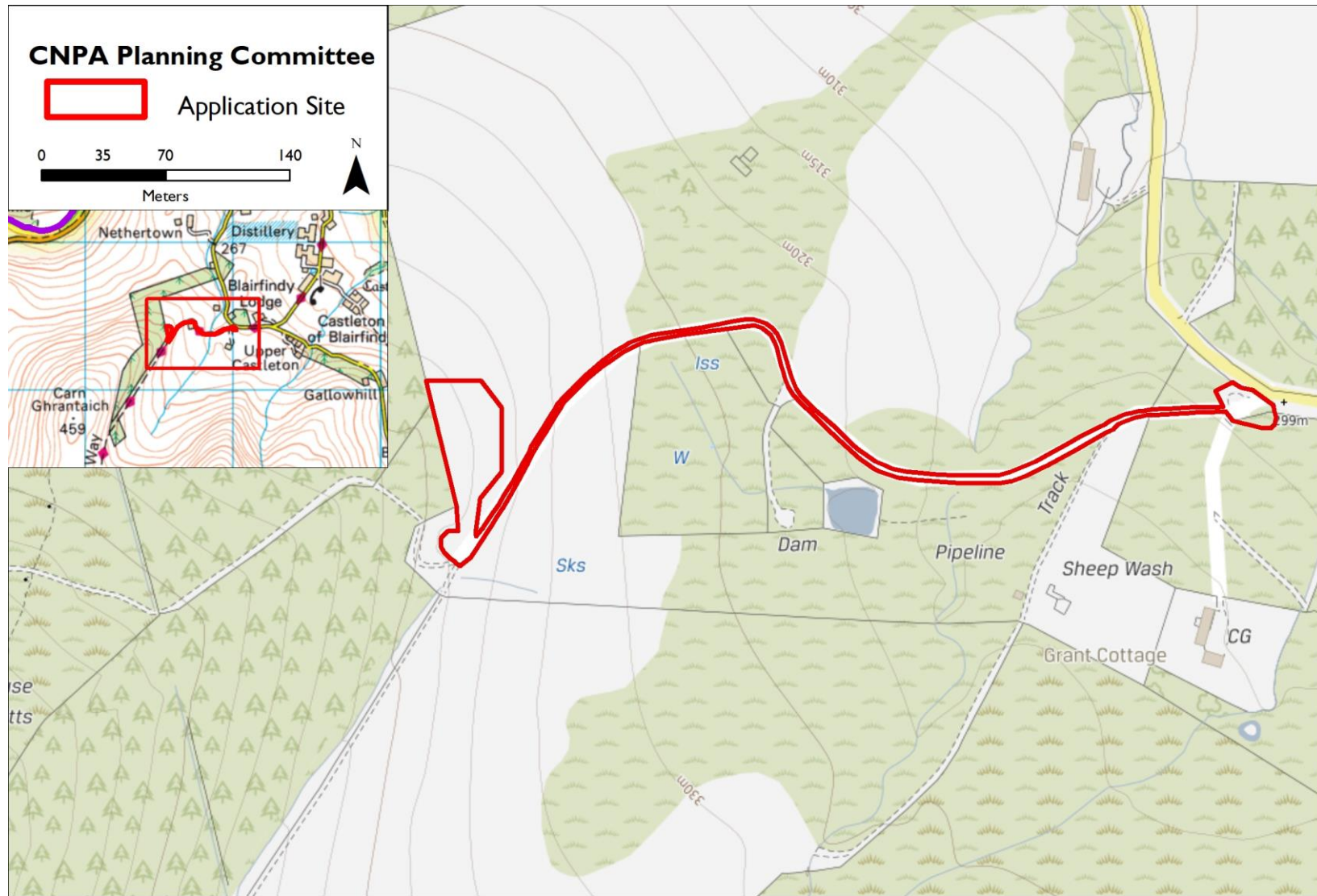
REFERENCE: 2020/0119/DET

APPLICANT: Chivas Brothers Ltd

DATE CALLED-IN: 11 May 2020

RECOMMENDATION: Approve subject to conditions

CASE OFFICER: Emma Wilson, Planning Manager (DM)



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SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The site is within a rural location and is rough grassland covering an area of approximately 0.7 hectares on the north east flank of Carn Ghrantaich, Glenlivet. It lies below a coniferous woodland to the north and west with an existing track to the south east. Views extend to the existing Glenlivet Distillery to the north east and the former distillery to the east. The character of the area is that of open landscape interspersed sporadically with modest traditional buildings. The site lies just within the Dark Sky Park and is approximately 460 metres from the Blairfindy Dark Skies Discovery Point.

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=Q9YFWIS10CH00>

Title	Drawing Number	Date on Plan*	Date Received
Site Plan	IAIV18-0015 A102	23/01/20	26/06/20
Location Plan	IAIV18-0015 A103	23/01/20	11/05/20
Proposed Elevations	IAIV18-0015 A100	23/01/20	11/05/20
Proposed Floor Plans	IAIV18-0015 A101	01/04/20	11/05/20
Other - Lighting and Small Power Layout	EM22320:63:001	01/12/19	22/05/20
Other - Design and Access Statement			25/06/20
Other - Drainage and Water Supply Statement		17/04/20	11/05/20
Other - Lighting Planning Support Information	EM22320 Issue 06		25/06/20
Other - Access and Visibility Requirements	R001 Issue 2		25/06/20
Other - Drainage Impact Assessment and Drainage Strategy	R002 Issue 1		25/06/20
Other - Breeding Birds Species Protection Plan			16/07/20
Other - Road Safety Audit	92820(1,2)		13/08/20
Other - Access Considerations - Briefing Note			13/08/20

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

3. The proposal is to construct a single storey building which will be a modern interpretation of a traditional bothy. The main building will measure approximately 6.8 metres by 13.4 metres and will be clad in natural local stone rubble with a pitched roof clad in locally salvaged natural slate. This will incorporate a full height, curved glazed window offering views to the north and east and will accommodate a tiered seating area, fire pit and serving area. A small 'lean-to' extension will project from the rear of the main building measuring 3.9 metres by 4.6 metres. This will be finished in dark stained vertical timber cladding and will accommodate a cloakroom and toilets. All windows and the external ledge and brace door will be finished in opaque stained timber.
4. Access will be from an existing track which will be extended for a short length up to the new bothy. This will include a small turning area and parking /drop off space. This area will be screened by the introduction of a small naturally contoured mound with four to five Rowan trees. The site will be enclosed by a stock proof fence.
5. The development is for a whisky tasting facility associated with the existing Glenlivet Distillery. Visitors will meet at the existing facility and will be driven to the Bothy for their whisky tasting experience in 4x4 vehicles. There will be no more than four tours per day and no more than 10 people on each tour. There will be no overnight use of the Bothy.
6. The building will be connected to the mains electrical supply. Potable water will be delivered from the existing Distillery and rainwater collected for the use of the WC. A SUDs scheme will manage other surface water discharge. Foul water will be collected in a storage tank and will be removed and taken by tanker to a treatment plant off site. The operation of this system is regulated by the building regulations and by SEPA licencing, not through the planning system. The Bothy will be heated by using ground source heat pump and there will be a small wood burning stove inside. There will be no kitchen facilities with the exception of one sink. Any food on the premises will be pre-prepared and will be taken there by the tour operators.
7. The proposals also include the erection of a shielding structure for stargazing at the Blairfindy Dark Skies Discovery Point. This will be a 'C' shaped structure constructed in vertical timber cladding with reclined bench seating within it.
8. Plans and visualisations of the proposal are included within **Appendix I**.
9. The following supporting information accompanies the application:
 - a) Design and Access Statement
 - b) Lighting Planning Support Information
 - c) Access Visibility Requirements
 - d) Drainage Impact Assessment and Drainage Strategy
 - e) Breeding Birds Protection Plan

History

10. In August 2019 an application was submitted for a new tasting lodge /bothy experience with associated boundary wall and access track. The site was slightly different to that of the current application. This application was withdrawn in October 2019 given the

issues raised in relation to the impact on the Dark Sky Park and how the development would sit within the landscape.

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	
POLICY 9	CULTURAL HERITAGE	X
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER CONTRIBUTIONS	

11. 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>

Planning Guidance

12. 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	
Policy 9	Cultural Heritage Non-Statutory Guidance	X
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance	

Cairngorms National Park Local Development Plan 2019

13. The emerging Cairngorms National Park Local Development Plan (“Proposed Plan”) which will cover the period of 2020 – 2025 is currently being progressed. The proposed plan has been through a public consultation process and the formal responses have been assessed and submitted along with all other relevant materials to Scottish Ministers for examination. As the examination of the Proposed Plan is on-going, the Proposed Plan and its contents currently carry limited weight.

CONSULTATIONS

Summary of the Main Issues Raised by Consultees

14. **Scottish Environmental Protection Agency (SEPA)** have raised no objections but offer regulatory advice:
- a) It is noted from the submitted Drainage Impact Assessment and Drainage Strategy Statement that the proposed foul water will be collected and stored in a holding tank before being collected and discharged to a private treatment plant.
 - b) Provided there is a sealed unit with no discharge and waste removed by a registered waste carrier, then they have no comments to make.
 - c) It is strongly recommended that the applicants contact direct SEPA’s local regulatory services team for further information on regulatory requirement matters. In addition the applicants should seek advice from Building Standards with regard to the design of the system in terms of the requirements of the building regulations.
15. **Scottish Water** has no objection, and confirm that there is no Scottish Water fresh water supply infrastructure or waste water infrastructure in the vicinity.
16. **Moray Council Contaminated Land Officer** notes that development may be within the catchment area of three private water supply sources which supply around seven properties. These water sources are wells that are likely to be fed by surface water and hence the development has potential to affect them. They recommend a condition requiring a full assessment of the impact of the development is undertaken by a suitably qualified professional prior to any development, to confirm appropriate measures and any mitigation required.
17. **Moray Council Flood Risk Management Team** has no objections, however they recommend a condition that requires site investigation results to support their drainage design.
18. **Moray Council Transportation Manager** initially sought further information on visibility splays, the proposed route to the bothy, car park alterations and provision of a passing place. The applicant submitted further information showing the provision of reduced visibility splays as well as a traffic speed survey demonstrating they are sufficient. The applicant has also proposed additional surfacing at the access, proposes a ‘shuttle’ route to and from the site and has agreed to provide a new passing place. This will be subject to a condition on any consent.

19. **CNPA Landscape Adviser** is satisfied the proposed location of the Bothy is less prominent in terms of key viewpoints that previously proposed. It is also further away from the Dark Sky Observation Point. The design is good and will complement the character of other domestic buildings in the vicinity. The proposal has attempted to minimise the light level and it would appear to be at a very low level. The only external lighting proposed is for emergency use and will only be needed if the building is occupied. These measures will mean that there will be no adverse effect on the special landscape quality of dark sky. Red filters are recommended for the external light and there is no objection to this. Conditions are recommended in relation to the submission of detailed hard and soft landscaping and if the dark sky observation structure forms part of this application.
20. **CNPA Ecology Adviser** requested further information on ecological impacts and this has resulted in the applicant providing a Breeding Birds Species Protection Plan. A condition will require a revised Breeding Birds Species Protection Plan with further detail.
21. **Community Council** offered no comments.

REPRESENTATIONS

22. The application was advertised in the local press and a total of 13 letters of representation have been received and these are attached in **Appendix 2**.
23. There have been 3 letters commenting on the proposals and 10 letters objecting to the proposals. The main issues are summarised as follows:
- a) Detrimental impact on an environmentally sensitive area;
 - b) Detrimental impact on status as Dark Skies Park and possible loss of accreditation;
 - c) Contravention of Health and Safety with the omission of outside lights;
 - d) Increased levels of traffic along this stretch of the Speyside Way resulting in noise and pollution and will erode the surface of the existing track;
 - e) Environmental impact of driving water supply to site;
 - f) Replacement of gate with cattlegrid is not appropriate;
 - g) Impact of proposed soak-away on quality of private water supplies and consequent danger to public health;
 - h) No benefit to local economy or community;
 - i) Detrimental to existing diverse, family friendly tourist and recreational facilities;
 - j) Contrary to policies contained within the current Cairngorms National Park Local Development Plan 2015;
 - k) Contrary to policies contained within the Moray Development Plan 2015;
 - l) Contrary to policies contained within the emerging Cairngorms Local Development Plan;
 - m) Detract from the wilderness of the area;
 - n) Conflicting information regarding the provision of external lights;
 - o) No disabled access proposed;
 - p) Insufficient information on the impact to the bat population; and
 - q) Insufficient information to determine the application.

APPRAISAL

Principle

24. **Policy 2:** Supporting Economic Growth of the Cairngorms National Park Local Development Plan 2015 supports development which enhances formal and informal recreation and leisure facilities; tourism and leisure based business activities and attractions; tourism and leisure related infrastructure where it has no adverse impacts on the site or neighbouring areas and it makes a positive contribution to the experience of visitors and adds to or extends the core tourist season. The Policy also goes on to support economic development that will enhance the range and quality of economic opportunities.
25. The proposed tasting bothy will be ancillary to the existing well established Glenlivet Distillery and will provide a whisky tasting experience for visitors reflecting on the history of the site and the landscape the distillery is set within. The introduction of this facility will enhance this existing tourist attraction and provide an opportunity for the potential economic growth of the business to the benefit of the local community. The principle of the proposed development is considered to be acceptable subject to compliance with other local plan policies on the issues discussed below.

Landscape and Cultural Heritage Issues

26. **Policy 5:** Landscape of the Cairngorms National Park Local Development Plan 2015 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 development.
27. **Policy 9:** Cultural Heritage of the Cairngorms National Park Local Development Plan encourages development to protect and enhance the feature or its setting and take reasonable measures to avoid, minimise and mitigate any adverse effects.
28. A previous application for a tasting bothy raised significant concerns regarding its location and the detrimental impact it would have on its landscape setting and on the Dark Skies Park. Following the withdrawal of this application, further consideration has been given to the location of the proposed bothy and how to address these issues. There is a pattern of single buildings at low densities within the vicinity. These tend to be located within the fold of the topography and have trees surrounding them. The structure is now located on a slightly higher location, closer to the adjacent woodland plantation. This backdrop results in the building being less prominent from key viewpoints and allows it to contextually blend in without disrupting the balance between open landscape and built form.
29. The proposed bothy will lie just inside the defined E0-0 Dark Skies Area. Measures will be put in place to ensure the proposed lighting will comply with the Dark Sky Management Guidance for the Glenlivet Estate. The building has been orientated to ensure the main viewing window is partially concealed and all other windows and doors have been positioned and sized to limit light spill from the internal spaces. The bothy will not be used overnight.

30. In determining the level of internal lighting, calculations have been based upon all lights being on at the same time and at 100% luminance. This will never be the case in practice given there will be different lighting scenarios depending on the time year and time of day the bothy is being used. It should be noted that all light settings will be regulated by pre-set dimmers. In terms of external lighting, there will be no external lights, however to comply with Health and Safety (under the Building Regulations requirements) a light fitting will be located internally, above the main entrance door. This light will only be used in an emergency situation for aiding escape and then will only spill light over the door threshold. All lighting will be selected with appropriate colour temperature to conform to the Dark Skies requirements. The proposed enclosed Dark Skies observation structure will shield light from the adjacent public road and the Bothy's massing and orientation allows for only two very small windows from facing the viewpoint. The bothy's location also is such that it is not in the direct line of site from the dark skies viewpoint. The measures proposed above will allow for the proposal to be Dark Sky compliant and as such will ensure the development does not impact on the status of the Dark Skies Park.
31. The proposed development is considered to comply with Policy 5: Landscape and Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2015.

Environmental Issues

32. **Policy 4:** Natural Heritage of the Cairngorms National Park Local Development Plan 2015 seeks to restrict development that would have an adverse impact on protected species and where this cannot be avoided that appropriate mitigation measures are provided.
33. The site has been identified as being within a prime area for waders and curlew, a priority wader species having been observed in the area. Waders are in decline within Scotland and the Tomintoul and Glenlivet Landscape Project has developed the 'Peesie Project' which works together with the Strathspey Wetlands and Waders Project to safeguard waders by working with landowners and farmers to deliver on the ground benefits. Given the proposed development has the potential to cause disturbance, it is essential that appropriate mitigation measures are undertaken and the applicant has submitted a Breeding Bird Species Protection Plan. This requires further detail and therefore a condition should be attached to any consent to ensure suitable operational mitigation proposals are identified.
34. The proposed development, subject to the appropriate conditions is therefore considered to be in compliance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

Scale, Mass and Design Issues

35. **Policy 3:** Sustainable Design of the Cairngorms National Park Local Development Plan 2015 requires that all development proposals should be designed to be sympathetic to the traditional pattern and character of the surrounding area, local vernacular and local distinctiveness whilst encouraging innovation in design and use of materials. Development should seek to use materials and landscaping that will complement the setting of the development. Development should also ensure that the amenity of neighbours is protected.
36. The structure will sit on its own and will fit comfortably within its context of open landscape with a few well dispersed, modest in scale, traditional buildings. The bothy is a contemporary interpretation of a traditional bothy in terms of its design. A simple and sensitive approach has been taken with a proposed palette of natural materials which include local stone, timber cladding and locally salvaged slate for the roof areas. A condition requiring the detailed specification of the external materials is recommended to ensure these are of a standard appropriate within this sensitive location.
37. The bothy will sit sympathetically within its landscape setting and will be located a sufficient distance from adjacent properties that will not introduce issues of overlooking and loss of privacy and impact on the amenity enjoyed by these properties.
38. Subject to an appropriately worded condition in relation to external materials it is considered that the proposed development will satisfy Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

Road Safety Issues

39. **Policy 3:** Sustainable Design of the Cairngorms National Park Local Development Plan 2015 states that all new development will include appropriate means of access, egress and space for off street parking.
40. Moray Council Transport Development team initially raised concerns regarding the proposed visibility spays. The applicants have undertaken a speed survey to demonstrate that the proposed reduced visibility spay is satisfactory and the Council is now satisfied with this. The applicants also provided further clarification on the proposed route with a proposed 'shuttle' service to take visitors to and from the bothy and have indicated their intention to provide additional surfacing at the access to reduce erosion of the surface. The Council has also sought the provision of a new passing place which the applicants have agreed to.
41. The proposals, subject to the recommended conditions are considered to be acceptable in terms of road safety and are in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

Flood Risk and Water Supply

42. **Policy 10:** Resources of the Cairngorms National Park Local Development Plan 2015 seeks to ensure that surface water is dealt with accordingly and that an appropriate SUDs is adopted. It also seeks to ensure that all new development is free from significant risk of flooding and that there be no significant adverse impact on existing or private water supplies.
43. Following concerns raised by Moray Council Flood Risk team a full Drainage Impact assessment and Drainage Strategy was submitted which provides a SUDs compliant system designed to cater for flood events and includes provision for climate change allowances. It also includes a foul water solution to address concerns from local residents. The Council has now withdrawn their objection but recommend a condition to ensure site investigations are undertaken to support the drainage design – these were not possible at the time the assessment was carried out given the Covid restrictions.
44. The development is located 100 metres upslope and within the likely catchment of three private water supply sources which provide potable supply to the seven properties. These water sources are wells and are likely to be fed by surface water and therefore the development and its associated soakaway pose a risk of disturbance, pollution of these water supplies. It is essential that further investigations are carried out and a condition is recommended to ensure this is undertaken.
45. In view of the foregoing it is considered that subject to the recommended suspensive conditions the proposal is considered to comply with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

Other Issues Raised in Representations

46. The majority of issues raised by the contributors have been addressed in the paragraphs above, however, the following points have not been addressed.
47. The replacement of a gate with a cattlegrid is not material in the determination of this application.
48. The provision of disabled access is not material in the determination of this application. This will be dealt with under the Building Regulations.

CONCLUSION

49. The proposed development will introduce a facility that will enhance an existing, well established tourist attraction, and which will in turn, contribute to the vitality and viability of the local economy. Subject to appropriately worded conditions any landscape and environmental impacts will be suitably mitigated against. The development has been sited and designed to respect its setting and sympathetically integrate within its context. The proposals are considered to comply with all other relevant policies of the Cairngorms National Park Local Development Plan 2015 in

terms of road safety and flooding issues. Approval is recommended subject to appropriate planning conditions.

RECOMMENDATION

That Members of the Committee support a recommendation to approve the Proposed new Tasting Lodge with associated boundary fence and access track at Land 440M West Of Grant Cottage, Glenlivet, Ballindalloch, 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 work shall commence on site until a fully detailed landscaping scheme showing 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 CNPA acting as Planning Authority. This shall include, but not be limited to hard landscaping material specification and plant and tree species and planting specifications.**

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 retention of an appropriate landscape setting, enhance biodiversity and ensure the development will not have an adverse impact on the landscape setting or ecological quality of the development in accordance with Policy 4: Natural Heritage and Policy 5 Landscape of the Cairngorms National Park Local Development Plan 2015.

2. **No work shall commence on site until a revised Breeding Bird Species Protection Plan, focussing on the existing wader population, has been submitted to and approved in writing by the CNPA acting as Planning Authority.**

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

Reason: To ensure the development does not have a detrimental impact on protected species and that appropriate operational mitigation proposals are in place in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

3. **No work shall commence on site until full details and specifications (samples may be required) of all external finishing materials have been**

submitted to and approved in writing by the CNPA acting as Planning Authority.

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

Reason: To ensure a full assessment is undertaken of the appropriateness of the external materials and the development will not adversely impact upon the landscape setting of the development site in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

- 4. No development shall commence (except for those works associated with the provision of the visibility splay) until a visibility splay 4.5 metres by 59 metres, has been provided in both directions at the access onto the public road; and thereafter the visibility splay shall be maintained at all times free from any obstruction exceeding 0.6 metres above 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 in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

- 5. No development shall commence until a detailed drawing (scale 1:500) showing the location and design of a passing place on the section of the CH7H Bridge of Livet - Minmore Road or the UI22H Bogarrow Road (to the Moray Council standards and specification), has been submitted to and approved in writing by the CNPA acting as Planning Authority in consultation with the Moray Council Roads Authority; and thereafter the passing place shall be constructed in accordance with the approved drawing prior to any development works commencing (except for those works associated with the provision of the passing place).**

Reason: To enable drivers of vehicles to have adequate forward visibility to see approaching traffic and for two vehicles to safely pass each other ensuring the safety and free flow of traffic on the public road in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

- 6. No development shall commence on site until fully a revised Drainage Strategy supported by detailed site investigation results has been submitted to and approved by the CNPA acting as Planning Authority in consultation with Moray Council Flood Risk Management team.**

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

Reason: To ensure that the proposed drainage arrangements are satisfactory and can be confidently supported in accordance with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

7. **No development shall commence until a report of an assessment of the impact on the private water supplies prepared by a suitably qualified professional, demonstrating that there will be no adverse effects on water quality or quantity from the development, has been submitted to and approved by the CNPA acting as Planning Authority in consultation with Moray Council Contaminated Land Officer.**

Reason: In the interests of health and safety and to ensure an adequate and wholesome water supply to existing properties is maintained in accordance with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

8. Prior to the first use of the tasting lodge, the first 10m of the access track, measured from the edge of the public carriageway, shall be constructed to the Moray Council specification and surfaced with bituminous macadam. The width of the vehicular access shall be as existing and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway.

Reason: To ensure acceptable infrastructure at the development access in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

9. No water shall be permitted to drain or loose material be carried onto the public 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 access in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

10. A minimum of three car parking spaces shall be provided within the site prior to the first use of the tasting lodge, whichever is the sooner. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the CNPA acting as Planning Authority in consultation with the Moray Council Roads Authority.

Reason: To ensure the permanent availability of the level of parking necessary for staff/visitors/others in the interests of an acceptable development and road safety and in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

11. A turning area shall be provided within the curtilage of the site to enable vehicles to enter and exit in a forward gear.

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 and in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

12. The development hereby approved and the proposed lighting scheme shall fully conform to the approved Lighting Planning Support Information document.

Reason: In the interest of protecting the Dark Skies Park status by minimising the potential for light spill from the development in accordance with Policy 9: Cultural Heritage 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. **SEPA Regulatory Advice:**
It is noted from the Drainage and Water Supply Statement that the proposed foul drainage system is a septic tank discharging to a soakaway (filter trenches). Discharges to ground (or the water environment) from private waste water drainage systems require prior authorisation (a registration or a licence if over 15pe) from SEPA under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) (as amended). It is also noted that the foul water soakaway will be located upgradient of three private water supplies (PWS) serving adjacent Burnside Cottage and Grant Cottage. The exact location of the source of these PWS is not known however it is very likely to be within 500m from the proposed discharge and therefore within the risk assessment area as defined by SEPA guidance 'Regulatory Method (WAT-RM-04).

The applicant should be aware that the proposed soakaway will not be granted authorisation unless a risk of the PWS sources demonstrates that there will be no detrimental impact on the quality of water available to the PWS. The applicant should provide the exact location of the PWS source detailing the type (e.g. borehole, spring, well), depth, use and volume of ground water abstracted. For further advice on this matter contact should be made with the regulatory services team direct at waterpermitting@sepa.org.uk). It is not possible for SEPA to comment on the consentability of a future CAR application at this depends on the level of treatment proposed and the location and type of supply source.

5. If appropriate within the proposed bothy structure, provision should be made for bat roosting opportunities.

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.