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## CAIRNGORMS NATIONAL PARK AUTHORITY

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**Title: REPORT ON CALLED-IN PLANNING APPLICATION**

**Prepared by: ROBERT GRANT, PLANNING OFFICER (DEVELOPMENT MANAGEMENT)**

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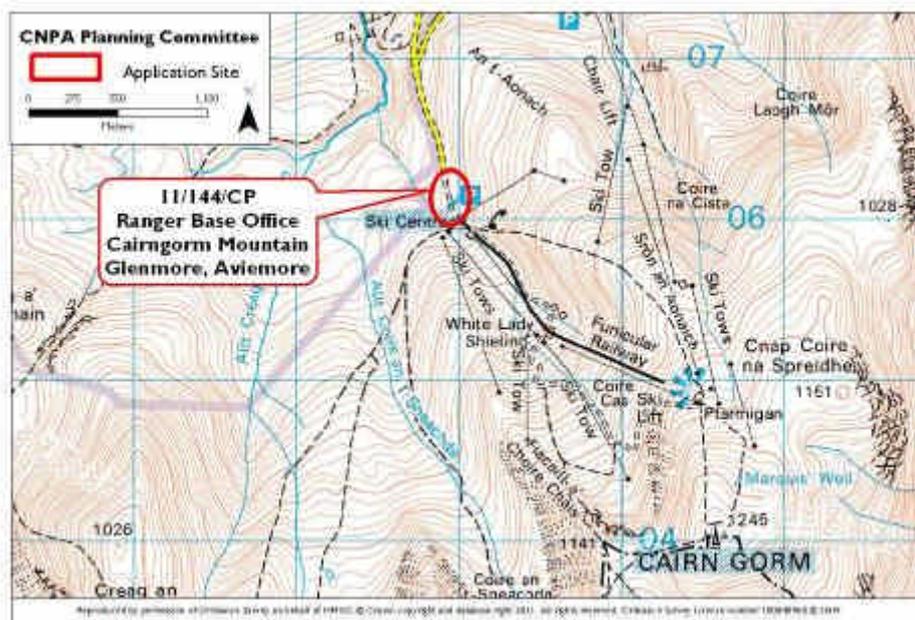
**DEVELOPMENT PROPOSED: ERECTION OF 6 GRANITE CAR PARK DONATION BOXES AT VARIOUS LOCATIONS AT RANGER BASE, CAIRNGORM MOUNTAIN, GLENMORE**

**REFERENCE: 11/114/CP**

**APPLICANT: CAIRNGORM MOUNTAIN LTD.**

**DATE CALLED-IN: 27 MAY 2011**

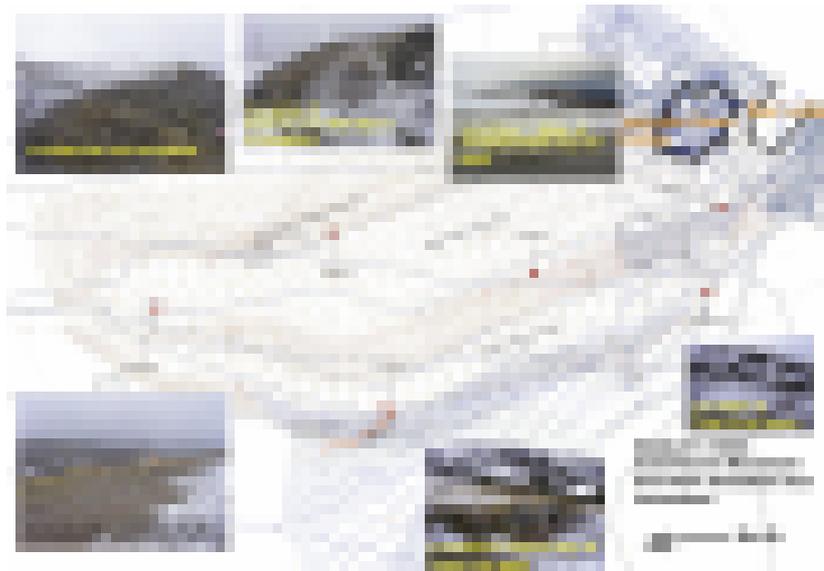
**RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS**



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. The application site is located at the Coire Cas car park, on the northern slopes of Cairn Gorm at the Cairngorm Ski Area. An existing donation box promoting a 'carbon offset' scheme is located in the vicinity of the funicular railway base station and the 'daylodge' building. The privately operated car park at Coire Cas is a popular access point for visitors to both the Cairngorm Ski Area itself and the wider Cairngorm Massif.



**Fig. 2 – Various donation box locations (see appendix for larger scale)**

2. Planning permission is sought to erect 6no. donation boxes at various locations around the edges of the Coire Cas car park. These would appear as walled angular structures constructed of pink granite stone (1.7m height x 2.0m long x 1.1m wide) in a drystone style with a grey stone coping. Interpretation panels and galvanised collection boxes would be inset within these structures. They would be sited alongside embankment walls or in other areas where they would not be affected by a build up of snow or hamper snow clearing operations during the winter season.



**Fig. 3 & 4 - Donation box elevations & photo of existing example**

### Background

3. The application is accompanied by the Cairngorm Chairlift Company Ltd Visitor Management Plan (VMP) 2000 which accompanied the proposals for the Funicular Railway. This states that voluntary car parking donations are to be introduced at the Coire Cas car park. Car parking donations are one of the key provisions of the VMP, which includes *a range of management provisions... to assist with ensuring the funicular development has no adverse impacts on the integrity of adjacent EU sites*. The VMP measures include footpath repairs, improved visitor information and interpretation information and other environmental projects such as benches, a mountain garden and other features. The VMP is an overarching guiding strategy which aims to *protect the integrity of the adjacent areas which have been designated or proposed under the European Habitats and Birds Directives from the potential impacts of non-skiing visitors as a direct consequence of the funicular development*.
4. Introduction of a voluntary donations scheme does not in itself require planning permission and is not a material planning consideration. However, the principle of voluntary charging schemes is generally well-established nationally and is becoming increasingly common within the Cairngorms National Park at a number of car parks in popular recreational destinations. The Cairngorms National Park Outdoor Access Strategy has a policy that sets out the basis on which parking schemes are encouraged to operate in the Park (see below). While these voluntary donations may be considered controversial by some users, it is recognised that the monies collected help to care for resources and facilities.

### DEVELOPMENT PLAN CONTEXT

5. Part 2, Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan covering the application site comprises the Highland Structure Plan 2001 and the Cairngorms National Park Local Plan 2010.

### National policy

6. **Scottish Planning Policy<sup>1</sup> (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:
  - The constraints and requirements that planning imposes should be necessary and proportionate;
  - The system should .....allow issues of contention and controversy to be identified and tackled quickly and smoothly; and

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<sup>1</sup> February 2010

- There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
7. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government’s central purpose of increasing sustainable economic growth.” Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that “the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
  8. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
  9. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include Open Space and Physical Activity, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
  10. *Open Space and Physical Activity*: Para. 148 of the **SPP** states that access to opportunities for recreation make important contributions to a healthier Scotland. The planning system has a role in helping to create an environment where physical wellbeing is improved and activity made easier.
  11. *Landscape and natural heritage*: The **SPP** document recognises the value and importance of Scotland’s landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.
  12. **Scottish Planning Policy** concludes with a section entitled ‘Outcomes’ in which it is stated that the “planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets.” Planning authorities are required to be clear about the standard of development that

is required. Quality of place not only refers to buildings, but also how the buildings work together as well as the relationships between buildings and spaces. Design is highlighted as an important consideration and planning permission may be refused solely on design grounds.<sup>2</sup> Finally it is stated that the planning system should be “judged by the extent to which it maintains and creates places where people want to live, work and spend time.”

## Strategic Plan

### Cairngorms National Park Plan (2007)

13. The **Cairngorms National Park Plan** sets out the strategic objectives that provide a long term framework for managing the National Park and working towards a 25 year vision. Under the broad heading of **Conserving and Enhancing the Park**, some of the strategic objectives include maintaining and enhancing the distinctive landscapes of the Park and also ensuring that development compliments the landscape character of the Park. Under the theme of **Living and Working in the Park**, the National Park is recognised as being a national asset and a place of recreation and enjoyment.
14. Under the final theme of **Enjoying and Understanding the Park** there is recognition that the Cairngorms National Park is known for its outstanding environment and outdoor recreation opportunities. The vision for the Park involves developing a world class destination and this requires a sustainable approach to developing tourism, and an excellent quality provision of outdoor access and recreation opportunities.

## Structure Plan

### **Highland Council Structure Plan 2001**

15. The **Highland Structure Plan 2001** includes several policies that are broadly applicable to the type of development proposed, including policies on sport and recreation, tourism and the environment. The benefits of sport and recreation facilities are highlighted in section 2.5.1 of the Plan, where they are attributed to making an important contribution to sustainable development and enhancing the health and quality of life of the residents of the Highlands.
16. Section 2.7.1 of the Plan describes tourism as a vital element of the Highland economy, and notes that opportunities to participate in outdoor pursuits are amongst key visitor attractions. The Structure Plan strategy aims to build on the Highland identity and take a proactive approach to the wise use of the natural environment as a primary resource for tourism. One of the Plan’s strategic themes includes encouraging the “adoption of a proactive approach to the wise use of the natural environment”.

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<sup>2</sup> Para. 256.

17. The Structure Plan notes that tourism makes major demands on infrastructure and facilities and also notes that there is scope for improvement in the quality and level of provision. **Policy SR8 Skiing Developments** allows for the consolidation and expansion of existing facilities.

### Local Plan Policy

#### Cairngorms National Park Local Plan (2010)

18. The Cairngorms National Park Local Plan was formally adopted on 29<sup>th</sup> October 2010. The full text can be found at:  
<http://www.cairngorms.co.uk/planning/localplan/pdf/19-Aug-10-Local-Plan-with-PIMs-included-for-web-23-Aug.pdf>
19. 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.
20. 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.
21. Policy 2- National Natural Heritage Designations: development that would adversely affect the Cairngorms National Park, a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will only be permitted where it has been demonstrated that: a) the objectives of designation and overall integrity of the designated area would not be compromised; or b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance and mitigated by the provision of features of commensurate or greater importance to those that are lost.
22. Policy 6 – Landscape: there will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular the setting of the proposed development. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been

minimised and mitigated through appropriate siting, layout, scale, design and construction.

23. Policy 34 – Outdoor Access: the policy encourages development which improves opportunities for responsible outdoor access and adheres to the Cairngorms Outdoor Access Strategy. Development proposals which would result in a reduction of public access rights or loss of linear access (such as core paths, rights of way, or other paths and informal recreation areas) will only be permitted where an appropriate or improved alternative access solution can be secured.

### **Other Considerations**

#### **Cairngorms Outdoor Access Strategy 2007**

24. OAS Policy 9: Car parking donations. The positive management of motorised traffic at popular locations for recreational use is frequently required. The use of car park charging schemes at key sites for outdoor access and recreation is appropriate, but only where all the following principles are met:
- Net revenue generated from car parking donations should be re-invested in caring for the natural and/or cultural heritage of the area or the opportunities to enjoy it;
  - In order to encourage understanding of the need for donations, information should be provided on the objectives of any charging regime, how it is operated and by who, the use to which any income generated has been put and public transport options for users;
  - Where public funding is being sought for development or upgrading of a car park, a condition of support should be the re-investment of any revenue generated in the maintenance or in improvement of visitor facilities and infrastructure;
  - The potential for displacement of parking to adjacent roadside verges is considered and managed as part of the car park planning process;
  - In order to avoid potential confusion about charging for access, and to promote car sharing, donations should only apply to vehicles and not to individuals;
  - Arrangements should be made to allow local, regular and short stay users to pay a reduced fee through purchase of an annual/season ticket or similar, if possible across the whole Park;
  - Where possible, car park donations should be integrated with public transport provision, for example through integrated ticketing for parking and bus use; and a £2 charge per private motor vehicle is considered an appropriate maximum charge per day (or part of day) at 2007 prices. For buses and minibuses a charge of £10 per day is considered appropriate

### **CONSULTATIONS**

25. **Aviemore & Vicinity Community Council** have no objections to this application.

26. **Rothiemurchus & Glenmore Community Association** also have no objections.
27. **The CNPA Landscape Advisor** has no objections and considers the structures appropriate to their surroundings. The opportunity to include a seating component could be worth considering.
28. The **CNPA Visitor Services and Outdoor Access Officers** have no objections.

## REPRESENTATIONS

29. The application was advertised in the *Badenoch & Strathspey Herald* on 13 May 2011. No representations have been received in respect of this application.

## APPRAISAL

30. In determining this planning application regard is to be had to the development plan and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
31. The main issues to consider in this application relate to the nature of the proposal including its design, construction and any associated implications, particularly on natural heritage and also consideration of its contribution towards access in the area. It should be noted that car parking charges whether voluntary or otherwise is not a material land use planning issue but a site management issue only. It is recognised that the proposal aims to introduce a voluntary car park donations scheme into the Cairngorm ski area, specifically the Coire Cas car park. Briefly, while these donations are controversial, the principle is well established and can be found at several locations throughout the National Park. Indeed there is an existing example already established at the ski centre.
32. In terms of the principle of development, there is general support in planning policy contained within the Development Plan. The policies which have been detailed in paragraphs 6 to 26 of this report all generally encourage increased recreational opportunities in the National Park and the provision of interpretation and visitor facilities.
33. The site is located within a sensitive area, which is a heavily visited destination year round, popular with skiers and hillwalkers alike. It is noted that the Cairngorm Chairlift Company Ltd Visitor Management Plan 2000 specifies that revenue generated through this voluntary scheme will directly support the costs associated with site management including car park, footpath and other environmental improvements which will benefit all visitors to Coire Cas. The applicant has previously indicated that the results of this voluntary scheme may lead to a more formal charging policy. CNPA Visitor Services therefore recommends that a range of information on visitor attitudes, compliance rates and impacts on parking are collected to inform

any future changes to car parking. This is included as an advisory at the end of the paper.

34. In general, the proposal would allow for access, visitor interpretation and other environmental improvements and as a result would assist with more responsible outdoor access. This would accord with Policy 34 Outdoor Access.
35. The proposed donation boxes would be located sensitively, around the edges of the car park alongside slopes or embankment walls, tying in with the existing landform, structures and the car park area overall. Further to this, they would also utilise sympathetic materials and building techniques. Detailed pre-application discussions were held with CNPA officers. The introduction of the raised structures has been carefully considered to minimise any landscape and visual impacts and the CNPA Landscape Advisor has no concerns. Finally, there would be no natural heritage implications, as the boxes would be located on the existing hard standing areas. This accords with Policy 2 National Natural Heritage Designations and Policy 6 Landscape of the CNP Local Plan.
36. Overall, it is considered that the proposal is acceptable in terms of planning policy, design and impact on landscape and natural heritage. While recognising the sensitive nature of the site, this is considered to be a proposal that will allow for access and interpretation improvements around this popular destination, accordingly the application is recommended for approval subject to conditions.

## **IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK**

### **Conserve and Enhance the Natural and Cultural Heritage of the Area**

37. The development is considered to have no implications for this aim; the proposal has no real landscape and natural heritage impact. In cultural heritage terms the proposal would use traditional materials and building techniques.

### **Promote Sustainable Use of Natural Resources**

38. The material will be sourced from a local quarry.

### **Promote Understanding and Enjoyment of the Area**

39. The proposed donation box structures would have interpretation panels providing local information, and would explain how the funds raised would directly contribute to the promotion of understanding and enjoyment of the area.

## Promote Sustainable Economic and Social Development of the Area

40. The improvement of local visitor destinations would result in improved facilities for locals and visitors.

## RECOMMENDATION

41. **That Members of the Committee GRANT Planning Permission for the Erection of 6 granite car park donation boxes at various locations at the Ranger base office, Cairngorm Mountain, Glenmore subject to the following conditions:-**

1. The development to which this permission relates must be begun within three years from the date of this permission.

**Reason:** To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006.

2. The donation boxes hereby approved shall be constructed in accordance with a construction method statement to be submitted and approved by the CNPA acting as planning authority. The opportunity to integrate seats into the structure should be explored. Details on the content and style of the interpretation panels should also be submitted.

**Reason:** In accordance with the application detail and to ensure the proposed path does not cause any environmental pollution or damage.

### Advice Notes:

- (a) Care should be taken to avoid the spread of invasive, non-native plant species to the site either through planting, or because of construction activities, e.g. the importing to the site of soil contaminated with seeds of any of the above species. Should it be clear that any of the above species have arrived at the site because of the development, then effectively removing them as soon as possible and disposing of them responsibly should be made the responsibility of the applicant. Equally, if any of these species occurs on the site already, then the development should not allow the species to spread off-site.
- (b) Within a reasonable period of the installation and operation of the donation boxes and the voluntary car parking donations, a range of information on visitor attitudes, compliance rates and impacts on parking should be collected and submitted in a report to the CNPA to inform any future changes to car parking policy in the National Park.
- (c) The applicant should be aware that adjacent land-managers (specifically the FCS) are also considering introducing new car-parking arrangements with donations or donations scheme. In introducing the new system efforts should be made to ensure that the systems are as consistent as possible so that visitors are not confused or concerned about visiting the area.

**Robert Grant**  
**12 July 2011**  
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