

CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: ANDREW TAIT, SENIOR PLANNING OFFICER
(DEVELOPMENT MANAGEMENT)

DEVELOPMENT PROPOSED: TOURING CARVAN PARK
COMPRISING 33 CARAVAN PITCHES;
AREA FOR TENTS; RECEPTION, FARM
SHOP AND MANAGER
ACCOMMODATION INCLUDING
TOILET/SHOWER BLOCK AND
ASSOCIATED VEHICULAR ACCESS
WORKS AND REMOTE FOOTWAY TO
AVIEMORE, LAND 120M WEST OF
SHUMEN COTTAGE, GRANISH,
AVIEMORE

REFERENCE: 2012/0188/DET

APPLICANT: THE GRANISH FARM PARTNERSHIP
GHUILBIN HOUSE, GRAMPIAN ROAD,
AVIEMORE

DATE CALLED-IN: 8 JUNE 2012

RECOMMENDATION : APPROVE WITH CONDITIONS

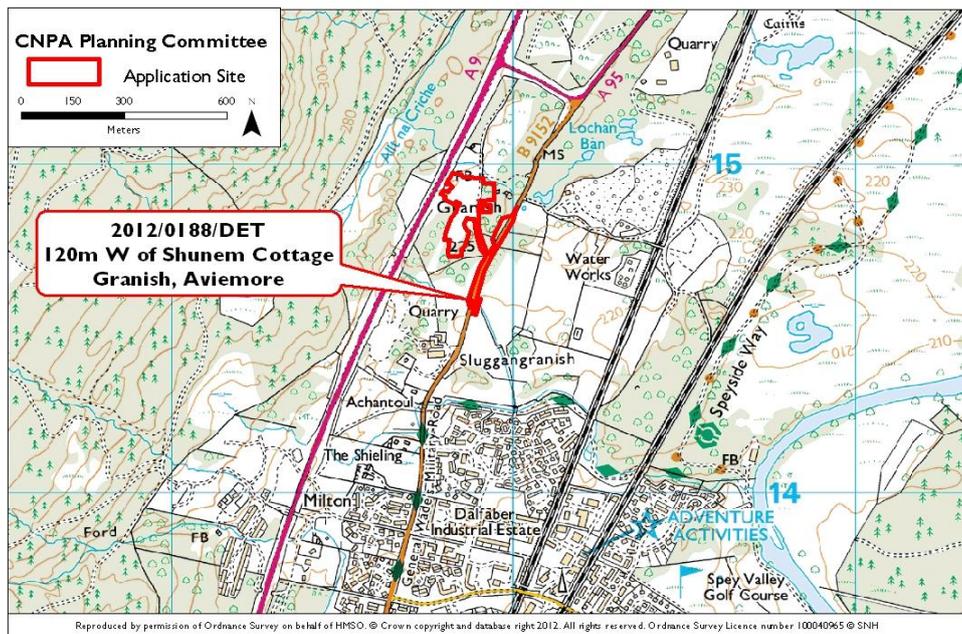


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Detailed planning permission is sought for the construction of a touring caravan park comprising 33 pitches with an area for tents. A remote path to Aviemore is also proposed to ensure that there is pedestrian access to the village. The site is located at Granish to the north of Aviemore set between the A9 and the B9152 (see fig. 1)
2. A supporting statement including a design statement is set out at the back of the report. A Drainage Impact Assessment and SUDS proposals have been submitted. Specialist ecology reports including a mammal survey and invertebrate survey have also been provided. Extracts from the design statement together with layout plans and drawings for the reception/manager's accommodation can be seen at Appendix I.
3. The proposal consists of five main elements:
 - 33 pitch touring caravan site
 - area for tents
 - toilet shower block
 - managers accommodation including reception and farm shop
 - remote path to Aviemore
4. The site access was originally proposed to be accessed at the existing Red Stag Lodge entrance directly off the B9152. However, to fit the visibility splay requirements from the Area Roads Engineer this would have required considerable felling of some mature oak trees and potentially some earth works. While the site (with the exception of the tented area) is largely outside of an area identified in the Ancient Woodland Inventory the access route is within this area. Consequently, CNPA Officers were not supportive of an approach that involved tree removal for visibility splays (see figs 2 & 3). Negotiations have taken place to move the access point further southwards this results in only the loss of two small birches seen at figure 3. The existing track winds through woodland to the site itself which is largely open ground that is used for cattle grazing. The site is bounded to the west by some tree cover then the A9 and to the east by tree cover. To the north the site is more open and a landscape buffer has been shown on plan between the northern part of the site and Red Stag Lodge. Part of the application refers to potential further phases of development but this is not part of this application and not for consideration here.
5. A single static caravan (see figs 4 & 5) is located on the site which holds a temporary permission for holiday use, though it appears to be no longer used, this would be removed as part of the proposals.



Fig. 2 Original proposed access



Fig. 3 Revised access to avoid tree loss



Figs 4 & 5 Areas for site of reception/manager's house (to right of caravan)

DEVELOPMENT PLAN CONTEXT

National Policy

6. **Scottish Planning Policy¹ (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 shouldallow issues of contention and controversy to be identified and tackled quickly and smoothly; and
 - 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

¹ February 2010

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 economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
10. **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.”

Strategic Policies

Cairngorms National Park Partnership Plan 2012 - 2017

11. The Cairngorms National Park Partnership Plan 2012 – 2017 is the management plan for the National Park for the next 5 years. It sets out the vision and overarching strategy for managing the Park and provides a strategic context for the Local Development Plan. Three long terms outcomes have been identified to deliver the vision for the Park, to continue the direction set out in the first National Park Plan and to together deliver the four aims of the National Park. The outcomes are :
 - A sustainable economy supporting thriving businesses and communities;
 - A special place for people and nature with natural and cultural heritage enhanced; and
 - People enjoying the park through outstanding visitor and learning experiences.

Structure Plan Policy

Highland Council Structure Plan (2001)

12. **Highland Council Structure Plan** is founded on the principles of sustainable development, which are expressed as –
 - Supporting the viability of communities;
 - Developing a prosperous and vibrant local economy; and
 - Safeguarding and enhancing the natural and built environment.
 - A variety of detailed policies emanate from the principles.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

13. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at :
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
14. 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.
15. 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.
16. Policy 4 Protected Species: Development that would have an adverse effect on any European Protected Species will not be permitted unless: a) there are public health, public safety or other imperative reasons of overriding public interests including those of a social or economic nature; and b) there is no satisfactory alternative solution; and c) the development will not be detrimental to the maintenance of the population of the species concerned.
17. 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.
18. Policy 3 Other Important Natural and Earth Heritage Sites and Interests: Development that would adversely affect an ancient woodland site, semi-natural ancient woodland site will only be permitted where it has been demonstrated that: a) the objectives of the identified site and overall integrity of the identified area would not be compromised; or b) any significant adverse effects on the qualities for which the area or site has been identified are mitigated by the provision of commensurate or greater importance than those that are lost.

19. Policy 5 Biodiversity: Development that would have an adverse effect on habitats or species identified in the Cairngorms Biodiversity Action Plan, UK Biodiversity Action Plan will only be permitted where a) the developer can demonstrate that the need and justification for the development outweighs the local, national or international contribution of the area, habitat or populations of species; and b) significant harm or disturbance of the ecological functions, continuity and integrity of the habitats or species is avoided or minimised where harm is unavoidable, and appropriate compensatory and/or management measures are provided and new habitats of commensurate or greater conservation value are created as appropriate. Where there is evidence to indicate that a habitat or species may be present on, or adjacent to the site, or could be adversely affected by the development the developer will be required to undertake a comprehensive survey.
20. 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.
21. Policy 16 Design Standards for Development: Design of all development will seek, where appropriate to minimise effect of development on climate change, reflect traditional pattern and character of the surrounding area, use materials that will complement the setting of the development, demonstrate sustainable use of resources and protect the amenity enjoyed by neighbouring properties
22. Policy 22 Housing Development outside Settlements considers that developments for housing other than affordable outside of settlements will be permitted where (amongst others- a) the accommodation is for a worker in an occupation appropriate to a rural location; and the presence of the worker on-site is essential in order to provide 24-hour supervision of the rural business- and there is no suitable alternative residential accommodation available.
23. Policy 25 Business Development: Proposals which support economic development will be considered favourably where the proposal is compatible with existing business uses in the area, supports or extends existing business, is located within an allocated site identified on the proposals map or: a) in identified settlements; b) outwith settlements 1) in an existing business park or industrial estate; or 2) where it can be demonstrated that there are no more sequentially appropriate sites available.
24. Policy 33 Tourism Related Development: Tourism-related development which has a beneficial impact on the local economy through enhancement of the range and quality of tourism attractions and related infrastructure, including accommodation, will be supported provided that the development will not have an adverse impact on the landscape, built and historic environment, or the biodiversity, or the geo-diversity, or the culture and traditions of the CNP

which in the judgement of the planning authority outweigh that beneficial impact.

Supplementary Planning Guidance

25. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted.

Sustainable Design Guide

26. The guide highlights the fact that the unique nature and special quality of the Cairngorms National Park and the consequent desire to conserve and enhance this distinctive character. The guidance has at its core the traditional approach to design which aims to deliver buildings which provide a resource efficient, comfortable and flexible living environment. The **Sustainable Design Guide** requires the submission of a Sustainable Design Statement with planning applications. It is intended that applicants would use the Sustainable Design Statement to demonstrate how standards set out in the Sustainable Design Checklist will be achieved.
27. One of the key sustainable design principles referred to in the document is that “future development in the Park should be sensitively located, reflect existing development pattern and setting, and respect the natural and cultural heritage of the Park.” Developments are also required to reflect traditional materials and workmanship, and take on board innovation, contemporary design and the emergence of modern methods of construction.

Natural Heritage SPG

28. The guidance sets out how the natural heritage of the National Park will be taken into account when considering development proposals. The following is an extract from the Natural Heritage Supplementary Planning Guidance which sets out the six key principles used to assess planning applications in relation to natural heritage.
 - Principle 1 – development should result in no net loss of natural heritage interest of the Cairngorms National Park. This includes natural heritage interest which may be outside the boundaries of the development site;
 - Principle 2 – in any situation where loss of, or damage to, natural heritage interest is unavoidable then the loss or damage will always be minimised as far as possible;
 - Principle 3 – if the loss or damage to the natural heritage is unavoidable then it will be fully mitigated on the development site;
 - Principle 4 – if full mitigation is not possible on site then it should be completed with a combination of on site mitigation and off site compensation;
 - Principle 5 - where full mitigation or compensation measures are not possible, financial compensation will be required. This will be used to benefit natural heritage within the National Park;
 - Principle 6 - Calculation of compensation will take into account the quality of outcomes over time.

CONSULTATIONS

29. **Aviemore Community Council** supports the application and wish to make the following comments: Aviemore, a tourist village suffers through the inadequate provision of touring caravan facilities. It is felt that the benefit to the economy of the local area would outweigh any detrimental effects on biodiversity at the site. It is essential that a link in the form of a footpath linking the site to Aviemore is included. The junction of the access road on to the B9152 should be such that vehicles can easily enter the access road and not be held up on the main road. There should be sufficient, effective signage to warn drivers on the B9152 of the hazard.
30. **Transport Scotland:** has no objection to the proposal providing a planning condition is attached that an un-climbable barrier be provided between the site and the Caravan Park boundary.
31. **Highland Council Environmental Health** makes comment with regard to the construction stage of the development that working hours Monday to Friday shall be between 07:00hrs and 18:00hrs and on Saturdays between 08:00hrs and 13:00hrs with no work being carried out on Sundays or public holidays. It is also recommended that a condition be included to the effect that the applicant shall take all necessary measures to avoid disturbance to neighbouring residents caused by dust which arises from operations carried out in connection with any planning consent. The applicant should follow best practice in this regard.
32. **Highland Council Area Roads** while not objecting Area Roads had some concerns regarding road safety and the existing access and also in relation to the pedestrian crossing of the B9152 for users of the Caravan site wishing to access the Kart Track. Revised plans showing an access point to the south have been provided and a new pedestrian crossing point of the B9152 in a safer position. Area Roads now comment as follows: Prior to any other works starting in connection with the development the following works to be approved by the Planning Authority in consultation with the Roads Authority.
- Access road to be designed and constructed to adoptable standard including junction upgrading works, improved geometry, widening to a minimum of 5.5m road width and road construction improvements.
 - Street lighting to be provided to satisfaction of Council's Lighting Engineer
 - Visibility splays 9 metres back along the centreline of the access road and 160 metres in either direction, nothing within the splays shall exceed 1 metre height.
 - Approved advance warning signs on either side of the site shall be provided
 - Suitable refuse provision
 - Adequate manoeuvring and turning space

- Parking (inc disabled parking) cycle storage in accordance with Highland Council Guidelines
 - Drainage measures to accord with SUDS principles
 - Pedestrian crossing visibility splay to be 1 metres back with 150 m distance either side of crossing.
33. **Highland Council Contaminated Land** note that the site is within 250 m of an actively gassing landfill site, which may have implications for the development, should landfill gases be migrating towards the proposed site. A condition is recommended that a scheme of investigation be submitted together with remedial measures if required.
34. **Highland Council Archaeology** has returned no comments.
35. The **Planning Gain Service** has calculated a contribution towards environmental and access improvements.
36. The **CNPA Sustainable Business Programme Manager** comments: The proposed touring caravan park and associated facilities are a welcome addition to the area and are likely to have a positive impact on the local economy. The facility will add to the visitor accommodation offering. Evidence suggests that the popularity of touring caravans is increasingly popular and at present there is limited capacity to accommodate them in the Aviemore area. At present there is some availability for touring caravans close to Aviemore at Rothiemurchus and the High Range Camping and Caravan site. The Farm Shop is also a welcome addition encouraging visitors to buy and eat local produce which could have further economic benefits for the local food & drink sector. The Dalraddy Holiday Park has a similar shop and is a successful outlet for local produce from the Alvie Estate. The path links to the site from the village will be important to the success of both the site and the shop.
37. **The CNPA Ecologist** notes that potential impacts include:
- possible loss of birch trees, mainly semi mature birches on the caravan site
 - loss of mature roadside trees for access/visibility splay including mature oaks
 - inclusion of tent area implies further tree removal in an area of mixed broadleaf woodland
 - loss of grassland habitat for pitches, parking and buildings
 - grassland area supports less invertebrates than the woodland but nevertheless provides significant nectar sources for a range of invertebrates
 - Scottish wildcats do occur in the Granish area.
 - proposal would see the loss of potential wildcat foraging habitat
 - the applicant should provide a species protection plan for wildcat

38. In terms of concluding advice it is recommended that the proposals be re-designed to ensure access tracks, pitches, visibility splays do not impose upon woodland habitats. Bat boxes should be provided and a pond that is evident on site that does not appear to be mapped should be safeguarded and protected with a 20 m buffer. Positive management measures shall be put in place to retain and enhance the pond's habitat qualities. As much grassland as possible should be retained and deadwood should not be removed from the site. A pre-construction walkover survey by an ecologist would be required. Gap planting should be carried out along the A9 and consideration given to how to manage visitors to reduce the likelihood of negative impacts on the woodland.
39. **The CNPA Landscape Officer** notes that the wider area is characterised by hummocky, undulating terrain. The majority of hummocks are birch clad. The area of the site and surrounds is Ancient and Semi-natural woodland. This is oak dominated with large individual oaks of considerable stature. The trees that line the B9152 create an emphatic gateway to Aviemore. The development as proposed would impact significantly on the character and quality of the local landform and woodland, two key characteristics of the landscape that contribute much to the setting of and gateway to Aviemore failing to meet Policy 6 Landscape of the CNP Local Plan. A scaled down development with different access arrangements and appropriate ongoing management would be more likely to complement and enhance the setting of the proposed development and the landscape character of the CNP.
40. Revised proposals have been submitted to address the concerns of the Landscape Officer, in responding to the revised proposals a number of issues are recommended to be covered by planning condition as follows:
- Method statement to be provided for micro siting of tents
 - Separate large scale detailed plans of the new access shall be provided to cover road construction, signage, footpath, fencing and landscaping all to be designed in character with the rural, wooded setting of the area
 - Tree protection plan as per BS 5837:2012-12-19 Provision of method statement for undertaking earth works in line with S 3882:2007
 - Landscape plan including restoration contours, areas for planting, specifications, plan to include native species such as oak, birch, aspen, rowan, juniper and hazel, inclusion of ongoing maintenance and management.
 - Details for provision of footpath.
41. **CNPA Access Officer** The proposal has a positive impact on providing access opportunities for those staying at the proposed caravan park and a positive impact on encouraging cycling to visitor facilities. The path linking the development to Aviemore should ideally be 2 metres wide. There should be adequate cycle storage facilities at the proposed development.

REPRESENTATIONS

42. The planning application was advertised in the Strathspey and Badenoch Herald on 31 May 2012.
43. A representation has been received from the Badenoch and Strathspey Conservation Group (BSCG) who raise a number of concerns:
 - site outside settlement boundary
 - site not easily accessible
 - proposal increases likelihood of development of Aviemore northwards
 - proposal for Managers house sets a dangerous precedent
 - development of more permanent structures such as lodges would be hard to resist
 - part of access and possibly part of the site within Ancient Woodland Inventory site
 - the site has a high invertebrate interest
 - mosaic of habitats affected by the proposal
 - impact of road widening requires loss of several trees including oaks
 - the site is located within the Strathspey Important Area for Invertebrates
 - negative impacts upon landscape
 - conflicts with the aims of the Park
 - conflicts with a number of CNP Local Plan policies.
44. A copy of the letter is attached as Appendix 2.
45. A letter (see Appendix 2) has also been received from a neighbour to the site which requests that a number of issues are considered in detail in reviewing the application to build the proposal. The issues are:
 - caravan park.
 - vehicular access to the proposed park
 - the proposed park's linkage to Aviemore
 - drainage at the site
 - potential increased light pollution from the scheme
 - views and safety next to the A9
 - the potential economic viability of the Park

APPRAISAL

46. Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. This section of the report assesses the principle of the use of this site in the context of the relevant planning policies and then goes on to consider a number of detailed matters including ecology and landscape followed by technical roads and drainage issues.

Principle

47. The site lies outside of Aviemore beyond the settlement boundary effectively in open countryside set between the A9 and B9152 to the north of Aviemore. While Policy 25 Business Development encourages business proposals towards settlements, Policy 33 Tourism Related Development is more relevant to this proposal. This policy does not direct development to any particular location, though the supporting text for this policy indicates a preference for such proposals to be within or adjacent to settlements. The site is not located within or immediately within the settlement. In this case, it is not clear where land would be available for such a use within the settlement. The site is not located immediately adjacent to the settlement but is little over a kilometre to the north. The landowner owns land nearer to the settlement but considers that the current site is preferable. From a planning point of view with the exception of the access the site would not be visible from the B9152 and through reinforcing existing trees with landscaping visibility could be limited from the A9. Siting the Caravan Park to the south, next to the settlement would result in much greater visibility and have a greater effect upon the setting of the settlement than the current site. Some concern has been raised about the viability of the site in business terms but this is a matter for the applicant and not a planning issue for the CNPA.
48. The proposal also includes a reception building that includes an office, with a small 'farm shop' retail area. The retail area is so minor that it would have no impact upon retail provision at Aviemore and is clearly intended to serve the caravan site. A Manager's house in the form of a two bed single storey building is attached to the office. The BSCG raise concern about this as a precedent. This is in effect a house in the countryside and falls under Policy 22 Housing Developments Outside of Settlements. Such proposals will only be permitted where amongst others issues a) the accommodation is essential for a worker on site is essential to meet the 24 hour supervision of a rural business and there is no other suitable accommodation on site. It could be argued that the site could potentially be managed from Aviemore. However, full time supervision would provide greater benefits and security for users and also be more effective at managing any potential environmental problems at the site. The design of the house as attached to the office is modest, clearly designed for its stated purpose and in this instance is considered acceptable. However, conditions will ensure that the house is not occupied until the campsite is first brought into use, and also ensure that it is used for its stated purpose and not sold separately. This results in the application complying with Policy 22.
49. The site access as originally proposed by the application would have resulted in a significant impact on the entrance to the village as the upgraded access and visibility splays would have required works resulting in a loss of significant oak trees along the B9152 which are part of the Ancient Woodland Inventory. To address this, the access has been moved southwards, which allows the retention of all of the oak trees along the B9152 frontage. The works will be reasonably significant for the new access but are in an open

field, the layout of the access will allow additional tree planting behind the visibility splay.

50. The proposal would provide additional budget holiday accommodation which the CNPA Sustainable Business Programme Manager and the Community Council consider to be in demand. The proposal contributes well to the third and fourth aims as well as being in accord with SPP and its focus upon sustainable economic growth. Consequently, the principle of the development is considered acceptable.

Ecology

51. Consultation with the CNPA Ecologist has identified that the area may be used by wildcats. Consequently, a species protection plan to make sure that the potential impacts of the proposal are minimised are secured by planning condition.
52. Further concerns are raised about loss of habitat and it is recommended that the opportunity for enhancement of the oak woodland is taken. Concerns have been raised by the BSCG regarding invertebrates. However, it is to be noted that the vast majority of the site is outwith the woodland area on ground that is heavily grazed by cattle. The greatest potential areas for invertebrates being the woodland areas around and to the north of the site. The moving of the access point further south secures the Ancient Woodland Inventory oak woodland and allowing the development creates an opportunity for enhancement. A pond has been identified at the site which is outwith the area to be developed for caravans but within the ownership of the applicant and again it does provide an opportunity for ecological enhancement. Because of the changes negotiated to the proposal and the clear opportunity for ecological enhancement within the woodland and at the pond the proposal is considered to accord with the protective environmental policies 2-5 of the CNP Local Plan which set out the principles for protected species, important natural and earth heritage sites and bio-diversity. Inevitably, as with any development there is some loss of habitat but this is mostly in the form of an area that is heavily grazed by cattle. The proposal creates an opportunity to enhance the nearby woodland (which has also been grazed in parts) and enhance a pond habitat and while this will have to be monitored carefully there is opportunity for a positive impact overall.

Landscape

53. The CNPA Landscape Officer held serious concerns about the proposal, this particularly relating to the oak woodland that would be lost due to the need for visibility splays from the access. But for the change to the access arrangements it is likely that the effects of the splays required would have resulted in a recommendation that this application be refused. However, given this change the woodland can be largely retained as is with enhancement secured by planning condition. There was some concern about works to achieve changes in levels for the caravan pitches themselves but further information has been provided indicating the proposed levels. The

Landscape Officer now recommends a number of conditions and these have been included as part of the recommendations at the end of the report. This allows the development to comply with Policy 6 Landscape.

Design

54. The design and layout of the caravan pitches is as per the layout plan in this report it makes use of open space and avoids the need for removal of trees, some levels changes will be required but the pitches generally make use of the most level parts of the site. Cross sections have been provided and planning conditions will ensure that any changes in levels are handled sensitively.
55. The toilet block is a functional, simple timber building set towards the centre of the site and would not be particularly visible from the A9. The reception area and managers house provides an opportunity to remove a static caravan from the site to be replaced with a simple pitched roof building in a combination of render and timber with a combination of slate and profiled metal for the roof. This is considered entirely appropriate to the woodland setting and will provide a focus point at the entrance to the Caravan Park.
56. Transport Scotland has requested an un-climbable barrier between the site and the A9 and a barrier is requested by condition. Whether a barrier can be provided which is totally un-climbable is a point for debate, and it must be recognised that the A9 can be accessed on foot easily from a number of points within Aviemore. However, some form of fence in combination with landscaping such as a willow barrier will reduce much of the visibility of the Touring Park from the A9 and provide a reasonable barrier preventing access directly onto the A9.

Technical Issues

57. SEPA had raised objection to the application because a private drainage system was proposed. However, the applicant, after discussions with Scottish Water has now proposed mains drainage which has enabled SEPA to withdraw their objection.
58. Concerns were raised by the Area Roads Manager about the proposed access and significant damage would have been done to the oak woodland at the front of the site to accommodate the visibility splays required. As a result of this the access has been moved to the south into a field immediately beyond the woodland. This creates the levels of visibility required by the Area Roads Manager while retaining the woodland along the B9152.
59. Path access is to be provided from the caravan site into the village and much discussion has taken place to ensure that this is the case but also to ensure that visitors to the Park can safely access the kart track on the opposite side of the B9152. This has resulted in a crossing being placed at the point with the best visibility along the B9152 to the north of the vehicle access to the

site. The Area Roads Manager seeks visibility splays of 150 metres by 1 metre. The proposal did not achieve this originally but significant negotiation and work by all parties has resulted in a crossing being positioned at the safest point on the B9152 allowing the visibility required. The drawings are now in line with the recommendations of the Area Roads Manager providing the visibility splays are conditioned.

Conclusion

60. The proposal is considered to be in accordance with the policies of the CNP Local Plan and in accordance with SPP which seek to foster sustainable economic growth. The proposals are supported by the Community Council and it is their view as well as that of the CNPA Sustainable Business Programme Manager that there is a need for touring caravan facilities. Negotiations to move the access point south have addressed what would have been significant impacts on the Ancient Woodland Inventory area and the application provides an additional facility for visitors on a budget and also provides some opportunities to enhance the natural heritage and path links in the area.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

61. The proposal would result in some loss of habitat but given the changes to the access this is now much more limited than originally proposed

Promote Sustainable Use of Natural Resources

62. While not immediately next to the village the proposal adds to the path network in the area which should help to encourage visitors to walk or cycle to the village.

Promote Understanding and Enjoyment of the Area

63. The proposed development would add accommodation to the area for those on a budget, this helps in assisting to promote enjoyment for all visitors to the Park. The proposal also includes a footpath to the village which will help add to the path network in the area and the revised plans provide a very attractive section of path that will afford excellent views towards the Cairngorms. All of this will help to support understanding and enjoyment of the area.

Promote Sustainable Economic and Social Development of the Area

64. The proposal would add to the range of accommodation in Aviemore and result in more overnight stays in the area. The path link is crucial in that it will encourage visitors to the caravan Park to access local services on foot.

RECOMMENDATION

65. That Members of the Committee support a recommendation to **GRANT** planning permission for a touring caravan park comprising 33 caravan pitches, area for tents, reception, farm shop and manager's accommodation, including toilet shower block and associated vehicular access works and remote footway to Aviemore, land 120 m west of Shumen Cottage, Granish, Aviemore, subject to the following:

A. Receipt of planning contributions to environmental and access improvements, and:

B. The following planning conditions:

- I. 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.

Landscaping/Tree Protection

2. Prior to commencement of development a scheme of boundary treatment, surface treatment and landscaping shall be submitted to and approved in writing by the CNPA acting as Planning Authority. The scheme shall include details of:
 - i) Location of areas for compensatory/enhancement planting within or outwith red line site.
 - ii) Surface treatment of proposed means of access and hardstanding areas;
 - iii) Proposed hard and soft landscape works including restoration contours;
 - iv) Additional detailed landscape drawing of vehicle access point and access track to caravan site;
 - v) Micro-siting of tent pitches.

The development shall not be brought into use until such time as the boundary treatment, surface treatment and any re-contouring works have been completed in accordance with the duly approved scheme. All of the hard and soft landscaping works with the exception of the landscape buffer to Red Stag Lodge indicated on drawing No 3586/002 Rev A (which shall be carried out prior to the commencement of any other works connected with the planning approval) shall be carried out in accordance with the approved scheme during the first planting season following the commencement of the development, unless otherwise agreed in writing by the CNPA acting as Planning Authority.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity

3. No development shall commence until a scheme for the retention and safeguarding of trees during construction of all development (inc access) has been submitted to and approved by the Planning Authority. The scheme shall comprise:

- i) A survey of trees on and overhanging the site indicating the location, species, height, canopy spread and condition of each tree;
- ii) Details of all trees to be removed and the location and canopy spread of trees to be retained as part of the development;
- iii) A programme of measures for the protection of trees during construction works which shall include fencing at least one metre beyond the canopy spread of each tree in accordance with BS 5837:2005 "Trees in Relation to Construction".

Tree protection measures shall be implemented for the full duration of construction works in accordance with the duly approved scheme. No trees shall be lopped, topped or felled other than in accordance with the details of the approved scheme unless otherwise approved in writing by the Planning Authority.

Reason: In order to retain trees as part of the development in the interests of amenity and nature conservation.

Soil Movement

4. Any stripping, transport and deposition of topsoil and subsoil shall be undertaken only when ground and weather conditions enable the operator to secure best practice to cause least damage to the soil structure. The position and design of any soil storage mounds shall be agreed in writing in advance with the Planning Authority and no soil shall be removed from the site or shall be stored on the site other than in the duly approved locations.

Reason: In the interests of soil management and site restoration.

Caravans

5. This planning permission is for a touring caravan and camping park for towed caravans and tents only. No static caravans are approved by this permission. No stay at the caravan park shall exceed 14 days and no return is permitted within 7 days of the date of departure for a tent or caravan. A record of all bookings for the site shall be held at the reception office of the touring caravan park and be open for inspection by planning officials of the CNPA at seven days notice.

Reason: To ensure that the Caravan Park is used for its stated purpose and to prevent permanent occupation of the site that would be contrary to CNPA housing policy.

Manager's Accommodation

6. The Manager's Accommodation hereby approved shall be occupied by persons solely or mainly employed in the management of the touring caravan park hereby approved and shall not be sold separately from the touring caravan park.

Reason: To ensure that the house is occupied for its stated purpose.

7. Notwithstanding the effect of Condition 1, no development shall commence until samples of roofing, wall facing and window frame materials to be used in the construction of caravan park reception/manager's accommodation and toilet block have been submitted to and approved in writing by the CNPA acting as Planning Authority. The development shall thereafter be completed using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

Lighting

8. Prior to commencement of development full details of any external lighting to be used within the site shall be submitted to and approved in writing by the Planning Authority. Such details shall include the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any glare or light spillage outwith the site boundary. No external lighting shall be installed except in accordance with the duly approved scheme.

Reason: In order to avoid light pollution in the interest of amenity.

Ecology

9. A wildcat mitigation/management plan shall be submitted for the approval of the CNPA prior to the commencement of any development in connection with this permission. Any measures agreed shall be implemented in accordance with the timescales of the agreed plan and retained as such for the life of the development.

Reason: To ensure that the proposal adequately protects wildcat.

10. Prior to the commencement of the development hereby approved a pre-construction ecological survey shall be submitted to the CNPA acting as Planning Authority. Any recommendations of the survey shall be carried out in accordance with its recommendations unless otherwise agreed by the CNPA acting as Planning Authority.

Reason: To ensure up to date ecological information about the site at the time of construction.

11. An ecological enhancement plan shall be submitted for the approval of the CNPA setting out as a minimum measures to increase the biodiversity of the nearby pond and oak woodland prior to the commencement of any development in connection with this permission. Any measures agreed shall be implemented in accordance with the timescales of the agreed plan and retained as such for the lifetime of the development.

Reason: To ensure that the proposal enhances the ecological interest at the site in accordance with the first aim of the Park.

Roads

12. Plans for a suitable barrier (including maintenance schedule) to stop visitors to the Caravan Park from accessing the A9 directly from the site shall be submitted to and approved by the CNPA. The barrier shall be in place prior to the site first being brought into use and shall be maintained for the lifetime of the development.

Reason: In the interests of highway safety

13. Full details of the surfacing and design of path connections to Aviemore and the Kart Track approved by CNPA Application Ref 2012/0208 shall be submitted to and approved by the CNPA prior to the first occupation of the Touring Caravan Park. The agreed details shall be fully implemented and open for use by the public prior to the first occupation of the Touring Caravan Park.

Reason: In the interests of highway safety

14. A scheme for the proposed pedestrian crossing point of the B9152 shall be submitted to and approved by the CNPA in consultation with Highland Council Area Roads Manager. The scheme shall include:

- Signage, road markings and rumble strips
- Details of crossing point intersections with public road including surface treatments
- Visibility splays for pedestrian crossing points at x dimension of 1 metre and y dimension of 150m

All measures to be in place and ready for use prior to the Touring Caravan Park first being brought into use.

Reason: In the interests of highway safety

15. Visibility splays shall be provided and maintained on each side of the vehicle access from the site onto the B9152. These splays are the triangles of ground bounded by the first 9 metres along the centreline of the access road (the x dimension) and the nearside edge of the B9152 main road (the y dimension) measured 160 metres in either direction from the intersection of the access road.

Reason: In the interests of highway safety

16. Within the visibility splays nothing shall obscure visibility between a drivers's eye height of 1.0 metres positioned at the x dimension and an object height of 1.0 metre anywhere along the y dimension.

Reason: In the interests of highway safety

17. Warning/advisory signage to be submitted to and approved by the CNPA acting as Planning Authority in consultation with Highland Council Area Roads Manager shall be provided on the B9152 public road on each approach to the site access prior the touring caravan park first being brought into use.

Reason: In the interests of highway safety

18. The parking, including disabled and secure covered cycle storage facilities shall be provided and be fully available for use prior to the touring caravan park first being brought into use.

Reason: To ensure that adequate parking is in place prior to the development being brought into use.

Contaminated Land

19. Unless otherwise agreed in writing by the CNPA no development shall commence until a scheme to deal with potential contamination on site has been submitted to and agreed in writing by the CNPA acting as Planning Authority. The scheme shall include:

- The nature, extent and type of contamination on site and identification of pollutant linkages and assessment of risk (i.e. a land contamination investigation and risk assessment), the scope and method of which shall be submitted to and agreed in writing with the CNPA acting as Planning Authority, and undertaken in accordance with PAN33 (2000) and British standards BS10175:2011 Investigation of Potentially Contaminated Land- code of Practice;
- The measures requires to treat/remove contamination (remedial strategy) including a method statement, programme of works, and proposed verification plan to ensure that the site is fit for the purposes proposed;
- Measures to deal with contamination during construction works;
- In the event that remedial action is required, a validation report that will validate and verify the completion of the agreed decontamination measures;
- In the event that monitoring is required, monitoring statements shall be submitted at agreed intervals for such time period as is considered appropriate by the CNPA acting as Planning Authority.

Reason: In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes adjacent to the site.

Environmental Protection

20. The normal working hours at the site shall be Monday to Friday between 07:00 and 18:00 hours and on Saturdays between 08:00 hours and 13:00 hours, with no work being carried out on Sundays and public holidays unless specifically approved in writing by the CNPA acting as Planning Authority.

Reason: In the interests of neighbouring amenity.

21. A dust suppression plan shall be submitted to and approved by the CNPA acting as Planning Authority in consultation with Highland Council Environmental Health. All work to be carried out in accordance with the agreed plan.

Reason: In order to protect the amenity of neighbouring properties.

Dainage

22. All foul drainage shall be connected to the mains system and all foul and surface water drainage measures shall be implemented in full in accordance with the Submitted Fairhurst SUDS strategy registered 8 June 2012 prior to the Caravan Park first being brought into use.

Reason: To ensure adequate drainage at the site.

23. No development shall take place in the area indicated for private foul drainage on Fairhurst Drawing- Preliminary Drainage Layout Plan No 87598/200 from the Drainage Impact Assessment and SUDS Strategy received 8 June 2012.

Reason: Given foul drainage is to be to the mains system this part of the development is not approved.

Refuse

24. Details of refuse disposal provision at the site shall be submitted to and approved by the CNPA acting as Planning Authority prior to the Caravan Park first being brought into use. The agreed details shall be implemented prior to the Caravan Park first being brought into use.

Reason: To ensure suitable refuse provision at the site.

ADVICE NOTE

All external lighting should be designed in accordance with the Scottish Government's Guidance Note "Controlling Light Pollution and Reducing Light Energy Consumption" 2007, Annexes A and B. Site specific advice may be obtained by contacting the Council's Environmental Health Officers.

Andrew Tait

planning@cairngorms.co.uk

3 January 2013

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.