
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(PLANNING OFFICER,
DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: Creation and use of a temporary access road to the A9(T) from the Meadowside Quarry near Kincaig for a temporary period of up to 2 years.

REFERENCE: 2015/0152/DET

REASON FOR CALL IN: This application raises issues in respect of the aims of the National Park as it may affect nationally important natural and cultural heritage interests and/or sites. May raise significant issues for the social and economic wellbeing of communities in the Park and may make a significant visual impact within the principal A9 transport corridor. Type I – minerals application that is directly related to applications that have previously been determined by CNPA.

APPLICANT: Breedon Aggregates Scotland Ltd

DATE CALLED-IN: 18 May 2015

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS

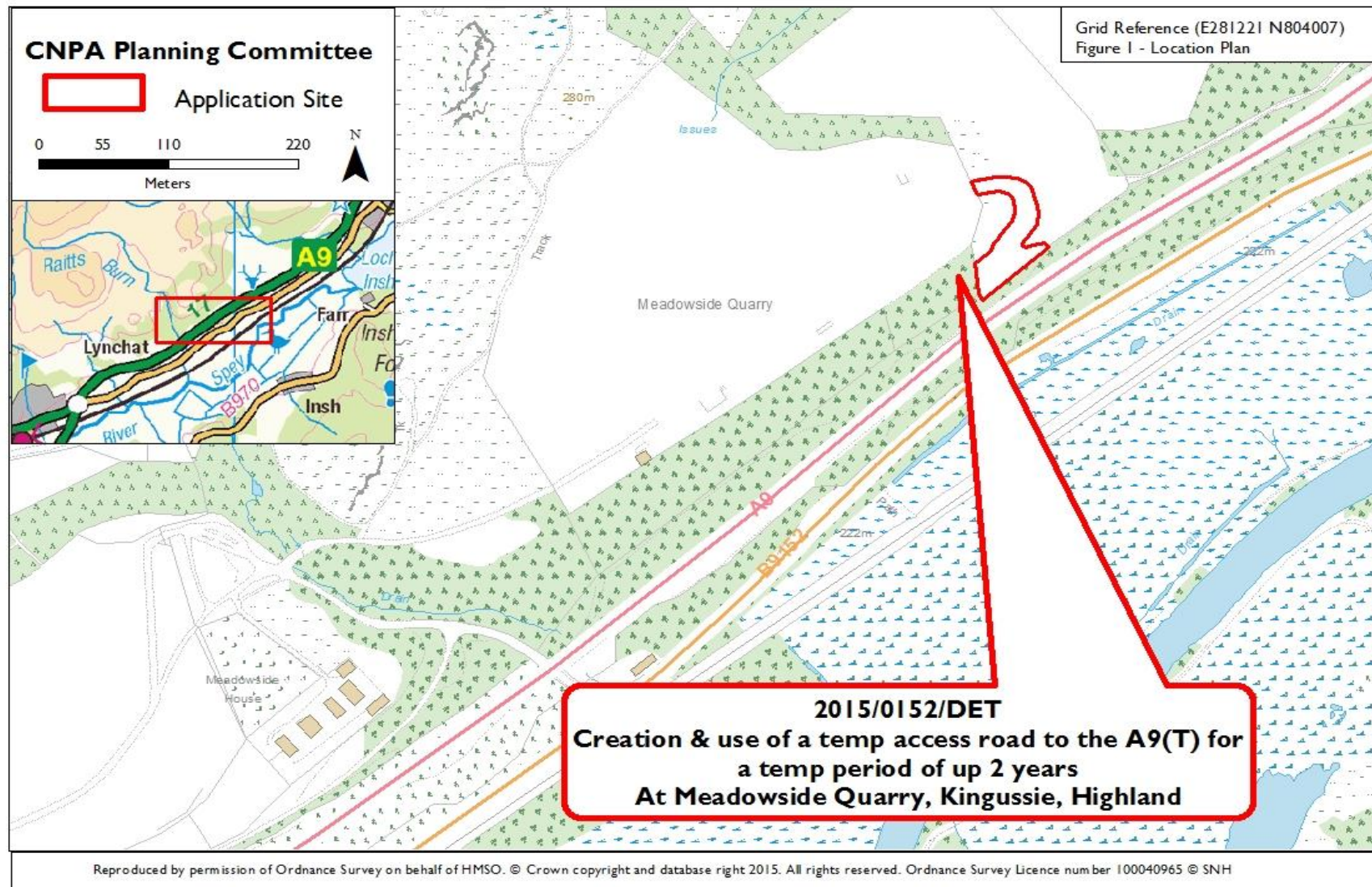


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

- I. 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=NO8Z4PSI0C000>

Title	Drawing Number	Date on Plan	Date Received
Application Boundaries Plan SUPERSEDED	M02/PA/15/0 1	Mar 2015	18 May 2015
Application Boundary Plan	M02/PA/15/0 1B	Mar 2015	18 May 2015
Temporary Access Design	M02/PA/15/0 4	Mar 2015	18 May 2015
Temporary Access Restoration Plan	M02/PA/15/0 6	Mar 2015	18 May 2015
Temporary Access Road Cross Sections	M02/PA/15/0 5	Mar 2015	18 May 2015
Supporting Statement Breedon Aggregates		May 2015	18 May 2015
Meadowside Quarry Temporary A9 Vehicular Access JMP Consultants Environmental Report		April 2015	18 May 2015
Temporary Access Surface Water Drainage Strategy Enviro Centre Report		April 2015	18 May 2015
Visual Appraisal Report with Photomontage Johnson Poole & Bloomer	PG341- 01/PJL/RK	24 April 2015	18 May 2015
Baseline Ecological Appraisal Affric	Issue 3	29 April 2015	18 May 2015
Cultural Heritage Appraisal CgMs Consulting		April 2015	18 May 2015
Construction Environmental Management Document (CEMD) Affric		9 July 2015	9 July 2015

Development Proposal

2. The planning application submitted by Breedon Aggregates Scotland Ltd is for a temporary access track from the consented and operational Meadowside Quarry located immediately east of the existing quarry site leading to the A9 (T) duelling construction site (to be commenced). **See Figure 1 Location Plan.**
3. The application is submitted by Breedon Aggregates Ltd who employs over 650 people in Scotland and is one of the leading producers of material and construction products throughout Scotland.
4. Additional information was submitted by the applicant in support of the proposed increase in extraction, temporary access road subject to this application, and mobile asphalt plant at/and adjacent to Meadowside Quarry for the supply of asphalt, aggregates and concrete to the forthcoming A9 (T) duelling works. The documents can be viewed in full via the CNPA public access.
5. The permitted quarry area comprises approximately 6.9 hectares of ground, the majority of which is currently subject to quarrying activity **See Figure 2.** The land to the north and east is farmland and woodland with the A9 (T) to the south. The area immediately west of the quarry is previously developed land having been subject to quarrying during the original A9 (T) construction and some historical industrial use. The Highland Wildlife Park lies approximately 500m to the west, with holiday properties forming the Meadowside House complex approximately 500m south west. The temporary access track is immediately east of the quarry site boundary leading south east to the trunk road the location of which is identified on the satellite image (**Figure 2**) by the red circle.

Figure 2 – Satellite image of application site and general environs



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6. This application is submitted as one of 3 separate planning applications, 2015/0154/DET, 2015/0152/DET, and 2015/0151/DET (subject to determination by the Planning Committee), and a further prior approval under permitted development afforded quarry operations to Highland Council for the erection of plant and machinery within the quarry area.
7. The proposal entails the construction of a temporary 7.3m wide haul road from the operational quarry to the A9 (T) construction site (Kincraig – Dalraddy). The haul road would accommodate 2-way traffic as the duelling is under construction. The timing of the temporary access would be linked with the beginning of the local duelling works and not before, with no need for a connection in advance of the works. The temporary access is intended to be used for a period of 24 months, after which the haul road will be removed and the land restored, as appropriate, to its current state for use as grazing land. The design and route of the proposed temporary access is shown in **Figure 3** below.

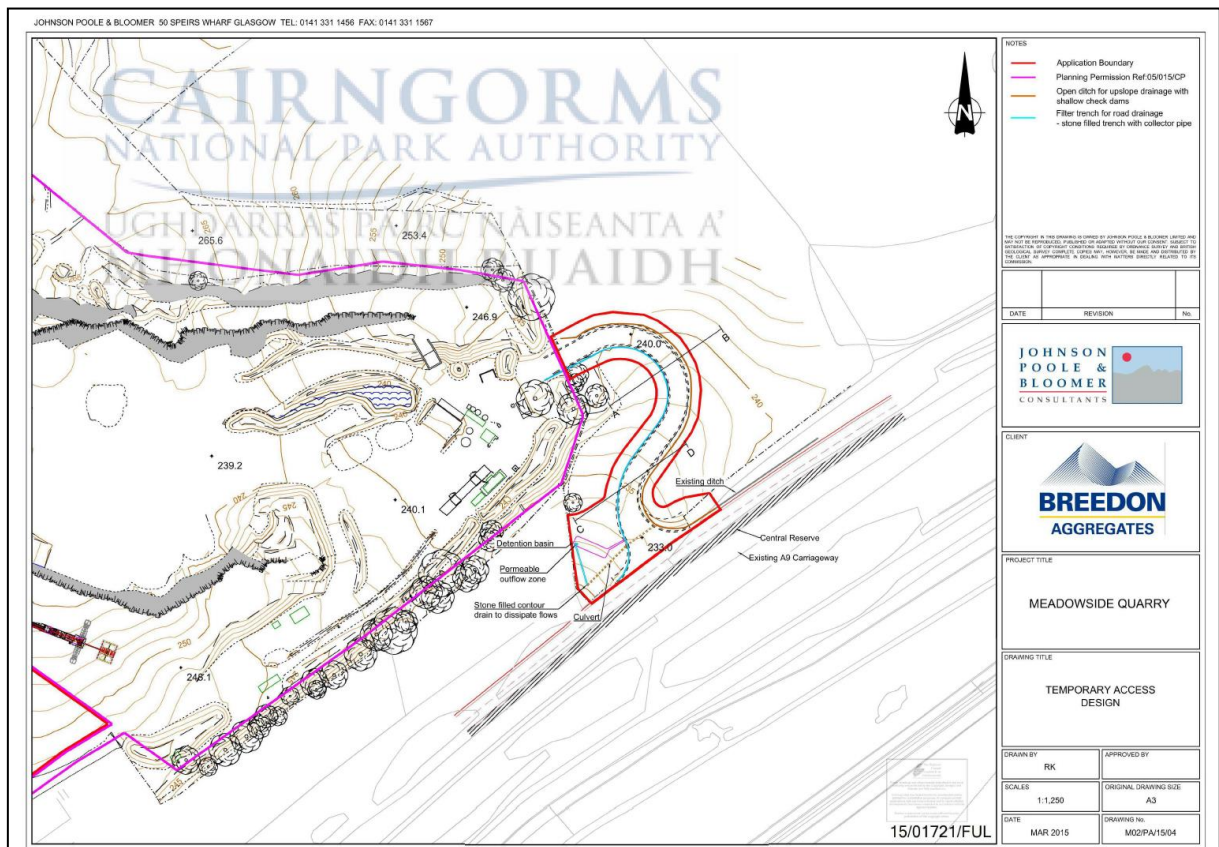


Figure 3 – Temporary access route and design

Site History

8. There is no recent planning history on the site of the proposed access route which is submitted as a standalone application to be considered independently of the quarry site and associated applications. The site and wider area is currently undeveloped and in agricultural use for grazing **See Figure 4**. Whilst the proposal is submitted as an individual application, the CNPA look holistically at the whole development of the quarry facility and general area and so the following summary of the immediate planning history is useful to inform the assessment.



Figure 4 – Existing land use along the route of the proposed access looking towards the A9 (T)

9. The existing quarry operation - the source of the material being transferred along the temporary access - was consented by the CNPA on 27 June 2011 under planning permission reference 05/015/CP. Permission was granted for a period of 20 years from the date of the consent (to expire 27 June 2031). The quarry currently produces both dry aggregates, and concrete from an

on-site concrete plant with the quarried material used locally, mainly in the Aviemore, Kincraig, Kingussie and Newtonmore areas to serve road maintenance and local construction projects **See Figure 5.**



Figure 5 – Meadowside Quarry

10. The quarry was originally opened as part of the construction of the original A9 (T) and also housed an asphalt plant to facilitate these works. The quarry previously operated under Highland Council planning consent reference 97/00112/FULBS which was granted on 22 January 1999. That permission was for a renewal of a previous 10 year permission originally granted in August 1986 (with quarry working having ceased in May 1995 following the expiry of the operators lease with the 1999 application renewing the extraction period)
11. The 2005 planning application for the continued operation of the quarry was accompanied by a detailed Environmental Statement outlining all relevant environmental considerations taken against the development. The outcome of the assessment determined that the development was acceptable in environmental terms with appropriate controlling conditions applied to ensure that the development proceeded within the parameters assessed under EIA.

12. The quarry site has seen an almost continual commercial operation since 1986. It is apparent that the operation has continued in accordance with the terms of the permissions and it should be noted that the CNPA have no record of a formal complaint being made against the quarry operations. Upon site inspection it appeared that the quarry site was well managed.
13. Whilst the application seeks consent independently of the other planning applications made concurrently in association with the forthcoming A9 (T) duelling works, the provision of the temporary access is crucial to the success of the whole works, and should be carefully considered as a facilitating development that would be instrumental in minimising any associated environmental and amenity impact upon surrounding land uses. On that basis the application is put to members ahead of the associated applications for determination.

DEVELOPMENT PLAN CONTEXT

National policy

14. **Scottish Planning Policy** (SPP, revised 2014) sets out national planning policies that reflect Scottish Ministers priorities for the operation of the planning system and for the development and use of land. Under planning law, planning applications must be determined according to the development plan unless material considerations indicate otherwise. The content of SPP is a material consideration in planning decisions that carries significant weight. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances.
15. The SPP sits alongside four other Scottish Government planning policy documents:
 - a) The **National Planning Framework** (NPF) which provides the statutory framework for Scotland's long term spatial development. The NPF sets out the Scottish Government's spatial development policies for the next 20 to 30 years;
 - b) **Creating Places**, the policy statement on architecture and place, containing the Scottish Government's policies and guidance on the importance of architecture and design;
 - c) **Designing Streets**, a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance; and
 - d) **Circulars**, which contain policy on the implementation of legislation or procedures.

Strategic Policies

Cairngorms National Park Partnership Plan (2012-2017)

16. The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. It sets out the strategic direction and priorities for the Park.
17. Three long term outcomes for the Park are set out as follows:
- a) A sustainable economy supporting thriving businesses and communities;
 - b) A special place for people and nature with natural and cultural heritage enhanced; and
 - c) People enjoying the park through outstanding visitor and learning experiences.

These outcomes address the interaction of the three main characteristics of the National Park these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. A series of work programmes to help deliver the outcomes is set out in the Plan.

Local Plan Policy

Cairngorms National Park Local Development Plan (2015)

18. 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/park-authority/planning/local-development-plan>. Key policies relevant to the proposed development are summarised below:
19. *Policy 2: Supporting Economic Growth* seeks to ensure that sustainable growth in the economy of the park is at the heart of supporting our communities, helping them become and remain vibrant and attractive places for people to live and work. The economy of the National Park is based on a number of sectors, including land management, tourism, recreation etc. The policy aims to assist existing businesses and create a flexible framework whilst ensuring that new development is supported by robust and 'fit for purpose' infrastructure, which makes access to the wider economy as simple as possible. This must all be achieved in a way which protects the special qualities that make the park an attractive place to invest.
20. *Policy 4: Natural Heritage* ensures that development conserves and enhances the outstanding natural heritage of the National Park. It offers the necessary level of protection from adverse development and enables enhancement. It

supports the international reputation of the Cairngorms National Park as a high quality place for nature and the contribution of the National Park to Scottish biodiversity targets. It also enhances the special qualities which make the Cairngorms an attractive place to live and work. Development that would adversely affect the Cairngorms National Park will only be permitted where it will not adversely affect the integrity of the area or the qualities for which it has been designated, or any such adverse effects are clearly outweighed by social, economic or environmental benefits of national importance, and compensated by the provision of features of commensurate or greater importance than those that are adversely affected. Development that would have an adverse effect on any European Protected Species will only be permitted in cases of special justification.

21. Policy 5: Landscape does not seek to keep landscapes unchanged, but to ensure that they evolve in ways that conserve and enhance the special qualities. In practice this means making the most of every opportunity that comes as a result of a development proposal to ensure that development conserves and enhances the distinctive characteristics we value, making changes where opportunities for enhancement exist, and avoiding change that would erode the characteristics that make the Park a special place. The policy supports development that contributes to landscape enhancement and protects against development that would erode the landscape qualities we value.
22. Policy 10: Resources ensures that new development or engineering works requiring planning permission protects our important resources. Development to exploit mineral reserves will only be considered favourably where:
 - a) the developer can demonstrate the market within the Cairngorms National Park where the mineral will be used to provide other social economic benefits; and
 - b) there are no adverse environmental impacts; and
 - c) the material furthers conservation of the distinctive landscape character and built environment of the Park; and
 - d) full restoration details are incorporated as part of the proposal; and
 - e) no suitable and reasonable alternatives to the material are available.

Statutory and Non-statutory Planning Guidance

23. Current planning guidance on sustainable design, natural heritage and landscape sets out the issues to be considered and these are largely reflected in the statutory Supplementary Guidance and non-statutory Planning Guidance which are proposed for adoption by the Board.

CONSULTATIONS

24. **Community Council.** At their May meeting the Kincaig and Vicinity Community Council decided to endorse the planning applications for the

temporary development of Meadowside Quarry. The diverting of quarry traffic away from the B9152 will be welcomed, especially as this road will be carrying A9 traffic during the construction of the dual carriageway.

25. **Transport Scotland** ask that should consent be granted, the applicant be required to submit further details of the proposed connection of the new access with the construction site (A9(T) Works) to be approved by Transport Scotland in consultation with the successful contractor. This is so that the A9 (T) duelling works are not compromised by the access point.
26. **CNPA Landscape Officer** states that the access will involve a temporary loss of semi improved grassland. The route of the temporary access is designed to avoid the loss of mature trees, and these should be protected during construction, operation, and restoration works to prevent damage and loss. One semi mature birch and a number of seedlings will be lost at the junction with the A9 which is considered minor and will have a negligible impact on the landscape.
27. No Construction Method Statement has been provided. The Design Statement briefly refers to a re-use of topsoil and then re-seeding. However, to best retain the diversity of the grassland and reduce landscape impact in the short and longer term, turves removed should be re-used. (subsequent additional details in response to CNPA comments have been submitted by the applicant in the form of a Construction Environmental Management Document (CEMD))
28. Clarification of the details of storage of excavated material is needed (addressed in the CEMD)
29. Suggestions for the management of turves, drainage, and fencing are made. (addressed in the CEMD)
30. The temporary access restoration plan should be consistent with the overall quarry restoration (subject to quarry permission).
31. **CNPA Ecological Advisor** states that a phase I habitat survey was carried out for the access route and adjoining habitats. The survey found that despite being heavily sheep grazed, the field is reasonably botanically diverse and waxcap fungi were noted. The crimson waxcap is a Cairngorms Nature Action Plan species and waxcap fungi as a group are of conservation interest.
32. This type of grassland is not uncommon in the CNP and the loss proposed is relatively small within the larger field. In addition the loss is temporary (only 24 months) and the habitat restored after this period.
33. No Construction Method Statement has been provided to describe method of construction and how excavation material will be stored and re-used. To best retain the flora and fungi diversity of the grassland, the turves removed should be re-used. Topsoil excavated should be used to form bunds to place the turves, keeping the turves alive and in situ, ready to re-position once the

track is taken out. A detailed construction method statement is needed (addressed in the CEMD)

34. **Highland Council Forestry Officer** has no objection to the application with suggestions for conditions to ensure tree protection and clear identification of those trees for removal, along with a tree planting and maintenance programme to be agreed prior to the commencement of development (addressed in the CEMD)
35. **Highland Council Archaeology** The proposed development will cross the route of the 18th century military road that is considered to be of local historic importance. The risk of impacts does not warrant full archaeological excavation, however, it is important to identify and record any features before destruction. Site clearance etc should be done under archaeological supervision so that any recording can be done without causing undue delay or inconvenience.
36. A condition requiring details of an archaeological watching brief for approval and implementation should be applied to any permission. A specification for the works is suggested, and the archaeological report will be lodged in the Highland Historic Environment Record (HER) where it may be consulted for research.

REPRESENTATIONS

37. When deciding an application for planning permission, the authority must also take into consideration representations received timeously under the provisions. Representations have been received, objecting to this and associated proposals. The representations are included and attached as **Appendix I**.
38. A representation was received from the Property and Estate Manager of the Highland Wildlife Park. They consider the temporary access to be of the utmost importance on the grounds of public safety as the existing access is shared by visitors to the park and Meadowside House. Details of the effects of the new tar and concrete plants would help to determine possible issues for customers, staff, and the animal collection.
39. Representations were submitted by two individuals, both owners of holiday cottages at the nearby Meadowside House complex, with one of the objectors also listing the names and acting on behalf of other owners of property at Meadowside House. The basis for the objections being:
- a) That the proposal is for the large scale expansion of operations;
 - b) The likelihood of continued use beyond the temporary period;
 - c) Concerns over the operators use of the site;
 - d) Possibility of vibration, noise, dust, smell, traffic impacts etc;
 - e) Change in the existing views;
 - f) Concern that the alternative access will not be used;
 - g) If approved it is essential that the temporary access be approved;

- h) Blight on a valuable tourism enterprise.

APPRAISAL

Principle

40. When determining a planning application the planning authority is required to make the determination in accordance with the provisions of the development plan unless other material considerations indicate otherwise. This creates a presumption in favour of development proposals which are in accordance with the provisions of the development plan.
41. The proposal is required by Breedon Aggregates Scotland Ltd to provide access for construction material in supply of the immediate demands of the A9 (T) duelling project led by Scottish Ministers and Transport Scotland.
42. The temporary access road will be run from the Meadowside quarry site towards the A9 (T) through a field currently used as grazing.
43. A material consideration in this case is one of 'need'. In this particular case the applicant has volunteered information to demonstrate a clear 'need' for the temporary access track to supply the major infrastructure project demands of the A9(T) duelling immediately adjacent to the quarry site.
44. It is also relevant to consider what development can be carried out on the site in terms of existing permissions or by exercising Permitted Development (PD) rights. In this particular case there are no PD rights afforded the applicant as the site is outwith the consented quarry, and whilst Ministers benefit from PD in the case of Trunk Roads for accommodation works, this is not transferable to the quarry operator. Also there are no other planning permissions on the site. It is recognised that the quarry consent restricts the extraction of material to 50,000 tonnes per annum via the existing shared access with the Highland Wildlife Park and Meadowside House, therefore the additional extraction volume of 100,000 tonnes per annum cannot be accommodated within the terms of that consent.

Landscape and Environmental Impacts

45. The route of the access is across an open field currently used for grazing, with the works involving a temporary loss of semi improved grassland. The route of the temporary access is designed to avoid the loss of mature trees, which are proposed to be protected during construction, operation, and restoration works to prevent damage and loss **See Figure 6**. A suitable condition is proposed as recommended by the Highland Council Forestry Officer and CNPA Landscape Advisor to ensure that best practice is followed.



Figure 6 – Point of access with quarry site and mature trees subject to protection.

46. In response to the comments of the CNPA Landscape and Ecology advisors, the applicant has provided further information having taken on board CNPA advice. The submission of a Construction Environmental Management Document (CEMD) details measures for best practice, including the careful re-use of turves through the temporary translocation of the grassland in order to maintain botanical diversity. This would be worked up in detail once the contractor was chosen who would undertake the work. The measures proposed would retain and restore the species rich grassland as far as reasonably practicable.
47. At the proposed junction with the A9 (T) one semi mature birch and a number of seedlings will be lost which is considered minor and will have a negligible impact on the landscape.
48. In order to minimise the cut and fill required, the road design follows the existing contours from the land from the quarry at circa 241m AOD to the A9 at circa 233m AOD. By minimising the cut and fill, this design both reduces the volumes of topsoil and overburden material to be removed, and also the volume of fill material to make up the road.

49. It is noted that the access is required temporarily only in connection with the A9 (T) construction works, and as such the access will be viewed in the context of the significant construction works for the duelling. That said, the access is closely associated with the quarry, albeit a well screened quarry, and so the landscape and visual impacts would in any event be relatively small and over a short period. The subsequent restoration would fully reverse this short term impact and then be viewed in the context of the duelled carriageway.
50. The proposed development will cross the route of the 18th century military road that is considered to be of local historic importance. Whilst the risk of impacts does not warrant full archaeological excavation, it is considered important to identify and record any features (if present) before destruction. Site clearance etc should be done under archaeological supervision so that any recording can be done without causing undue delay or inconvenience.
51. In light of the above a condition requiring details of an archaeological watching brief for approval and implementation should be applied to any permission. A specification for the works is suggested, and the archaeological report will be lodged in the Highland Historic Environment Record (HER) where it may be consulted for research.
52. A Sustainable Drainage System (SuDS) has been designed by Envirocentre Limited to provide operational SuDS for the track and which will be removed on completion/restoration of the site. The details are considered acceptable and there are no immediate neighbours at risk of surface water flooding.
53. Materials for the construction of the access are provided at source from the adjacent quarry minimising the distance for transportation of heavy materials. Any material stockpiling or disturbed material for the access works would be subject to dust suppression and management. As a result it is considered that there would be no adverse impact upon air quality.

Access

54. Transport Scotland were consulted as part of the assessment and ask that should consent be granted, the applicant be required to submit further details of the proposed connection of the new access with the construction site (A9 (T) Works) to be approved by Transport Scotland in consultation with the successful contractor. This is so that the A9 (T) duelling works are not compromised by the access point. This would be conditioned to any consent.
55. As the hard rock and material, including concrete, is to be provided from the adjacent quarry there would be no notable increase in traffic to or from the site via the shared road with the Highland Wildlife Park and Meadowside House. This was one of the main issues of concern cited in the representations and through consultation returns. Vehicle cleaning and wheel wash etc would also be undertaken within the quarry site. It is therefore considered that there would be no adverse detrimental impact

upon the local road network, and no intensification of use of the existing access.

CONCLUSION

56. The applicant operates Meadowside Quarry which is a consented and established site that has been supplying the needs of local construction projects, including the original A9 (T) construction, since 1986. The quarry operator wishes to supply the immediate local demand for material as part of the ongoing A9 (T) duelling project which is now coming on stream.
57. The proposal seeks temporary permission for a direct access to the A9 (T) duelling construction site immediately south of Meadowside Quarry, the location of the site is remote from the nearest residential neighbours at Meadowside House and the tourist attraction at the Wildlife Park. It is considered that there is sufficient distance, along with the intervening quarry operation, to avoid any adverse impacts on the neighbouring interests.
58. It is considered that on account of the site context, being an established quarry and imminent A9 (T) construction works, and the opportunity for the landscape and ecology impacts arising from the proposal to be reversed following the expiry of the temporary term, the proposal is proven to be compatible with the existing land use with minimal visual impacts.
59. The proposal would support the vitality and viability of the broader economy of the park by providing direct employment whilst providing a sustainable supply of materials to an immediate strategic demand with reduced haulage impacts. Mineral extraction for works near to source for both the construction of the access and to serve the A9 (T) works would reduce the load on the existing road network whilst reducing the potential of conflict between large vehicles and other road users. Therefore the proposal complies with Policy 2 of the CNP LDP 2015.
60. The submitted documentation including supporting statement and CEMD demonstrates a sustainable approach to the development with cognisance of the advice offered through consultation returns and CNPA advisors. Therefore the proposal complies with the relevant provisions and intent of Policy 3 of the CNP LDP 2015.
61. On account of the construction methods to be applied with mitigation, and the temporary nature of the development, it is considered that there would be no adverse impact on habitats or species of interest and therefore the proposal complies with the provisions of Policy 4 of the CNP LDP 2015.
62. The development proposal will have no significant adverse impact upon the landscape character and special qualities of the National Park in accordance with Policy 5 of the CNP LDP 2015.

63. The development proposal seeks to make use of an existing quarry site and mineral reserve to supply an immediate local demand, with the host quarry having been subject to EIA and full assessment. The proposal therefore complies with the relevant provision and intent of POLICY 10 of the CNP LDP 2015.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

64. The proposed temporary access route would be subject to an archaeological watching brief that may, where appropriate, provide information may be lodged for future research. Furthermore the Construction Environmental Management Document demonstrates an approach that would safeguard the environmental and cultural qualities of the site and immediate area. Therefore there are no adverse detrimental impacts upon the Natural and Cultural Heritage of the Area.

Promote Sustainable Use of Natural Resources

65. A temporary provision for a direct access to and from the quarry site to a nearby construction project, would avoid the need to import heavy materials from a distance to the A9 (T) duelling construction, and would efficiently draw from the established mineral resource and facilitate local material production.

Promote Understanding and Enjoyment of the Area

66. The proposal is located adjacent to an established quarry area, and when viewed in association with the A9 (T) duelling construction works would have minimal impact upon the understanding and enjoyment of the area.

Promote Sustainable Economic and Social Development of the Area

67. The proposal would assist in securing direct employment within the Park and reducing transportation costs and impacts from distant import of materials. The conditioning of any consent to the approval of a 'temporary' access would ensure that the site is restored to its pre-development condition with no known adverse impacts to the business and recreational interests within the area.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT PLANNING PERMISSION for the creation and use of a temporary access road to the A9(T) from the Meadowside Quarry near Kincaig for a temporary period of up to 2 years subject to the following conditions:

- 1 No development shall commence until the applicant has submitted a written confirmation of their contract/instruction to supply materials from Meadowside Quarry to the A9 (T) duelling construction site. Thereafter the track shall be in place no longer than 2 years following the commencement of the construction of the track or when the track is no longer required to support the A9 (T) duelling construction, whichever comes first. The site must then be restored in accordance with the approved plans and details contained in the Construction Environmental Management Document (dated 9th July 2015) by Affric.

Reason: temporary consent is granted only on condition of the site restoration in the interests of general and landscape and visual amenity and to avoid the retention of an unsuitable access to the A9 (T) duel carriageway.

- 2 That unless otherwise agreed in writing with the CNPA acting as Planning Authority, construction operations to provide the access route shall be restricted to the hours of 0700hrs to 1800hrs (Monday to Friday) and 0700hrs to 1400hrs (Saturday). There shall be no construction operations on Sundays. Unless otherwise agreed in writing by the Planning Authority.

Reason: To protect the general amenity of the area and to protect the residential amenity of properties in the vicinity.

- 3 No development shall commence until the applicant, in consultation with the chosen contractor, submit to the CNPA for approval in writing a Construction Environmental Management Plan (CEMP) taking account of the details contained in the submitted Construction Environmental Management Document 9 July 2015 (Affric) for use by the contractor during construction. Thereafter the development shall proceed in accordance with the approved details unless otherwise agreed in writing by the CNPA.

Reason: the submitted CEMD is subject to review with possible revision in consultation with the chosen contractor for the works. The CEMP is required to be properly defined to safeguard the ecological and landscape interests on the site and is subject to further confirmation.

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- 4 Notwithstanding the approved details, no development shall commence until a plan accurately mapping and detailing the measures for tree protection during the construction, operation, and restoration of the access has been submitted to and approved in writing by the CNPA. The plan should be informed by section 3.2 'Protection of Mature Trees' contained in the Construction Environmental Management Document 9th July 2015.

Reason: to ensure that the contractors undertaking the construction of the track have a clear and definitive reference for tree protection, in order to safeguard the ecological and landscape interests at the site.

- 5 Notwithstanding the approved details, no development shall commence until the detailed design of the junction of the access track with the A9 (T) duelling construction site, have been submitted to and approved in writing by the CNPA acting as planning authority in consultation with Transport Scotland. Thereafter the development shall commence in accordance with the approved details unless otherwise agreed in writing by the CNPA.

Reason: whilst the general location of the point of access with the A9 (T) is accepted, the duelling construction site layout is yet to be fully confirmed. Therefore further information is needed to ensure that the junction design is compatible with the forthcoming construction operations in a manner that would not prejudice the provision of transport infrastructure or the delivery of the A9 (T) duelling.

- 6 Notwithstanding the approved details, no development shall commence until an archaeological watching brief and written scheme of investigation is submitted to and approved in writing by the CNPA in consultation with Highland Council Archaeology.

Reason: as there is the potential for archaeology of local or regional importance that should be recorded for future reference and/or research if disturbed during the course of the development.

- 7 Upon the completion of the development and as part of the site restoration, the screening bund at the point of the access of the track with the Quarry site shall be restored in accordance with a scheme that shall first be submitted to and approved in writing by the CNPA acting as planning authority. Thereafter the development shall proceed in accordance with the approved details unless otherwise agreed in writing by the CNPA.

Reason: to ensure that the site is restored to a pre-development condition and in the interests of maintaining the landscape and general amenity of the area.

Informatives:

- 1 Prior to the commencement of development, a notice of the intended date of initiation of development shall be submitted to the CNPA acting as Planning Authority and such notification shall contain the information set out in the 'Notification of Initiation of Development' Notice as appended, pursuant to Section 27A(1) of the Town & Country Planning (Scotland) Act 1997.
- 2 Following the completion of the development, a notification of the completion shall, as soon as practicable, be submitted to the CNPA acting as Planning Authority and such notification shall contain the information as set out in the 'Notification of Completion of Development' Notice as appended, pursuant to Section 27B(1) of the Town & Country Planning (Scotland) Act 1997.
- 3 The applicant is advised to make contact with the Highland Council Archaeologist for advice on the specification for the works and archaeological watching brief required by condition ahead of the submission pursuant to the discharge of conditions.

Officer Name: Matthew Taylor

planning@cairngorms.co.uk

Date: 04/09/2015

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.