

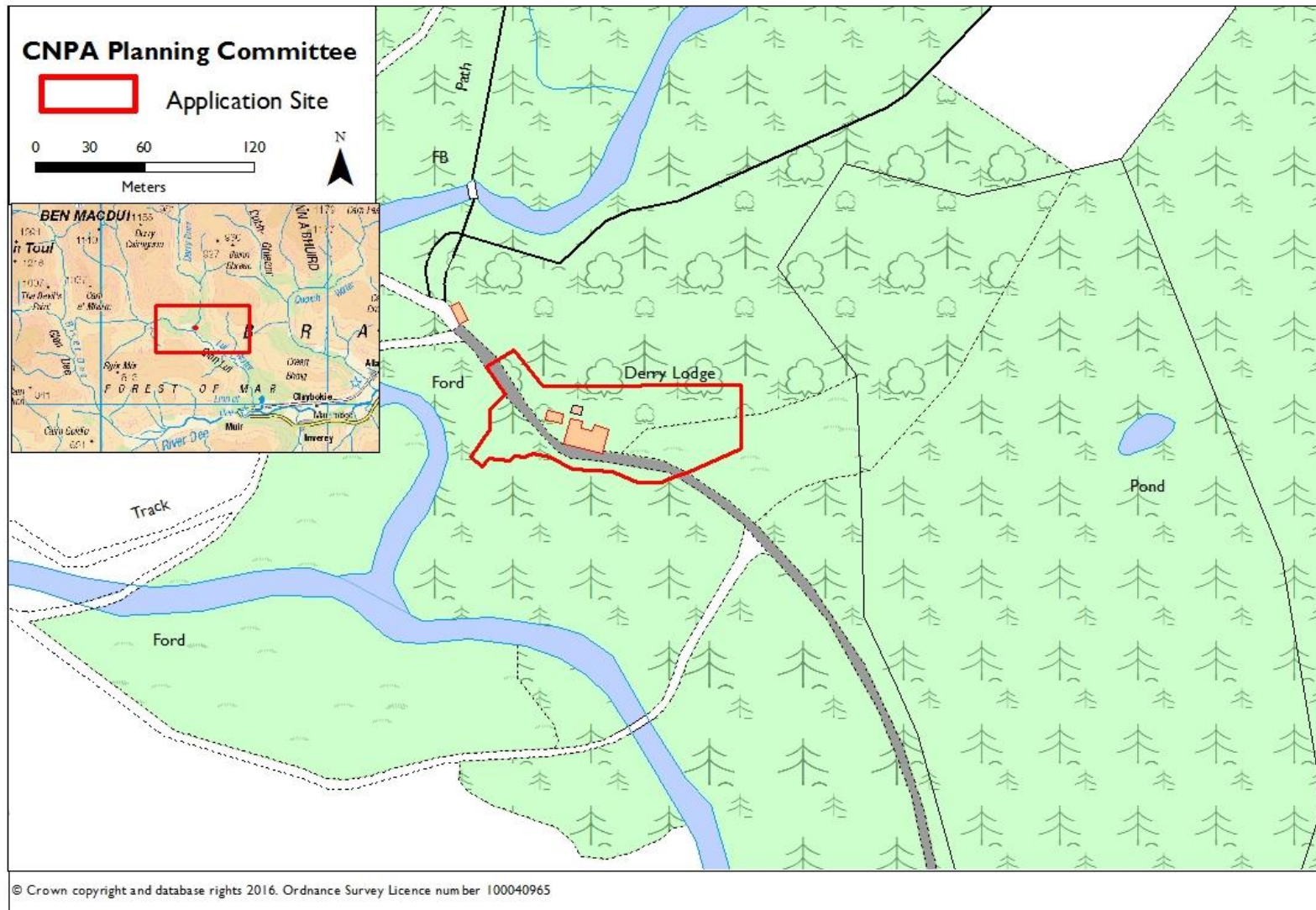
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## CAIRNGORMS NATIONAL PARK AUTHORITY

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<b>DEVELOPMENT PROPOSED:</b>	
Change of Use of Existing Derelict Shooting Lodge to Form Tourist Hostel Accommodation (including staff accommodation), Existing Games Larder/Hay Barn to Biomass Plant Room/Store and Siting of Wood Chip Store at Derry Lodge, Braemar.	
<b>REFERENCE:</b>	2016/0227/DET and 2016/0228/LBC
<b>APPLICANT:</b>	National Trust Scotland
<b>DATE CALLED-IN:</b>	20/06/16
<b>RECOMMENDATION:</b>	APPROVE WITH CONDITIONS
<b>CASE OFFICER:</b>	Katherine Donnachie, Planning Officer

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## SITE DESCRIPTION, PROPOSAL AND HISTORY

### Site Description

1. Derry Lodge is a category C listed building of architectural and historic importance. It is a U shaped 1 ½ storey stone and slate property currently boarded up. Historic Environment Scotland's listed building description notes that although small in scale for a hunting lodge, Derry Lodge is the only one of six such lodges on the Mar Lodge estate to remain intact, stating that these lodges made a vital contribution to the functioning of a Victorian hunting estate. They were used to accommodate hunting parties, both for meals and overnight accommodation, when the size of the Estate made frequent returns to the main house impossible. As a part of this Estate, the building also has close connections to the Royal family.
2. It is located in Glen Lui to the north west of Braemar, beside a popular and well known route leading from Linn of Dee up to the head of Glen Lui. Derry Lodge is located at the junction of a number of historic routes and passes leading into the heart of the Cairngorms. This includes the famous Lairig Ghru hill pass leading to Coylumbridge, and paths leading to Tomintoul. Derry Lodge is a well-known destination for hill walkers and cyclists both in its own right as being a relatively short walk from the Linn of Dee car park and also for parties crossing the Cairngorms. It is also a popular destination for wild camping.
3. The site is served by an existing access track from Linn of Dee which is used by the National Trust for the management of the Mar Lodge estate and is part of this core path network. The Lodge has lain vacant for around 20 years when it was last used as a shooting lodge. It is located to the north east of the track within a shelter block of trees. Adjacent to the Lodge and within its environs is a small former hay/larder building.
4. Further north is the Mountain Rescue base located close to the watercourse. This is a wooden building originally built as a stable block for Derry Lodge. There is another small cottage called Luibeg, in the vicinity some 440 metres to the west, with a bothy known as Bob Scot's bothy located further south down the track.
5. The location and context is shown in **Appendix I** containing plans of the proposed development.
6. The site is located within an area covered by numerous environmental designations. It lies within the Cairngorms Massif Special Protection Area (SPA): Cairngorms Special Area of Conservation (SAC), the Eastern Cairngorms SSSI, within a National Scenic Area and adjacent to the River Dee SAC. It also lies within a wild land area as designated by SNH. The woodland surrounding the lodge is also listed on the Ancient Woodland Inventory. The development has been screened by the Local Authority who have confirmed that an Environmental Impact Assessment is not required in this case

## Proposal

7. 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/#searchApplications>

<b>Title</b>	<b>Drawing Number</b>	<b>Date on Plan</b>
Location Plan	L (PL) 001	Aug 2015
Untitled location plan		
*Proposed Site Layout	L (PL) 002	22/01/15
Existing Plans and Elevations	L(LP)03	22/01/15
*Proposed Plans and Elevations	L (LP)004	30/05/16
*Proposed plant room and store	L (PL) 005	30/05/16
Derry Lodge Options Appraisal	L (LP) 006	
*Porch elevations and details	L (PL) 008	Aug 2016
*Drainage	106640/2001 Rev A	31/05/16
Position of test pits		13/08/15
Derry Lodge Photo montage		
*Biomass Boiler Information Request Form		
Structural Inspection	106640	Nov 2014
*Design and Access Statement	N6861	May 2016
*Historic Buildings Survey		
Statement of Significance	N6861	May 2015
*Heritage Impact Assessment	N6861	May 201
Visitor Management Options Appraisal Study	HFM/BR/PI993/v4	27/05/16
*Information to inform a Habitat Regulations Assessment	0938	02/09/16

*Mammal Survey Report SENSITIVE	0938	09/06/16
Draft Bat Species Protection Plan	0938	02/09/16
Bat Survey Report	0938	09/06/16

8. This application seeks full planning permission and listed building consent for the change of use of Derry Lodge from a vacant shooting lodge to tourist hostel accommodation with two applications submitted, one for planning permission (Reference 2016/0227/DET) and one for listed building consent (Reference 2016/0228/LBC) For ease of reporting both cases are being reported in this report.
9. The proposals involve the following works:
- a) Conversion of property to create shared lounge, dining, shower, kitchen, and bedroom accommodation plus staff/meeting room. A total of seven bedrooms are proposed including one 2 person accessible bedroom at ground floor level, four 4 person bedrooms, one 2 person bedroom and one 2 person staff bedroom providing accommodation for up to twenty visitors. This would operate largely in the summer months although the application notes that flexibility has been built in to allow for two self-contained units to be let out in the winter months if required.
  - b) A new flat sedum roofed small extension is proposed to the rear (east) of the lodge providing drying, utility and storage accommodation plus entry to the building- this will result in removal of existing service extension dating from 1950s.
  - c) Reinstatement of front pitched roof porch feature on the lodge which it is understood was removed fairly recently.
  - d) Reinstatement of all windows in the lodge.
  - e) Existing larder/hay barn pitched corrugated iron roof building located to the immediate west of the Lodge to be converted to biomass plant room and log store biomass store. Output of the boiler is 50 kW and woodchips sourced from Mar Lodge Estate will be used. Existing corrugated sheeting is to be re-used where possible, with new sheets of same profile/material to be sourced where necessary. New roller shutter door to be installed and solar panels on the south elevation.
  - f) Attached to this biomass building is lean-to outdoor toilet provision which it is hoped will help address existing issues from human waste by providing toilet facilities.
10. It is proposed that foul sewage be disposed of via a new mound soakaway to be provided in a clearing within the existing trees to the south of Derry Lodge, within the environs of the lodge. Water supply will be via a new borehole and power generation will be off- grid to minimise vehicular movement and maximise sustainability of the development.
11. Access will be via the existing track with the applications making it clear that all visitors will access the site by foot or by Highland ponies, with limited vehicular

access for deliveries. Overall, an increase in trips by land rover to the site from around seven return trips per week at present to nine is anticipated together with around fuel deliveries per year and annual septic tank emptying. Provision to be made for disabled access via Highland Pony transport into the site, together with provision of an accessible bedroom within the building itself.

12. Plans of the layout and elevations are included in **Appendix I** along with visualisations of the completed project and photographs of the existing lodge.
13. Other supporting material has been submitted as follows:
14. Design and Access Statement which explains the design rationale and the approach of ensuring the facility can operate off grid adhering to principles of sustainable development. It sets out the objectives of the project as being to create a flexible hostel facility; restore the building; balance the demands of conservation and functionality within the building; contribute to the architectural and historic character of the building; and undertake conservation work to the highest standards, as well as to reduce the adverse impacts of wild camping and promote access and enjoyment for all. The land and visitor management benefits of this approach are outlined. The statement also explains that the proposals were on public display during an open day at Mar Lodge in May 2016.
15. Statement of Significance which sought to establish an understanding of the importance of the building and its setting to allow informed decisions to be taken about its future.
16. An Historic Buildings Survey was provided together with a Heritage Impact Assessment to evaluate the impact of a hostel use on the listed building and its setting. This assessment details how the changes/renovations to the building will be implemented.
17. These statements conclude that the proposed hostel use, which seeks to retain the original layout and historic fabric of the building with minimal interventions to provide modern facilities, would provide a financially viable new use for the building whilst also preserving and enhancing its historic and landscape interest for the future.
18. A Visitor Management Options Appraisal Study was also provided which looked at the background and context surrounding re-using Derry Lodge as a mountain hostel and set out the key visitor management options. The report sets out that the best way to conserve Derry Lodge was through a positive and active use and suggests that increase in users of this area as a result of the proposals may be in the region of around 3-4% of the existing 130,000 visitors per annum. It is noted that this does not take account of the potential for substitution, for example cyclists and campers choosing to use the hostel. The potential for sensitive oversight of current use of the area is also highlighted as being beneficial in terms of wild land issues. The report further considers management of remote accommodation drawing on experience elsewhere in the world. It highlights other existing accommodation provision in and around Braemar noting that the proposed development may complement this and serve a wide market in line

with the principles of Mar Lodge itself which seeks to serve a non-exclusive market.

19. Supporting material also acknowledges existing issues of wild camping around Derry Lodge, noting that anti-social behaviour and environmental damage associated with this wild camping may be discouraged by the management presence that would arise from the new proposals as well as an opportunity to provide interpretative/educational material. The applicants supporting letter summarising these points is attached as **Appendix 2**.
20. Mammal Survey which considered impacts upon protected species including otter, water vole, badger, pine marten, red squirrel and wildcat. There were no signs of protected species within the application site but there were signs within the survey area with the need for pre-construction surveys and repeat surveys set out. The report included recommendations for working practises on site including lighting and covering of excavations.
21. A report providing information to inform a Habitat Regulations Appraisal was also provided which concludes that due to the relatively discrete nature of the works there is no likelihood of significant effects on European sites. A National Vegetation Survey was carried out too.
22. Bat Survey was initially provided in June 2016 which identified that there were bats present on site at Derry Lodge itself. This did not however give details of how bats would be protected during works or sufficient details on their locations whereby further information was sought. This was duly provided in September 2016 in the form of an updated Bat Survey which included details of activity surveys carried out in 2015, addendum and a draft Species Protection Plan. This work confirmed that there were roosts within the building and provided more detail in this regard.
23. Additional information including Biomass Boiler information request form and a Structural Inspection Report, which concluded that the building is in good structural condition and suitable for conversion, has been supplied. The need for various repairs was also identified.

## History

24. There is no specific planning history on the site itself. It is understood that the proposal was the subject of pre application consultation with Aberdeenshire Council – the CNPA did not input to that process.

## DEVELOPMENT PLAN CONTEXT

### Policies

<b>National Policy</b>	Scottish Planning Policy 2014
<b>Strategic Policy</b>	Cairngorms National Park Partnership Plan 2012 - 2017

<b>Local Plan Policy</b>	Cairngorms National Park Local Development Plan (2015) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	X
POLICY 3	SUSTAINABLE DESIGN	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	X
POLICY 8	SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	X
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER CONTRIBUTIONS	

25. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:

<http://cairngorms.co.uk/uploads/documents/Park%20Authority/Planning/LDPI5.pdf>

26. Other relevant local policies are the National Park Core Paths Plan.

### **Planning Guidance**

27. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	New Housing Development Non-Statutory Guidance	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	X
Policy 3	Sustainable Design Non-Statutory Guidance	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	X
Policy 8	Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	X
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance	

### **CONSULTATIONS**

28. A summary of the main issues raised by consultees now follows:



29. **Historic Environment Scotland** was consulted on the Listed Building application. They have indicated they do need to comment on the proposal as it involves a Category C listed building.
30. **Scottish Natural Heritage (SNH)** was consulted in view of potential impacts upon designated sites. They have noted that the site lies within the Cairngorms Special Area of Conservation (SAC) designated for a number of features including otter and Caledonian forest; the Cairngorms Special Protection Area (SPA) classified for a number of bird species; the Cairngorms Massif SPA classified for its golden eagle; and lies close to the River Dee SAC designated for its otter, Atlantic Salmon and freshwater pearl mussels. Consequently there are natural heritage interests of international importance on the site. In SNH's view these are unlikely to be significantly affected by the proposals.
31. SNH highlight that the site's status means that the requirements of the Habitats Regulations apply and the CNPA is required to consider the effects of the proposal on the SACs and SPAs. It is the view of SNH that the proposal will not have a significant effect on any qualifying interests either directly or indirectly whereby an appropriate assessment is not required. SNH have provided detailed background to this conclusion and highlight that, as noted in the applicants' mammal survey a protected mammal survey should be repeated prior to work starting on site and that suitable buffers should be put in place around nesting birds. Similarly they highlight that it would be good practise for the drainage arrangements to implemented in accordance with a construction method statement setting out how pollution of the Derry Burn will be avoided during construction.
32. **Aberdeenshire Council Roads Development Team** has no objections. They note that use of the National Trust car park is proposed and although this is some distance from the site they do not object noting that a mechanism has been put in place to transport anyone who cannot walk from the car park to the hostel.
33. **Aberdeenshire Council Archaeology Service** noted that the development affects an archaeology site and a listed former shooting lodge. They have asked for conditions to be attached requiring that an archaeological watching brief be carried out and that a photographic survey be provided of the building.
34. **Aberdeenshire Council's Environmental Health Officer** initially requested further detail of the proposed water supply and biomass boiler, including noise levels, in order to comment. On receipt of further information the Officer notes that a new borehole is to be developed for the water supply, and recommends that a condition be attached requiring the applicant to undertake chemical and microbiological analysis to demonstrate that the supply meets the requirements of private water supplies legislation before the building is occupied. The Officer has also confirmed that the information provided in respect of the biomass boiler is satisfactory in terms of air quality and noise, and there are no objections providing it is installed, operated and maintained in accordance with the manufacturer's instructions.

35. **Aberdeenshire Council's Environment Planner** was consulted on the Listed Building Application and whilst considering that the proposal appeared to be sympathetic to the overall character of the property with little external alterations, the Officer sought additional information on the details of the alterations. On receipt of additional information the Officer confirmed satisfaction with the proposals subject to conditions regarding provision of further detail on windows, paintwork, solar panels and external finishes.
36. **Inclusive Cairngorms** has no comment other than to endorse the plans which include an accessible bedroom and accessible facilities on the ground floor.
37. **CNPA Outdoor Access Team** has discussed the proposals with Visitor Management and Economic Development colleagues. The Team advise that the key access issue relates to wild camping which is popular in and around the Derry Lodge site noting that it is foreseeable that without proper management the provision of facilities such as an outside tap and toilets could lead to an increase in wild camping and the risk of associated anti-social behaviours.
38. Consequently, in addition to the ranger/hostel staff being present on site to reinforce messages from the Scottish Outdoor Access Code, it is recommended that steps be taken to limit wild camping in and around Derry Lodge, for example through the use of soft landscaping including tree planting, earth mounding and boulder placement to limit availability of pitches together with drawing up a visitor management plan stating the rationale for managing the number of tents, key promotional messages and core ranger duties.
39. **CNPA Landscape and Ecology Manager** advised that the proposed development is likely to have both adverse and beneficial effects on the landscape special qualities in this part of the National Park. The adverse effects are upon wild land and wildness due to potential for an increase in noise from heating and electrical plant and possibly from increased vehicular movements and lighting. The beneficial impacts would arise from restoring a Category C Listed Building of historic and architectural importance that has associations with the royal family as well as an increased opportunity for a wider range of visitors to enjoy and understand this landscape.
40. The Manager considers that the benefits are considered to outweigh residual adverse effects subject to conditions being attached to control vehicular movements, lighting, mechanical noise and also to secure improved tree regeneration for screening a key viewpoint. It is also advised that informatives be attached to any consent to note that any wind turbines, pole mounted mains services and solar panels not on buildings would be likely to present an unacceptable landscape intrusion and also that a management plan for wild camping in the area would help to reduce the impacts of this activity and so increase enjoyment of the wild qualities of the area.

*Note: in respect of ancillary works as this is a listed building such works would be likely to be require listed building consent and hence be controlled by relevant legislation.*

41. In conclusion, the Manager advises that the development is considered to have relatively minor impacts upon the landscape character of the area because it involves only the restoration of a historic building and replacement of an adjacent outbuilding. The existing access will not be changed/upgraded, whilst the off grid design makes service provision limited to the vicinity of the lodge with the existing woodland effectively screening the development from visual impacts, although there is potential for improved tree regeneration.
42. **CNPA Ecology Officer** considered the originally submitted material and sought further information in respect of bat surveys and species protection plans. Other information relating to habitats and protected mammal surveys was considered to be satisfactory, demonstrating that there would be no adverse impacts although the potential for ecological enhancements by way of removal of spruce was highlighted along with the need for further red squirrel surveys should there be any tree removal. The impact on the woodland was considered to be negligible.
43. In relation to the additional bat survey information provided, the Officer advised that this demonstrates that there are bats using the main part of the building for roosting as well as the attic. This includes rarer species such as the Natterer bat. The roosts in the main building are likely to be destroyed if the renovations go ahead. The draft Species Protection Plan outlines mitigation including timing of works to avoid summer roost season and hibernation roost season; licensed bat worker to be present during works in proximity to bat roosts; two bat boxes to be erected prior to construction to house any bats found during construction with two bat boxes to be left in situ following construction to act as compensation roost sites; provision of bat box for hibernating bats; assumption that attic space will be still available for roosting bats and no lighting on the outside of the building which could impact on bats.
44. Having taken advice from the SNH licensing team, Officers are satisfied that, although follow up surveys will still be required, the information provided to date gives adequate survey coverage of the buildings and proportionate compensation whereby if an updated Species Protection Plan (SPP) and updated survey work were provided then a license would be forthcoming. Officers have considered the proposal in the light of the European Protected Species license tests and conclude that (1) The works will require a licence as bat roosts will inevitably be disturbed and destroyed by the works proposed (2) The proposal is likely to deliver public benefit and there is no alternative plan (unless another building was built next door to act as a hostel, which would not be proportionate) and (3) whilst the impact on roosts is high, and at a Regional Level, with compensation (provided in the SPP) this should be reduced to a low level. It is unlikely that the wider populations of the bat species will be significantly adversely impacted by the proposal.
45. Accordingly the Team are satisfied with the proposals subject to appropriate planning conditions being imposed to secure updated survey work, updated SPP, Construction Method Statement to reference the bat SPP, provision of copy of SNH license and bat monitoring reports.

46. Finally, the Heritage Team also considered the need to carry out a Habitats Regulation Appraisal and concluded, as did SNH, that this was not required as there was unlikely to be a significant adverse effect (either direct or indirect) on the qualifying features of the designated sites. The Team also outlined mitigation measures required in respect of these interests namely, pre- construction breeding bird and otter surveys; construction method statement and details of the septic tank and soakaway in relation to nutrient output into watercourses.
47. **Braemar Community Council** has been consulted and no comments have been provided to date.

## REPRESENTATIONS

48. The applications were advertised and a total of four representations were received which are attached as **Appendix 3**. All were received in relation to the application for full planning permission and include comments from the Mountaineering Council of Scotland and Ramblers Scotland. All representations support the application, raising the following points:
- a) Sensible sustainable use of existing historic building.
  - b) Proposals not inconsistent with re-wilding of surrounding area and they do not detract from wild qualities.
  - c) Positive impact on wild camping in area as a result of toilet provision, and warden/ranger presence will balance out the impacts of additional visitors and reduce anti-social behaviour and fire risks.
  - d) Recommend applicant monitor wild camping in area following conversion and the need for any future management options – Ramblers Scotland happy to advise in this regard.
  - e) If outside toilets are open to all this will provide positive environmental benefits.
  - f) Improved safety as may help reduce time on hills by providing accommodation.
  - g) Welcome restricted access by vehicles and consider that access by pony/foot/cycle should be secured by planning condition.
  - h) Access for all abilities and backgrounds is welcomed, as is flexibility of accommodation for different user groups.
  - i) Care necessary regarding pre booking policy – whilst signage at Linn of Dee car park could highlight need for pre-booking, parties coming from other side may arrive expecting accommodation and it would be unfortunate if they were turned away if there were spare beds. This needs further thought.

## APPRAISAL

50. As noted earlier this is a joint report for Planning Application (2016/0227/DET) and Listed Building Consent application (2016/0228/LBC) for the change of use of a vacant shooting lodge to form tourist accommodation. Both cases raise similar planning issues as set out below, starting with the principle of the development.

## Principle

51. The proposed development seeks full permission to bring back into use a vacant listed building of historic and architectural importance in an iconic location at Derry Lodge, beside a key visitor route into the Cairngorms from the Linn of Dee car park. The principle of finding an effective use for a listed building is considered to be in line with national and local planning policies.
52. More specifically, Policy 2.2: Tourism and Leisure Development of the Cairngorms National Park Local Development Plan seeks to support new development which enhances formal and informal recreation and leisure facilities, tourism and leisure based business activities and infrastructure, including accommodation, providing there are no adverse environmental impacts on the site or neighbouring areas and that it makes a positive contribution to the experience of visitors and adds to or extends the tourist season.
53. In this regard, it is considered that the proposed provision of tourism accommodation, in a popular area for walkers, would comply with the aims of this policy and would help to extend the tourist season in this part of the National Park by providing safe accommodation in a wild area using existing infrastructure. It is also considered that the provision of a well-designed hostel, accessible to all, would provide a positive experience for visitors. This view is shared by those members of the public who have made contributions to the application.
54. It is therefore considered in principle that the proposed development complies with Local Development Plan policy. The details of the submission and how it may comply with other planning policies, including the more detailed requirements of Policy 2.2 relating to the need to ensure there are no adverse environmental impacts, need to be considered.

## Design and Cultural Heritage

55. Policy 9: Cultural Heritage seeks to ensure that development affecting a site, feature, or use of land of local or wider or cultural historic significance or its setting will protect or conserve and enhance the feature and its setting; or take reasonable measures to avoid, minimise and mitigate any adverse effects. In this case the proposed development will fully support these policy objectives and secure the restoration and future use of Derry Lodge which is welcomed, given both its listed status and its cultural importance in terms of its historical associations with the royal family.
56. The design of the proposed alteration and extensions to Derry Lodge and the former hay barn are also considered to be sympathetic to the character and qualities of this important listed building. The building is currently vacant and in poor condition. The renovation, which minimises any alterations or extensions, other than a simple service extension replacing an existing alteration to the rear, is considered to be wholly appropriate. This view is shared by relevant consultees including the Aberdeenshire Council Environment Planner.

57. The details of final finishes and the finer details of the windows would require to be secured by planning condition in the event of the application being supported. However, there is considered to be sufficient information in the submission to date, which is supported by extensive surveys and heritage impact assessment, to demonstrate compliance with Policy 9: Cultural Heritage.
58. The proposed development also fully complies with Local Development Plan Policy 3: Sustainable Design which requires conversions of existing building stock to maintain the style and character of the building.

### **Landscape Impacts**

59. Policy 5: Landscape of the Cairngorms Local Development Plan which seeks to ensure that new development conserves and enhances the landscape character and special qualities of the National Park including wildness.
60. The site lies within a wild land area as designated by SNH and is located in an iconic location on route into the Cairngorms from the popular Linn of Dee car park. Although this is a wild land area, the lodge is an existing building which reads in the landscape in combination with other existing structures, bothies, mountain rescue base and Luibeg Cottage. It is also located within a wooded setting before moving into the wilder landscape beyond.
61. Accordingly, it is not considered that bringing this former shooting lodge back into a hostel use would detract from these wild land qualities. Indeed the restoration of the lodge would be beneficial in landscape terms as opposed to its continued deterioration. Whilst the new use will attract further users into the areas this may be viewed as a positive aspect in terms of giving more people the opportunity to enjoy and experience the special qualities of the National Park. This view is of course dependent on careful consideration of any residual impacts from the development as noted by the CNPA Heritage Team. Consequently, in the event of the application being supported, it would be essential to ensure that care was taken to preserve this wild setting and qualities, for example through control of lighting and any other ancillary “domestic” style alterations which could change the character of the area. Suitable planning conditions could be attached to this end.
62. In terms of landscape impact it is also important to ensure that the existing character is maintained by controlled vehicular access to the site and avoiding any car parking in the grounds of Derry Lodge, which would detract from its character as well as introducing noise and disturbance into a wild land area. It is proposed that visitors will access the site by non-motorised means which will deliver this objective, and this can be controlled by planning conditions.
63. In these circumstances it is considered that the proposed development complies with Policy 5: Landscape of the Local Development Plan.

## Environmental Issues

64. Policy 4: Natural Heritage of the Cairngorms Local Development Plan requires that new development should not adversely affect natural heritage interests highlighting the need to ensure that any development which has a significant effect on a Natura 2000 site must demonstrate no adverse effect on the integrity of the site.
65. This site lies within an area covered by numerous environmental designations of international and national importance. The impacts upon these interests have been carefully considered by heritage and SNH colleagues and it is concluded that there is unlikely to be a significant adverse effect, either directly or indirectly, upon the qualifying features of the designated sites. Some mitigation will be necessary in terms of construction methods and pre-construction breeding bird and otter surveys, but this may be addressed by the imposition of appropriate planning conditions in the event of the application being supported.
66. A further key natural heritage issue in this case is that of impacts upon bats, which are a European Protected Species. There will be impacts upon bats roosting in Derry Lodge and these may be mitigated by measures such as provision of alternative bat roosts, safeguarding roosts in the attic, construction timing, and carrying out further survey work to inform a final Species Protection Plan. Information provided to date has satisfactorily demonstrated that it will be possible to mitigate impacts and for SNH to issue a license. In the event of the application being supported appropriate planning conditions would require to be attached to any planning consent to ensure that further details are provided in the form of a finalised Bat Species Protection Plan and that this is then implemented fully.
67. Another key environmental issue in this area is that of wild camping which is already commonplace and popular at this location. Adverse environmental impacts can arise from wild camping in relate to issues of human waste, including toilet waste and litter, fire-making, as well as the potential for other anti-social behaviour. This is an existing issue in the area and the current application cannot reasonably be expected to resolve this matter. However, whilst the proposed development will attract more visitors into the area, it is also making provision for open toilet facilities which will help to address any existing issues of human waste. In addition the presence of a resident warden on site will provide greater supervision which will be of benefit. Whilst the provision of the toilet facility may attract more users this is likely to be balanced by the reduction in anti-social behaviours. Consequently, there is considered to be potential for the proposed development to help to positively address existing environmental issues here.
68. Finally in this regard, there may be some potential for wild camping to be relocated further up the glen if campers felt that Derry Lodge once occupied reduced their experience of a "wild" area. This is management issue which could, as noted by the Outdoor Access Team, be addressed by visitor management measures. To this end it if the application were approved then

appropriate planning conditions could be attached to secure provision and implementation of an appropriate visitor management plan containing information on educational, interpretive and other measures to maximise understanding of the special qualities of the area and minimise environmental impacts.

69. In these overall circumstances, the application is considered to comply fully with Policy 4: Natural Heritage.

### **Servicing**

70. Policy 3: Sustainable Design and Policy 10: Resources of the Cairngorms Local Development Plan require that new development includes an appropriate means of access, promotes sustainable transport methods, make sustainable use of resources, and avoids adverse impacts on the water environment. Policy 7: Renewable Energy supports proposals for renewable energy generation subject to appropriate access, complementing the sustainability credentials of the development and conserving and enhancing the special qualities of the National Park.
71. The development is appropriately serviced by an existing track which provides for service access. Visitors will come to the site by non-motorised transport with parking available at the foot of the access track at Linn of Dee. These arrangements are considered to be entirely appropriate for the proposed use and are satisfactory to the Roads Authority. Drainage and water supply will be provided by private arrangements within the site which is acceptable in principle. Appropriate planning conditions would require to be attached in the event of the application being approved to ensure that details of the water supply are approved. Finally, in terms of servicing, the proposal includes provision for off grid energy generation by way of biomass heating and solar panels which will help minimise environmental and landscape impacts.
72. The application is therefore considered to comply with Policy 3: Sustainable Design, Policy 7: Renewable Energy and Policy 10: Resources.

### **Public Access Issues**

73. Policy 3: Sustainable Design of the Cairngorms Local Development Plan requires that new development should maintain and maximise all opportunities for responsible outdoor access including links into the existing path network.
74. In this case the proposed development is ideally situated in terms of its location beside key routes into the heart of the National Park. It provides for good all round accessibility for users of the facility with measures in place to transport less able persons up to the site so that they too may experience the setting and landscape. Provision of hostel accommodation here will allow for more people to access the area and enjoy its special qualities, with the opportunity to walk on to other locations from Derry Lodge.



75. As noted in the applicants' submission, the ethos of the application is to provide accommodation for a non-exclusive market which complies fully with the requirements of Policy 3 to maintain and maximise all opportunities for responsible outdoor access. It is however important that the principles of the applicants' submission regarding how visitors will be managed in terms of advance bookings and operation of the hostel are adhered to. It is therefore important that issues such as how the applicants publicise this (for example by signage at key approaches) to ensure that the approach of retaining the qualities of the area are delivered. This may be addressed by appropriate planning conditions in the event of the application being supported.
76. Finally, in terms of responsible outdoor access, the proposed development offers an ideal opportunity to help address any existing issues arising from public access into this area in terms of wild camping.
77. In these circumstances the application is considered to comply fully with Policy 3: Sustainable Design.

### **Other Issues Raised in Consultations and Representations**

78. Key issues raised by representations and consultees have been considered throughout this report and it is noted that Ramblers Scotland have offered to provide advice to the applicants in terms of ongoing monitoring of any management issues.

### **CONCLUSION**

79. The proposed development is considered to represent an appropriate and sympathetic re-use of an important listed building located in the heart of the National Park. The proposed use, whilst similar to the original lodge use, offers the opportunity to allow a wider range of people to enjoy and experience the special qualities of the National Park and also offers an opportunity to address any existing issues associated with use of the area for wild camping. The design of the proposed alterations is sympathetic and the character and landscape setting of Derry Lodge is being retained. Consequently, the development is considered to comply fully with planning policies of the Cairngorms Local Development Plan 2015.
80. Approval is therefore recommended subject to appropriate planning conditions being attached to ensure there are no adverse environmental impacts, including any impacts upon the wild land qualities, and that the development is delivered as proposed.

## RECOMMENDATION

**That Members of the Committee support a recommendation to GRANT FULL PLANNING PERMISSION AND LISTED BUILDING CONSENT for the Change of Use of Existing Derelict Shooting Lodge to Form Tourist Hostel Accommodation (including staff accommodation), Existing Games Larder/Hay Barn to Biomass Plant Room/Store and Siting of Wood Chip Store at Derry Lodge, Braemar subject to the following conditions.**

Two separate decision notices will be issued, with the decision notice for Listed Building Consent relating solely to conditions pertaining to those aspects that require listed building consent.

Conditions listed in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.

### **FULL PLANNING PERMISSION (REFERENCE 2016/0227/DET)**

- i. No development shall commence on site until a finalised Bat Species Protection Plan (SPP) informed by further bat surveys (all as set out in the draft SPP) is submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Scottish Natural Heritage.**

**The revised SPP shall include:**

- (a) recommendations for the design of the building works to provide features that will allow bats to continue to use the attic once the development is complete i.e. bat slates and bat friendly ridge plates,**
- (b) compensation measures for each roost type including specific reference to a compensatory roost for Natterer's bat by bat box or attic access,**
- (c) the location and design of all bat boxes which shall be erected by a licensed bat worker,**
- (d) details of ongoing monitoring of SPP for a further two years from implementation, and,**
- (d) a timetable for the works.**

**Thereafter, all works shall be implemented and monitored in accordance with the revised SPP. Annually, monitoring reports (including any remedial actions) shall be provided to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Scottish Natural Heritage. Remedial/mitigation actions shall be implemented in accordance with the agreed monitoring report.**

**A copy of any license from SNH shall also be provided to the Cairngorms National Park Authority before any development commences on site.**

Reason: To ensure that bats are appropriately protected with any impacts adequately mitigated in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

2. **No development shall commence on site until a site specific Construction Method Statement is submitted to and approved in writing by the Cairngorms National Park Authority. This Statement shall include:**
  - (a) **details of construction methods to ensure that there is no pollution of adjacent watercourses;**
  - (b) **details of installation, position and design of the proposed drainage system to ensure there are no adverse impacts in terms of nutrient output into watercourses;**
  - (c) **confirmation that working practises will take into account the mitigation measures outlined in the approved Bat Species Protection Plan (as required by Condition 1), mammal survey and the information provided to inform a habitat regulation assessment and how these will be adhered to during construction;**
  - (d) **details of storage of construction materials and plant;**
  - (e) **details of lighting proposals during construction;**
  - (f) **details of how construction vehicles will access the site and where they will park; and**
  - (g) **details of how surface water will be dealt with during construction.**

**Construction shall thereafter proceed in accordance with the approved CMS. Monthly monitoring reports shall be provided by the Ecological Clerk of Works to the Cairngorms National Park Authority, acting as Planning Authority, during the construction phase unless otherwise agreed in writing with the Cairngorms National Park Authority.**

Reason: To ensure that there is no pollution or siltation of watercourses and ultimately the River Dee, during construction or any adverse impacts to or disturbance of protected species which may adversely affect the qualifying interests of designated sites or cause harm to protected species, in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

3. **No development shall commence on site until a detailed landscape scheme has been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority. This scheme shall include:**

- (a) **details of existing trees to be retained and measures for their protection;**

- (b) details of trees to be removed;**
- (c) proposals for regeneration planting including species, planting distances and sizes;**
- (d) details of maintenance together with details of fencing to facilitate natural regeneration;**
- (e) details of any ground or ancillary works proposed including at the rear of Derry Lodge, illustrating existing and proposed ground levels and reflecting the need to retain an open, uncluttered aspect around Derry Lodge; and**
- (f) details of any boundary enclosures and hard standing areas/paths, to reflect the need to retain an open uncluttered aspect around Derry Lodge.**

**Works shall thereafter proceed in accordance with the approved scheme with all approved planting and protection works implemented in the first planting season following completion of the development hereby approved. The landscaping shall thereafter be retained and maintained on site.**

Reason: To ensure that an appropriate landscape setting is maintained and provided in accordance with Policy 5: Landscape and Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2015.

- 4. No development shall commence on site until details of the archaeological organisation retained by the developers to implement an archaeological watching brief have been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Aberdeenshire Council Archaeology Service. The watching brief shall be implemented during any ground breaking and development work with the retained archaeological organisation afforded access at all reasonable times and allowed to record and recover items of interest and finds. The Terms of Reference for the watching brief will be supplied by Aberdeenshire Council.**

**If any archaeological features are to remain in situ and are not to be exposed by any proposed ground breaking, these shall be protected during development works in accordance with a method statement to be submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Aberdeenshire Council Archaeology Service before any development commences on site.**

Reason: To ensure that the archaeological value of an area is recorded in accordance with Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2015.

- 5. No development shall commence on site until a photographic survey of all buildings on site has been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning**

**Authority, in consultation with Aberdeenshire Council Archaeology Service. This shall include all internal and external elevations together with the setting of the building and any unusual features. Photographs should be clearly annotated on plan and in digital files (jpeg, tiff, pdf) submitted by e mail or CD and labelled with the planning reference number 2016/0227/DET, the national grid reference and place name.**

Reason: To ensure that a historic record of the building is provided for recording in the local sites and monuments record in accordance with Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2015.

6. **No development shall commence on site until a pre-commencement breeding bird survey and pre-commencement repeat protected mammal surveys (including otter survey and red squirrel survey) have been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority. Any mitigation measures arising from these surveys shall be implemented in accordance with the approved surveys, including the provision of suitable buffers around nesting birds as necessary.**

Reason: To ensure that there is no disturbance to breeding Schedule I birds which form part of the qualifying interests of the Special Protection Areas, to otter which are a European Protected Species and a qualifying interest of the River Dee SAC, or to protected mammals all in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

7. **No development shall commence on site until a Visitor Management Plan has been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority. This plan shall include:**

- (a) details of any proposals for interpretation and educational measures on the site;**
- (b) details of how visitors will be advised of how to book accommodation including consideration of providing information at the approach tracks;**
- (c) management measures to address interface of wild camping and hostel uses including any measures to address any translocation of wild camping that may occur;**
- (d) monitoring regime;**
- (e) timetable of works as appropriate.**

**The development shall thereafter be implemented in accordance with the approved details within the Visitor Management Plan.**

Reason: To ensure that impacts on the wild land and landscape qualities of the area are not adversely affected, and to ensure that the visitor experience is

maximised in accordance with Policy 5: Landscape and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

8. No work shall commence on the conversion of Derry Lodge or the provision of the biomass boiler house until the following details are submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Aberdeenshire Council's Environment Planner:

- (a) a conditions survey of any windows to be replaced, including velux/skylights, supported by large scale (1:5/1:10;1:20) section and elevation drawings of the proposed replacements detailing dimensions, glazing patterns, ventilation and opening methods;
- (b) details of the colour, including samples, of all external paintwork supported by an assessment of why the final colour was chosen, based on evidence from the existing building and wider estate;
- (c) details of the solar panels on the biomass boiler housing by way of type, size, location and design; and
- (d) details, by way of sample and drawings with full specification annotated, of all proposed external finishes including details of doors, rainwater goods, etc. for the entire development.

Thereafter the development shall be implemented, retained and maintained, in accordance with these approved details and the approved Heritage Impact Assessment unless otherwise agreed in writing with the Cairngorms National Park Authority.

Reason: To protect the character and integrity of the listed building and to preserve or enhance the character and appearance of the surrounding area in accordance with Policy 3: Sustainable Design, Policy 5: Landscape and Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2015.

9. No external lighting shall be erected or installed until details of the proposed lighting have been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Scottish Natural Heritage. Such details shall reflect the need to:
- (a) minimise spillage of light;
  - (b) ensure that lighting is not directed towards watercourses; and
  - (c) the requirement for external lighting to be restricted to the entrance doors to the lodge and the public toilets. This lighting shall be at the lowest light level with all light fall directed straight downwards.

Thereafter all lighting shall be installed as per the approved details before the building is brought into use and retained and maintained as per the approved details unless otherwise agreed in writing with the Cairngorms National Park Authority

Reason: To ensure that the wild remote quality of the area, and the special landscape qualities of the National Park are protected, to prevent glare in the surrounding area and any adverse impact on bat emergence points and flight lines all in accordance with Policy 5 Landscape, and Policy 4 Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

10. The development hereby approved shall not be occupied until details of the proposed private water supply, including appropriate chemical and microbiological testing to demonstrate that the supply is of a suitable quality, have been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Aberdeenshire Council Environmental Health Officers. The development shall not be occupied until it is connected to the approved supply.

Reason: To ensure that an adequate private water supply is provided in the interests of human health and in accordance with Policy 3: Sustainable Design and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

11. The biomass boiler shall be installed in accordance with the approved plans and thereafter operated and maintained in accordance with the manufacturer's instructions. All mechanical plant shall be enclosed within a sound proofed structure, in accordance with details that shall have been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority.

Reason: To ensure that there are no adverse noise or air quality issues arising from operation of the facility and to ensure protection of the character and integrity of the listed building and its setting, in accordance with Policy 3: Sustainable Design, Policy 9: Cultural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

12. All visitors staying at the approved development shall access the site by non-motorised transport (e.g. by pony, foot or bicycle) and the existing track from the Linn of Dee car park shall not be widened or altered.

Reason: To ensure that the wild remote quality of the site and its environs is retained in accordance with Policy 5: Landscape and Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

13. The external toilet hereby approved shall be maintained open at all times, unless otherwise agreed in writing with the Cairngorms National Park Authority.

Reason: To seek to reduce the environmental impacts of wild camping in the area in accordance with Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

**Informatives:**

1. The development hereby approved must commence within 3 years of the date of this decision notice. If development has not commenced within this period then this planning permission will lapse.
2. The person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work with the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.
3. Following completion of the development, a notification of the completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.
4. It is recommended that construction work (including the loading/unloading of delivery vehicles, plant or other machinery) should not take place outwith the hours of 0800 hours to 1900 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays or at any time on Sundays or Bank Holidays in order to minimise disturbance to people recreating in the area.
5. You are referred to comments from Ramblers Scotland available on the CNPA website in respect of future management/monitoring of the site and it is recommended that you may wish to make contact with that organisation.

**LISTED BUILDING CONSENT (REFERENCE 2016/0228/LBC)**

1. **No work shall commence on the conversion of Derry Lodge until the following details are submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority in consultation with Aberdeenshire Council's Environment Planner:**
  - (a) **a conditions survey of any windows to be replaced, including velux/skylights, supported by large scale (1:5/1:10;1:20) section and elevation drawings of the proposed replacements detailing dimensions, glazing patterns, ventilation and opening methods;**



- (b) details of the colour, including samples, of all external paintwork supported by an assessment of why the final colour was chosen based on evidence from the existing building and wider estate:**
- (c) details, by way of sample and drawings with full specification annotated, of all proposed external finishes including details of doors, rainwater goods, etc. for the entire development.**

**Thereafter the development shall be implemented in accordance with these approved details and the approved Heritage Impact Assessment, unless otherwise agreed in writing with the Cairngorms National Park Authority.**

Reason: To protect the character and integrity of the listed building and to preserve or enhance the character and appearance of the surrounding area in accordance with Policy 3: Sustainable Design, Policy 5 Landscape and Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2015.

- 2. No development shall commence on site until details of the archaeological organisation retained by the developers to implement an archaeological watching brief have been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Aberdeenshire Council Archaeology Service. The watching brief shall be implemented during any ground breaking and development work with the retained archaeological organisation afforded access at all reasonable times and allowed to record and recover items of interest and finds. The Terms of Reference for the watching brief will be supplied by Aberdeenshire Council.**

**If any archaeological features are to remain in situ and are not to be exposed by any proposed ground breaking, these shall be protected during development works in accordance with a method statement to be submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Aberdeenshire Council Archaeology Service before any development commences on site.**

Reason: To ensure that the archaeological value of an area is recorded in accordance with Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2015.

- 3. No development shall commence on site until a photographic survey of all buildings on site has been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Aberdeenshire Council Archaeology Service. This shall include all internal and external elevations together with the setting of the building and any unusual features. Photographs should be clearly annotated on plan and in digital files (jpeg, tiff, pdf)**

**submitted by e mail or CD and labelled with the planning reference number 2016/0227/DET, the national grid reference and place name.**

Reason: To ensure that a historic record of the building is provided for recording in the local sites and monuments record in accordance with Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2015.

- 4. No development shall commence on site until a finalised Bat Species Protection Plan (SPP) informed by further bat surveys (all as set out in the draft SPP) is submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Scottish Natural Heritage.**

**The revised SPP shall include:**

- (a) recommendations for the design of the building works to provide features that will allow bats to continue to use the attic once the development is complete i.e. bat slates and bat friendly ridge plates,**
- (b) compensation measures for each roost type including specific reference to a compensatory roost for Natterer's bat by bat box or attic access,**
- (c) the location and design of all bat boxes which shall be erected by a licensed bat worker,**
- (d) details of ongoing monitoring of SPP for a further two years from implementation, and,**
- (d) a timetable for the works.**

**Thereafter, all works shall be implemented and monitored in accordance with the revised SPP. Annually, monitoring reports (including any remedial actions) shall be provided to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Scottish Natural Heritage. Remedial/mitigation actions shall be implemented in accordance with the agreed monitoring report.**

**A copy of any license from SNH shall also be provided to the Cairngorms National Park Authority before any development commences on site.**

Reason: To ensure that bats are appropriately protected with any impacts adequately mitigated in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

#### **Informatives:**

- I. The development hereby approved must commence within 3 years of the date of this decision notice. If it has not commenced within this period then this listed building consent shall lapse.**

2. It is recommended that construction work (including the loading/unloading of delivery vehicles, plant or other machinery) should not take place outwith the hours of 0800 hours to 1900 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays or at any time on Sundays or Bank Holidays in order to minimise disturbance to people recreating in the area.

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.