
CAIRNGORMS NATIONAL PARK AUTHORITY

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

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(DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: PLANNING APPLICATION FOR INFILLING AND RE-INSTATEMENT OF REDUNDANT RESERVOIR AND ASSOCIATED FILTER BED TANK AT CASTLETON RESERVOIR AND FILTER TANK INVERCAULD ESTATE BRAEMAR

REFERENCE: 10/030/CP

APPLICANT: SCOTTISH WATER, C/O BELL INGRAM, 17 ALBERT TERRACE, ABERDEEN

DATE CALLED-IN: 5 FEBRUARY 2010

RECOMMENDATION: APPROVAL

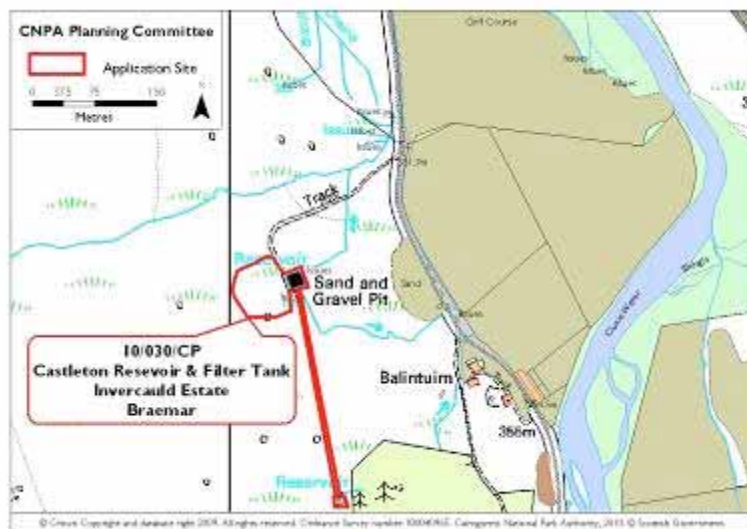


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This application seeks to reinstate a redundant reservoir and a filter bed on land on the lower slopes of Morrone which is approximately one and half miles south of Braemar on the west side of the Cluny Water near Balintuim. Scottish Water have stated that the sites have now become surplus and as part of their objective for assets which have become surplus and no longer part of the public water network to dispose and transfer liability in them. Scottish Water has two such assets as part of this application which both involve infilling and re-seeding. The applicant's agent has advised that the re-instatement of each site will be done in tandem with the establishment of a forest by the estate, which the sites will form part of.
2. The first asset to be discussed is the Castleton Reservoir. It is positioned approximately 200 metres above the Old Military Road on a mixed heather/grass slop. The reservoir occupies an area approximately 16 metres by 16 metres, with 45 degree angled sides which are lined with pointed masonry to a depth of approximately 3 metres below ground level. The applicants have stated that a small amount of water still flows into the reservoir, though the depth of water is now limited to approximately 1 metre with an outlet drain not allowing this depth to increase, with the water going into a ditch below.
3. The applicants wish to in-fill the reservoir upto ground level and state this will be done using "material which will be scraped evenly from the slope immediately above the reservoir". The applicants state that this would involve "carefully stripping off the top layer and vegetation from this area and laying it on one side, scraping a shallow and even depth of material from it down into the reservoir to minimise topography changes and then re-spreading the stored top-soil and vegetation over the stripped area. The reservoir area would be topped with a layer of soil and reinstated as required with a native grass/heather mix."
4. The second asset is approximately 300 metres south of the Castleton Reservoir and is currently a redundant filter tank. The filter tank, which is also proposed to be in-filled, measures approximately 7 metres x 4 metres x 1.8 metres deep. The applicant states that the tank is now empty and there is no flow of water through it. The applicants state that they wish to infill the filter tank up to ground level using material that has been used to form an embankment around the tank. The tank would then be re-instated with a native seed mix. The pipework linking the two sites and included within this application will be kept in the ground and no works are proposed for its removal
5. The site lies within an area granted consent for forestry and an SRDP grant application has been approved for these works. The estate owns these sites and the surrounding land and it is this area which they intend to plant with trees.

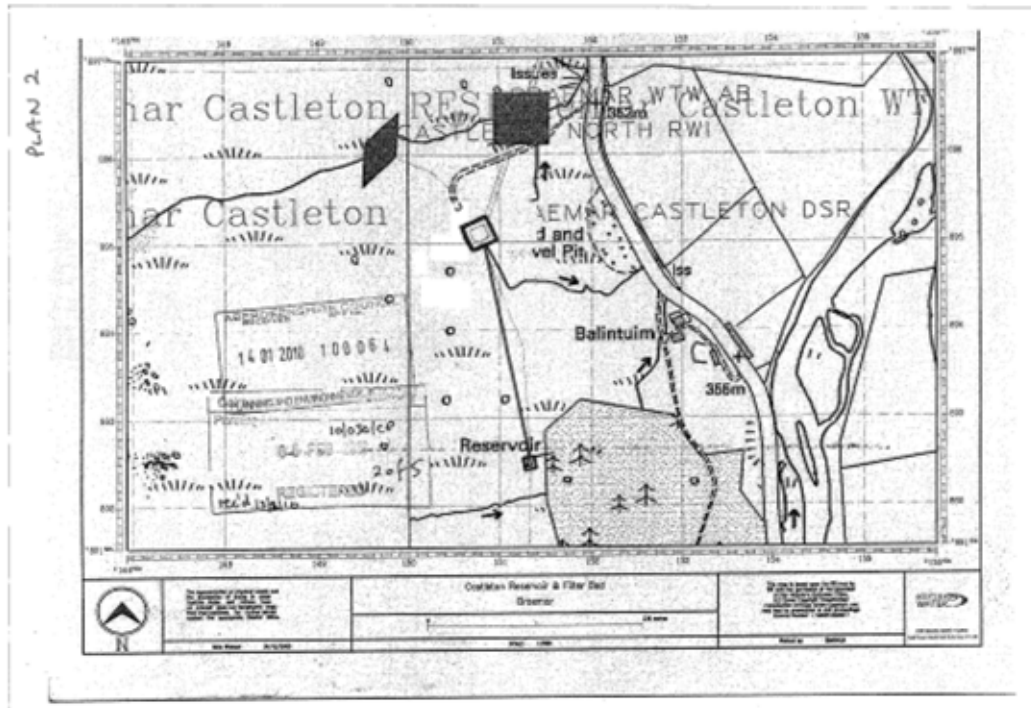


Fig. 2 – Plan showing location of the Castleton Reservoir and filter tank.

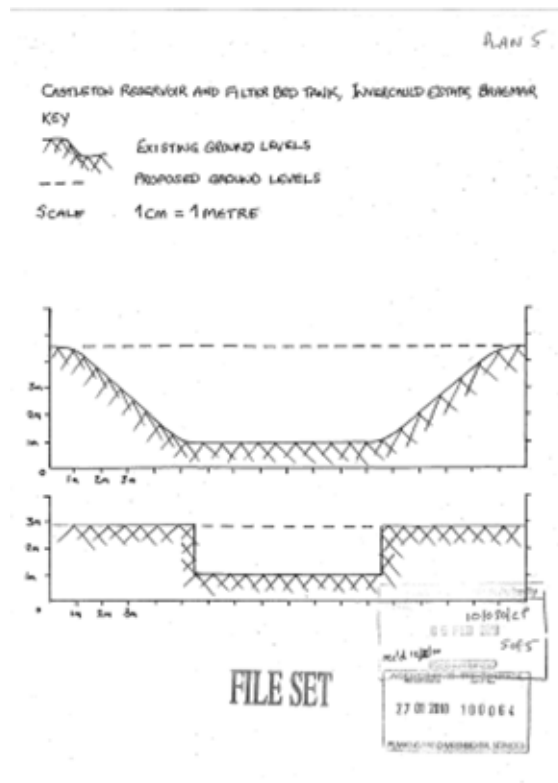


Fig. 3 – Plan showing existing and proposed ground levels.



Fig.4 – Photo showing Castleton reservoir



Fig.5 – Photo showing filter bed tank

DEVELOPMENT PLAN CONTEXT

Cairngorms National Park Plan 2007

6. Strategic objectives for Landscape, Built and Historic Environment include; ensuring that development complements and enhances the landscape character of the Park.

Aberdeenshire Local Plan 2006

7. **Policy Env\5A National Scenic Areas** states that development that would have an adverse effect on a National Scenic Area will be refused unless the developer demonstrates
 - a) any significant adverse effects on the quality for which the area has been designated are clearly outweighed by social and economic benefits of national importance;
 - b) the objectives of the designation and overall integrity of the area will not be compromised; and
 - c) there is no alternative site for the development

CONSULTATIONS

8. **Braemar Community Council** has not made any comments at the time of writing the report
9. **Scottish Natural Heritage (SNH)** has commented on the proposals and does not object to this development proposal. SNH have commented that although the site lies close to the River Dee Special Area of Conservation (SAC) it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. SNH advise that an appropriate assessment is therefore not required.
10. **CNPA Heritage and Land Management (HLM)** has commented on the proposals and has said the site lies within an area that exhibits many of the special qualities of the park within a small area, mountains, moorland woodland, strath, farmland and river and which is a gateway to the settlement of Braemar. The tank is hidden from public view and the small scale of the operations does not cause a landscape concern. The reservoir whilst not being particularly prominent will be filled in using material scraped from the slopes above and to the west of the structure. This area of disturbed ground will contrast with the adjacent areas of rough grazing and be visible from the public road for a period of some time. The degree of contrast and longevity of the 'scar' will be lessened by the proposed removal and safe storage of the top layer of soil and vegetation prior to scraping the area evenly to win fill material. The stored topsoil and

vegetation will subsequently be replaced over the stripped area and the filled-in reservoir be seeded. HLM state that the whole area may within a very short time be subject to a SRDP woodland scheme. However, there is still a strong case for proper restoration and reinstatement of the area prior to tree planting in order to reduce the landscape and visual impact that would persist for a period despite tree planting and to reduce the risk of future soil loss from the site. HLM has recommended a number of conditions in order to secure satisfactory restoration and reinstatement.

REPRESENTATIONS

11. The proposal was advertised in the Piper and Herald on the 5th February 2010 and no representations have been received.

APPRAISAL

12. This application seeks to reinstate a redundant reservoir and a filter bed on land on the lower slopes of Morrone which is to the south of Braemar. The key issue to consider is whether the re-instatement of the redundant reservoir and filter bed using soil surrounding the site will have an adverse landscape impact.
13. The applicants have submitted a supporting statement explaining how they propose to carry out the works and have stated for the reservoir that "this would involve carefully stripping off the top layer and vegetation laying it to one side, scraping a shallow and even depth of material from it down into the reservoir to minimise topography changes and then re-spreading the stored top soil and vegetation over the stripped area. The reservoir area would be topped with a layer of soil and reinstated with a native grass/heather mix". Their plans for the filter tank are to infill the tank up to ground level using material that has been used to form an embankment around the tank. The tank area would then be re-instated with a native seed mix.
14. It is considered that the in-filling and reinstatement of the redundant reservoir and associated filter tank using the methods proposed would not cause any significant landscape impact. Furthermore, given that the applicants intend to re-instate the sites with a suitable seed mix once the reservoir and filter tank have been in-filled then this should further minimise any short term landscape impact and also the landowner of the estate has stated they "intend to include this part of the hill face, including these two water sites, with-in a native woodland tree scheme in the near future. This work will involve enclosing the scheme area with deer fencing". It is considered that the estates tree plantation plans will further mitigate any landscape impact from the in-filling and through the use of a landscaping condition we can regulate this.
15. However, the scraping of the soil to facilitate the reinstatement of the reservoir causes more concern. Provided this work is undertaken sensitively any adverse impacts can be mitigated. In this respect HLM have recommended conditions to facilitate a satisfactory reinstatement.

IMPLICATIONS FOR THE AIMS OF THE PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

16. It is considered that re-instating the ground to its original condition with a seed mix planted of heather will improve the sites natural heritage. The proposal will not impact on the cultural heritage of the area.

Promote Sustainable Use of Natural Resources

17. The proposal has no particular relevance to this aim.

Promote Understanding and Enjoyment

18. The proposal has no particular relevance to this aim.

Promote Sustainable Economic and Social Development

19. The proposal has no particular relevance to this aim.

RECOMMENDATION

That Members of the Committee support the following recommendation to:

Grant Full planning permission for in-filling and reinstatement of redundant reservoir and associated filter tank at Castleton Reservoir, Invercauld Estate, Braemar, subject to the following conditions:

1. The development to which this permission relates must be begun within 3 years from the date of this permission

Reason To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 or amended by the Planning etc (Scotland) Act 2006

2. Prior to the commencement of any works on site a landscaping scheme shall be submitted to and approved in writing by the CNPA acting as planning authority. The landscaping shall be carried out in conjunction with the approved works unless otherwise agreed in writing by the CNPA acting as planning authority and shall be maintained for a period of five years. Any plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing with the CNPA acting as planning authority.

Reason To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development

3. Prior to the commencement of any works a method statement of the proposed infilling of the reservoir and adjacent soil removal shall be submitted to and approved in writing by the CNPA acting as planning authority. The method statement shall include details of the removed

topsoil and vegetation storage, handling and installation within the former reservoir.

Reason In the interests of natural heritage and visual amenity of the surrounding area

Advisory Note

SNH have produced an advisory note on the re-establishment of heather on mechanically disturbed areas. This can be found at the following web address
[http://www.snh.org.uk/publications/on-line/advisory notes/44/44.htm](http://www.snh.org.uk/publications/on-line/advisory_notes/44/44.htm)

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20 March 2010

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.