
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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

DEVELOPMENT PROPOSED: FULL PLANNING PERMISSION FOR ERECTION OF 2 SELF CATERING UNITS AT GAIRNSHIEL LODGE, GLEN GAIRN, BALLATER

REFERENCE: 09/324/CP

APPLICANT: MR. & MRS. BUCHANAN
c/o STEWART ANDERSON

DATE CALLED-IN: 16 OCTOBER 2009

RECOMMENDATION: GRANT WITH CONDITIONS

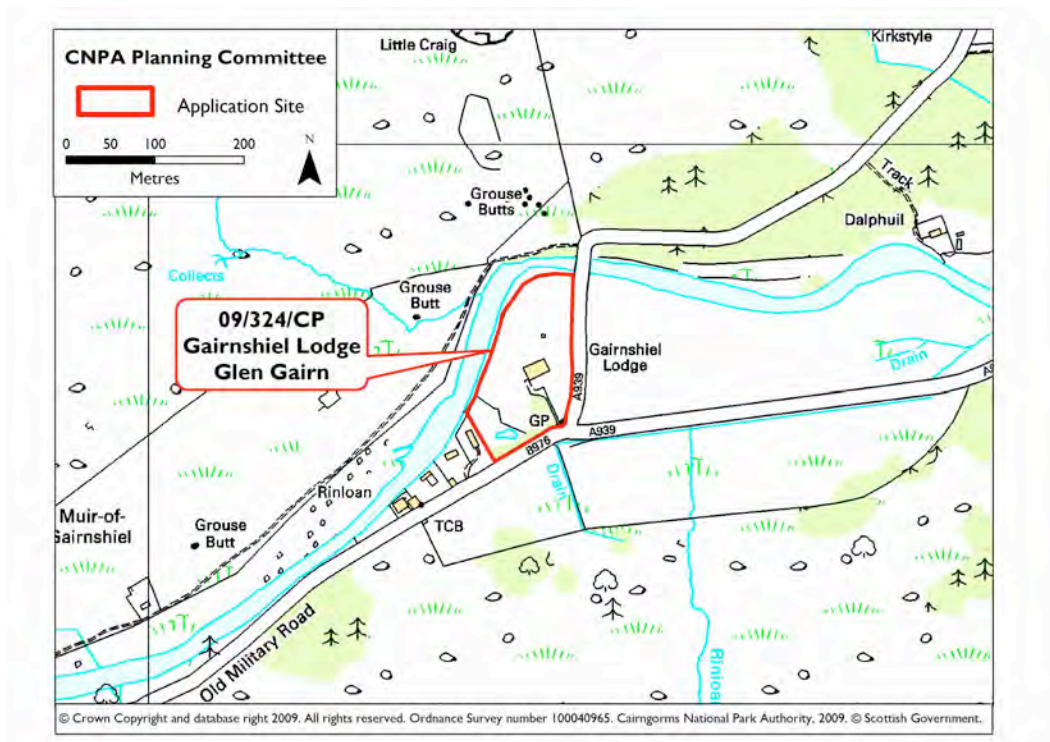


Fig. 1 - Location Plan

SITE DESCRIPTION

1. Planning Permission is sought for the construction of 2 detached self catering units within the grounds of Gairnshiel Lodge, Glen Gairn, adjacent to the Gairnshiel Bridge.



Fig. 2. Gairnshiel Lodge

2. Gairnshiel Lodge is a former Victorian hunting lodge built in 1764; it is not a listed building. It sits in approximately 5 acres (2ha) of grounds which is bounded by stone walls to the roadsides on its east and south sides but open to the north to the River Gairn. To the immediate north east is the Gairnshiel Bridge which is a Category A-Listed Building (national and international importance). There is a row of mature Scots Pine within the grounds close to the road on the south side and the remnants of a pond to the west side of the site. The Lodge sits as part of a group of buildings at the locality, which include several traditional houses and converted outbuildings.

Proposal

3. The proposal is to construct 2 detached self catering units within an area to the south side of the grounds, immediately adjacent to the existing Scots Pine shelter belt and facing inwards towards the site and the lodge. These would be chalet type buildings with pitched roofs, 6.0m in height, 10.7 m wide and 11.3m in depth, with additional porches and kitchen areas outwith the main building envelope. The units would be finished in vertical larch cladding, stained brown or an appropriate colour to be agreed, with traditional slate roofs and timber sash and case windows. They would provide accommodation comprising 2no. bedrooms, bathrooms, living room and kitchen/dining facilities. A number of amendments have been made, including moving the units closer together, removing the false chimneys and reducing the number of and proportion of the windows to reflect a building which would appear to be more of a 'bothy.'

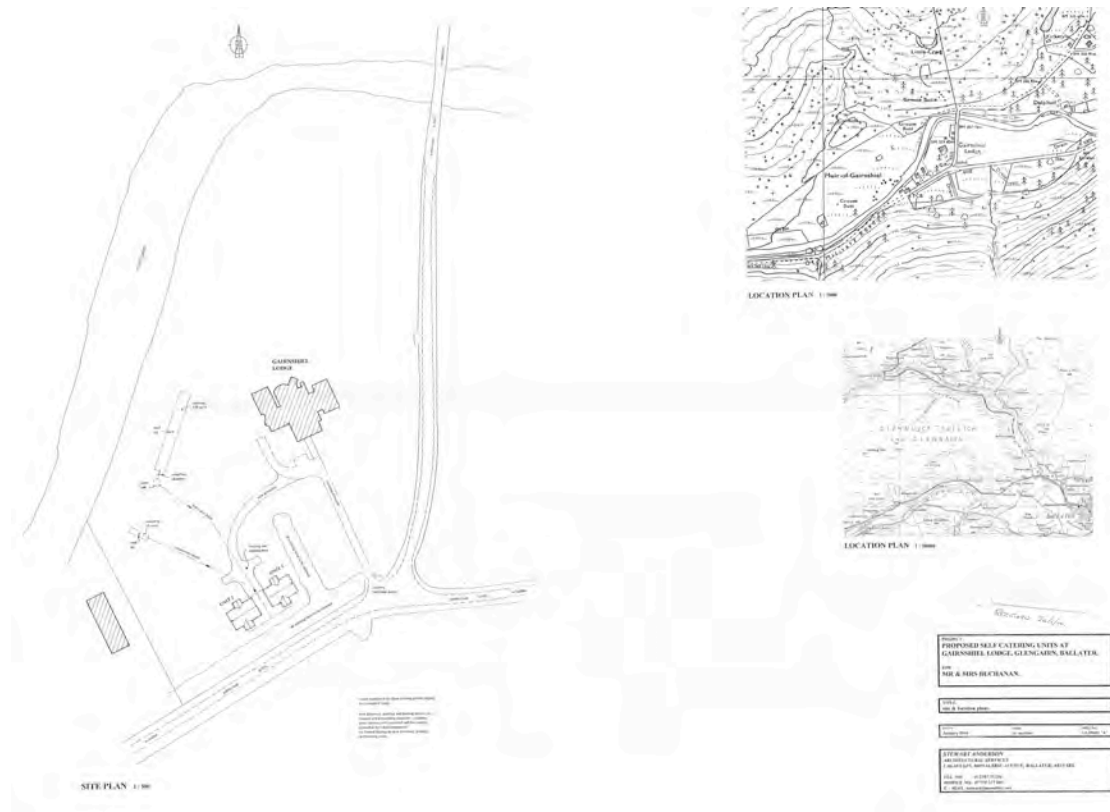


Fig. 3. Site Plan



Fig. 4. Chalet Unit Elevations and Floor plan

4. A septic tank is proposed for the treatment and disposal of foul drainage, with a soakaway utilised for surface water. All trees are to be retained along the south boundary and would be augmented by a scheme of landscaping.

Background

5. Gairnshiel Lodge is currently used by the owners as a tourist accommodation business alongside domestic living quarters for themselves. The Lodge is available for exclusive hire by small private parties/groups for short breaks, corporate events, small weddings and accommodation for activity holidays. The accommodation comprises 9 bedrooms for guests, amongst other facilities including a formal lounge, dining room, games room and kitchen. The business operates on a booking basis only where the whole property is hired out. It also functions as a traditional Bed & Breakfast on occasion, where rooms can be booked separately midweek and selected weekends.
6. The applicant's have submitted a supporting statement, which provides a background to, and justification for the proposal. It states that the purpose of the units would be used as self-catering holiday lets and overspill for the lodge itself (the statement highlights that in some circumstances the lodge cannot provide sufficient accommodation for house parties due to it only having 9 rooms).
7. It also provides information from the applicant's stating that on average 33 house parties are held per year in the Lodge. It further states that the lack of choice for self-catering accommodation often precludes a number of visitors coming to the area and includes a press report setting out the identified need for high-quality tourist facilities in Deeside. The statement affirms the preference for high quality detached accommodation and that has determined the overall size and layout of the lodges, aiming to provide well proportioned and generous lodges to occupants.

DEVELOPMENT PLAN CONTEXT

8. Section 25 of the Planning etc (Scotland) Act 2006 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan covering the application site comprises the Aberdeen and Aberdeenshire Structure Plan 2001 (NEST) and the Aberdeenshire Local Plan 2006.

National Planning Policy and Guidance

9. **Scottish Planning Policy (2008)** provides the national context for decision making and sets out the key priorities for the planning system. The primary objectives are; to set the land use framework for promoting sustainable economic development; to encourage and support regeneration; and to maintain and enhance the quality of the natural heritage and built environment.

10. **Scottish Planning Policy 15 (Planning for Rural Development)** emphasises that the Planning System is important for facilitating business development and should support a wide range of economic activity in rural areas and seek environmental enhancement through development at every opportunity. It also states that tourism is of vital importance to the social, economic, environmental and cultural well-being of rural Scotland. The policy also acknowledges that Scotland's National Parks have been designated because of the national importance of their natural and cultural qualities.

Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 (North East Scotland Together, NEST)

11. The Structure Plan seeks to encourage and support the tourist industry in the area, whilst continuing to foster environmental awareness of the impact of tourist development on the built and natural environment.
12. **Policy 6 (Tourism)** states that tourism and related developments shall be encouraged where they are compatible with policies to safeguard and enhance the built and natural environment.
13. **Policy 19 (Wildlife, Landscape and Land Resources)** states that development which would have an adverse effect on an Area of Landscape Significance (Marr Area) will only be permitted where it can be demonstrated that any impact is considered acceptable overall.
14. **Policy 21 (Design)** states that an improvement in the general standard of design shall be encouraged.

Aberdeenshire Local Plan (2006)

15. The proposed site lies within an Area of Landscape Significance (AoLS).
16. **Policy Env\5B (Areas of Landscape Significance)** states that development within an AoLS will not be permitted where its scale, location or design will detract from the quality or character of the landscape, either in part or as a whole. In all cases, the highest standards of design, in terms of location, scale, siting, aesthetics and landscaping, will be required. Policy Env\5B specifically mentions that within the Cairngorms National Park greater weight will be given to the conservation and enhancement of the natural and cultural heritage of the area of the Park.
17. **Policy Env\18 (Listed Buildings)** states that all listed buildings or structures shall be protected from any development which would have a detrimental effect on their character, integrity or setting.
18. **Policy Emp\9 (Tourist Facilities and Accommodation)** states that new or improved tourist facilities and accommodation will be approved, in principle, subject to certain criteria. These include, the development respecting the character, amenity and scale of development in the surrounding area, it being reasonably accessible by public transport, cycling or

by foot, and it being well related to existing settlements and avoiding dispersed patterns of development.

19. **Policy Inf4A (Foul Drainage Standards)**, states that developments proposing private drainage infrastructure, need to demonstrate that it can be provided without negative impacts on amenity, public health, and the environment.
20. **Policy Gen1 (Sustainability Principles)** details a range of sustainability indicators that relate to the local environment, community and economy, against which new development will be assessed.
21. **Policy Gen2 (The Layout, Siting & Design of New Development)** sets out criteria to be adhered to including (amongst others); it respects the character and amenity of the surrounding area; it displays a high standard of design, materials, textures and colours that are sensitive to the surrounding area; it respects the characteristics of the landscape in which it will be situated; it takes account of energy efficiency; and it respects important public views.

Cairngorms National Park Plan (2007)

22. The **Cairngorms National Park Plan** sets out the strategic objectives that provide a long term framework for managing the National Park and working towards a 25 year vision. Under the broad heading of **Conserving and Enhancing the Park**, some of the strategic objectives include maintaining and enhancing the distinctive landscapes of the Park and also ensuring that development compliments the landscape character of the Park. Under the theme of **Living and Working in the Park**, the National Park is recognised as being a national asset and a place of recreation and enjoyment.

CONSULTATIONS

23. Scottish Natural Heritage (**SNH**) originally reserved its position on the grounds of insufficient information on the potential impact on the River Dee Special Area of Conservation (SAC). The applicant has responded by submitting a construction method statement. SNH is satisfied that measures outlined would ensure no pollution run-off or sedimentation.
24. **Historic Scotland** has no objections or comments to make on the application regarding the adjacent A-Listed Gairnshiel Bridge.
25. **Aberdeenshire Council's Transportation and Infrastructure (Roads)** has no objections or comments.
26. **Aberdeenshire Council Flood Prevention and Coast Protection** returned comments requesting clarification over maintenance and ownership responsibilities for surface water drainage and requested further information regarding Sustainable Urban Drainage Systems (SUDS). The applicant has

subsequently provided this information including a drainage statement. The Flood Prevention Unit is satisfied with this.

27. They further confirmed that they have no records of flooding in the area and that the site is outwith the SEPA I in 200 year floodplain.
28. **Ballater & Crathie Community Council** have no objections to the application, however raise some concern regarding the materials proposed, which they consider are not in harmony with adjacent buildings.
29. **CNPA Heritage Land Management** have no objections regarding the impact on landscape, but recommended that the two units be joined or moved closer together.
30. **SEPA** returned no comments

REPRESENTATIONS

31. The application was advertised in the Piper and Herald on 16th October 2009 and no representations have been received.

APPRAISAL

32. In determining this planning application regard is to be had to the development plan and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
33. The issues requiring consideration include the principle of development in this countryside location, the visual impact and appropriateness of the chalet-type design and the impact on the natural heritage interests of the River Dee SAC.

Principle of Development

34. The site is located in a countryside area within the Aberdeenshire Local Plan (ALP). In terms of the principle of the development, there is general support in planning policy contained within the Development Plan. The policies which have been detailed in paragraphs 9 to 21 of this report all encourage appropriately located tourism accommodation opportunities in rural areas, where they can be reconciled with the need to conserve the natural heritage of an area.
35. SPPI5 (Planning for Rural Development) highlights the importance of tourism to the *“social, economic, environmental and cultural well-being of rural Scotland,”* in addition, the fourth aim of the National Park promotes the sustainable economic and social development of the area, it is considered that the proposed self-catering lodges would allow the applicants to diversify and safeguard their business.

Business Case

36. The applicants have provided information on the nature of the business and their involvement in the day to day operation. Gairnshiel Lodge is a well established tourism business, located in a countryside location, well placed on a main tourist route which provides easy access to popular National Park tourist hubs such as Ballater, Balmoral and Braemar. It is also within easy reach of the eastern side of the Cairngorms where numerous tourist and recreation related activities take place. The construction of the lodges would allow this rural business to expand into a different area of the tourism accommodation market by providing self-catering facilities for groups and families while at the same time maintaining their existing accommodation for house parties. The construction of the self-catering lodges can therefore be seen as a means of sustaining the economic viability of the business.

Impact on Natural Heritage, Landscape and the River Gairn SAC

37. It is recognised that the application site occupies a sensitive location, on a main tourist route, adjacent to historic buildings and structures of cultural heritage interest and lies within an Area of Landscape Significance. The lodges would be positioned to align with the site's southern boundary, close by to the roadside, screened by the Scots Pine shelter belt and well-contained as part of the cohesive group of buildings in the area, which include several traditional houses and converted outbuildings. It is considered that the proposed layout provides a sensitive position which allows for the development to be accommodated within the grounds without impacting on the immediate surroundings of the lodge or the nearby listed bridge or indeed the wider landscape in general.
38. The site is located immediately adjacent to the Clunie Water, within the catchment for the River Dee SAC and would involve the construction of an extended area of hardstanding and foundations; however these are well away from the river banks. SNH are content that no run off of silt or debris would occur, providing the measures outlined in the construction method statement are adhered to. SNH consider that the proposal will not adversely impact on natural heritage.

Design, Scale and Massing

39. The proposed 'chalet type' lodges (2no.) are detached buildings, which reflect in character and appearance, traditional "Deeside" timber buildings, typical of the local vernacular and utilise sympathetic materials. Their overall scale and massing is considered to be appropriate, of generally modest proportions recognising the requirement of the applicant's for high quality self-catering accommodation.

40. Overall, the proposed lodges are of a satisfactory design, well related to the existing buildings group and respect the character, amenity and sense of 'wildness' in the area. In terms of the comments from Ballater & Crathie Community Council, it is considered that the proposed materials lend themselves well to the character and appearance of the existing buildings in the vicinity, where a number of timber-built structures are apparent. A number of conditions are recommended to control the colouring of timber cladding and requiring a scheme of landscaping to be implemented.

Conclusion

41. To conclude, the proposal benefits from the broad support of the Development Plan, as outlined above, and raises no concerns in relation to impact on natural and cultural heritage, design or impact on landscape. Gairnshiel Lodge is a well established tourism accommodation business, located on a main tourist route and approval would allow the applicants to diversify by providing self-catering facilities while at the same time providing overspill for their existing accommodation for house parties. It is recommended that planning permission is granted subject to a number of conditions.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

42. The development does not adversely impact on any nature conservation designation or any feature of cultural heritage value. The siting, design and the landscaping of the development would ensure that the landscape character of the NSA is not affected.

Promote Sustainable Use of Natural Resources

43. It is not clear where all the material will be sourced from.

Promote Understanding and Enjoyment of the Area

44. The proposal for the development of self-catering lodges connected to a well established tourism business will actively promote tourism and the understanding and enjoyment of the area.

Promote Sustainable Economic and Social Development of the Area

45. The development of the holiday lodges will help sustain and expand the economic viability of this rural business which provides accommodation for visitors to the Park.

RECOMMENDATION

That Member's of the Committee GRANT Full Planning Permission subject to the following conditions:-

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

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

2. The use and occupancy of the self catering units hereby approved are restricted for holiday purposes only (ie. no use by a tenant, lessee, owner or occupier as their principle dwellinghouse, with no single period of occupation exceeding three months), and;

The self-catering units (collectively) hereby approved shall be retained in the ownership of the Gairnshiel Lodge business in perpetuity, unless otherwise agreed in writing by the Cairngorms National Park Authority (CNPA) acting as Planning Authority

Reason: To ensure the continued use of the lodges for self-catering purposes allied to the existing Gairnshiel Lodge.

3. The self catering units hereby approved shall be constructed strictly in accordance with the submitted method statement, unless otherwise agreed in writing by the CNPA acting as Planning Authority.

Reason: To ensure that there is no environmental pollution or sedimentation of the adjacent watercourse or destabilisation / scour of the watercourse embankment.

4. Prior to the commencement of development on site, exact details and specifications (by way of samples) for the following finishing materials, shall be submitted for the further written approval of the CNPA acting as Planning Authority:-

- a. the detail and colour of the vertical timber cladding for the house and the self catering units;
- b. the type, and colour of the slate roof;
- c. details of the windows and doors in terms of finish and colour;
- d. details and specifications of the iron guttering and downpipes

Reason: In order to ensure that the materials are appropriate to the character of the buildings.

5. Prior to any work commencing on site a landscape and maintenance proposal plan shall be submitted to and agreed in writing with the CNPA acting as Planning Authority, this should include tree and shrub underplanting of the existing tree belts. The agreed landscaping and maintenance scheme shall be

implemented during the first planting season following the completion of the development as hereby approved, or such other date as may be approved in writing with the Planning Authority. Any trees or shrubs removed, or which in the opinion of the Planning Authority, are dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

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

6. Prior to the commencement of works on site, a detailed Tree Protection Plan, in line with the requirements of BS:5837 (Trees in Relation to Construction) shall be submitted for the further written approval of the CNPA acting as Planning Authority. This Plan shall detail all areas of trees to be retained and removed, and shall indicate all measures for the protection of the retained trees from damage during the construction phase. For the avoidance of doubt, all retained trees shall be protected by Heras type fencing, fixed to the ground outwith the root protection area and crown spread. The location of fencing shall be established in advance of development commencing and shall be shown on a plan of the site.

Reason: In order to conserve and enhance the natural heritage of the area and to safeguard as many trees as possible on the site.

7. No trees should be felled, lopped or topped within the site without the prior written agreement of the CNPA acting as Planning Authority.

Reason: In order to maintain the tree screening on site and to maintain the landscape setting of the lodge.

8. Details of the foul drainage systems for the self-catering units shall be submitted to and agreed in writing with the CNPA acting as Planning Authority, prior to any work commencing on site. Thereafter, the agreed systems shall be operational prior to the units coming into use and shall be retained and maintained in accordance with the details into perpetuity.

Reason: To ensure that a satisfactory drainage solution is achieved and to prevent pollution of the nearby watercourse.

Robert Grant
20 January 2010

planning@cairngorms.co.uk

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.

