
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT PROPOSED: PLANNING APPLICATION FOR ERECTION OF SHOOTING LODGE AND ACCESS ROAD AT LAND 2300M SOUTH OF PIPERS CROFT, CATLODGE AND OFF A889, LAGGAN

REFERENCE: 09/351/CP

APPLICANT: MR MICHAEL PATTISON

DATE CALLED-IN: 13 NOVEMBER 2009

RECOMMENDATION: REFUSAL

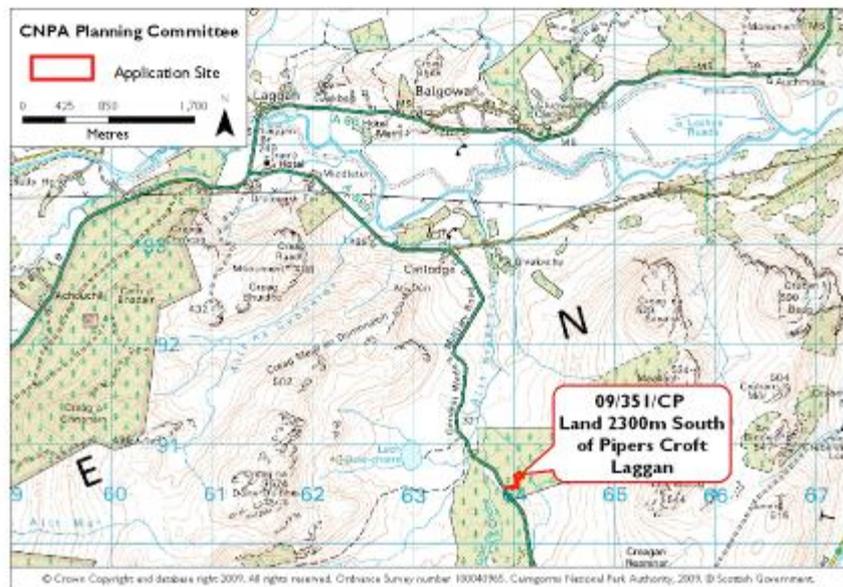


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

- I. This application is for Planning Permission in Principle for the erection of a shooting lodge and access road on land 2300m south of Pipers croft, Catlodge. The application site is within recently planted pine woodland northeast of the A889 on Cathar Mor, which is designated as an Area of Great Landscape Value (AGLV). Access to the site would be taken off the A889 trunk road. The development proposal is based on a land management justification for a shooting lodge which is discussed later in the report.



Fig. 2 – Site of proposed house



Fig. 3 – Access to the site

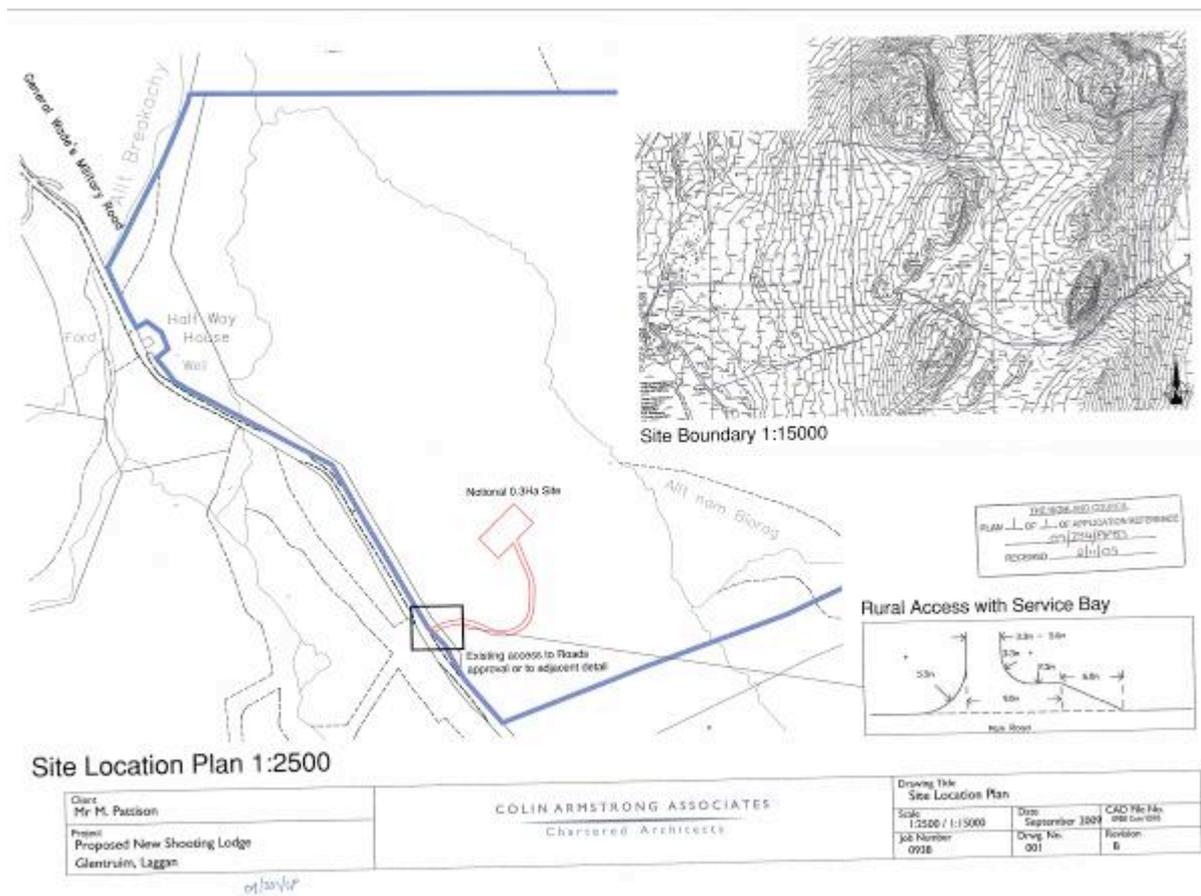


Fig. 4 – Site Location Plan

DEVELOPMENT PLAN CONTEXT

Highland Structure Plan (approved March 2001)

2. **Policy H3** states that housing will generally be within existing and planned new settlements. New housing in the open countryside will not be permitted unless it can be demonstrated that it is required for the management of land and related family purposes. This is to strengthen the role of the existing settlements and to safeguard the character of the countryside for both residents and visitors. In areas where communities are experiencing difficulty in maintaining population and services some housing may be acceptable.
3. **Policy L4 Landscape Character**, states that the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.
4. **Policy G2 Design for Sustainability**, lists a number of criteria on which proposed developments will be assessed. These include compatibility with service provision (water and sewerage, drainage, roads, schools, electricity); accessibility by public transport, cycling, walking and car; maximisation of energy efficiency in terms of location, layout and design (including the utilisation of renewable energy sources); and impacts on resources such as habitats, species, landscape and cultural heritage.

Badenoch and Strathspey Local Plan (September 1997)

5. **Policy 2.1.2.3 for Restricted Countryside Areas**. This policy has a strong presumption against the development of new houses. Exceptions will only be made where a house is essential for the management of land, related family and occupational reasons. Restrictions on the subsequent occupancy of such houses will be enforced, and adherence to the principles of good siting and design will be required. The site is located within a restricted countryside area.
6. **Policy 2.1.2. (Housing in the Countryside)** states that single houses outwith recognised settlements will require to be compatible with the scale and character of local buildings where appropriate, properly located in harmony with the landscape, and designed to a high standard with particular emphasis on proportions, roof pitch, fenestration and selection of materials.
7. **Highland Council's Development Plan Policy Guidelines (April 2003)** provides more detailed guidance on the interpretation of specific policies contained in the 1997 Local Plan, in light of the subsequently approved Structure Plan of 2001. This document states that new housing within the open countryside will be exceptional, and will only be permitted where it is required for the management of land or it is required for family purposes related to the management of land (retired farmers and their spouses). In certain areas, some housing in the countryside may be permitted

to support the viability of rural communities experiencing difficulties in maintaining population and services.

Cairngorms National Park Plan 2007

8. Highlights the special qualities of the Cairngorms, stating that the “Cairngorms is widely recognised and valued as an outstanding environment which people enjoy in many different ways.” It recognises that there is a wide diversity of landscape, land-uses, management and community priorities across different parts of the Park. In a section entitled ‘Living and Working in the Park’ the subject of ‘housing’ is explored. The Plan refers to the need to ensure greater access to affordable and good quality housing in order to help create and maintain sustainable communities as one of the key challenges in the National Park. Reference is also made to the quality and design of new housing which is expected to meet high standards of water and energy efficiency and sustainable design and also to be consistent with or enhance the special qualities of the Park through careful design and siting.
9. The plan also seeks to ensure that development complements and enhances the landscape character of the Park. The Plan goes on to consider that new development in settlements and surrounding areas should complement and enhance the character, pattern and local identity of the built and historic environment.

CONSULTATIONS

10. **Highland Council Area Roads Manager** has commented that from an area roads perspective they have no comments but have advised that as the application site is served directly by the A889 trunk; then the views of the Trunk Roads Authority should be sought.
11. **The Trunk Roads Authority** has advised that planning permission be **refused** as the proposed development would result in increasing the number and type of vehicles entering and leaving the traffic stream at a point where visibility is restricted thus creating interference with the safety and free flow of the traffic on the trunk road.
12. **Heritage and Land Management (HLM)** has advised that planning permission be **refused** on landscape grounds. They comment that the proposed development is located in a position that would impact upon the character and experience of the Cather Mor, an AGLV and an area that exhibits some of the special qualities of the park. They add that a new shooting lodge in the location proposed would not contribute to the natural and cultural heritage of the National Park and a lodge at this site would conflict with the remote, upland and uninhabited character of the Cathar Mor.

REPRESENTATIONS

13. No representations have been received. The proposal was advertised in the in the Strathspey and Badenoch Herald on 11.11.09.

APPRAISAL

Introduction

14. This is a planning application for Planning Permission in Principle for a lodge and is effectively what would have been regarded as an Outline Planning Application under the old planning system. Consequently, the proposal raises a number of issues including roads, landscape and the principle of the development. The main principle relates to whether the location of the lodge accords with policy in terms of where planning policy seeks to direct development to and if the applicants have demonstrated a suitable land management justification for a new house.

Principle

15. This proposal was called-in because it was considered to raise a number of issues of significance with regard to the aims of the Park. The lodge is located in an area where the Badenoch and Strathspey Local Plan indicates against new housing unless there is a land management justification. There was also concern that the granting of permission would set a precedent for more proposals of this nature. The applicant has submitted a supporting statement for the proposed shooting lodge and this can be seen in Appendix I. The submitted supporting statement details the activities which the applicant plans to carry out on the estate. The activities outlined in the supporting statement are not activities which would require a full time on site presence therefore the supporting statement is not considered to demonstrate that a lodge at this location is essential for the management of the land and is therefore contrary to the development plan policies.

Landscape

16. The proposed site is located within an area of recently planted pine woodland northeast of the A889(T) on the Cathar Mor. The trees range in height from approximately 2m to 4m. In terms of landscape the proposed site is located within an Area of Great Landscape Value (AGLV). The landscape and visual character of the area is characterised by expansive tracts of moorland and wide open views of the hills in all directions. The landscape officer commented that "a building and associated activity in this location would conflict with the remote, upland and uninhabited character of the Cathar Mor.

From this response it is clear that the proposal is likely to have a significant detrimental landscape impact.

Technical Issues

17. The Trunk Roads Authority has advised that planning permission be refused as the proposed development would result in increasing the number and type of vehicles entering and leaving the traffic stream at a point where visibility is restricted thus creating interference with the safety and free flow of the traffic on the trunk road. If approval was granted then the decision would have to be referred to the Scottish Ministers.

IMPLICATIONS FOR THE AIMS OF THE PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

18. The proposal is for Permission in Principle therefore there are no details of the proposed design of the lodge. Consequently, it is difficult to say whether the proposal fulfils this aim.

Promote Sustainable Use of Natural Resources

19. There is no evidence regarding the source of materials or whether any particular energy saving measures would be included within the proposal. Approval of a lodge on an isolated site would emphasise the use of the private car as a means of transport.

Promote Understanding and Enjoyment

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

Promote Sustainable Economic and Social Development

21. The proposal would provide additional accommodation. However, this should be provided in a planned manor in accordance with development plan policies rather than being approved on the basis of individual applications without a suitable land management justification.

Conclusion

22. The proposal is clearly contrary to the prevailing development plan policies as it has not been sufficiently demonstrated that the lodge is essential for land management purposes. In addition to this, it is considered that a lodge at this location would have a significant detrimental impact on the landscape character of the surrounding area. Furthermore, the proposed access is onto

a Trunk Road and there has been a Trunk Roads Authority objection to the proposal on the grounds that the proposed development would result in increasing the number and type of vehicles entering and leaving the traffic stream at a point where visibility is restricted.

RECOMMENDATION

23. **It is recommended to the Members of the Committee that the application for Planning Permission in Principle for erection of a shooting lodge and access road, on land 2300m south of Pipers Croft, Catlodge be REFUSED for the following reasons:**
1. The proposed development is contrary to Regional and Local Planning Policy as contained in Highland Structure Plan Policy H3 (Housing in the Countryside), Development Plan Policy Guidelines 2003, and Badenoch and Strathspey Local Plan Policy 2.1.2.3. (Restricted Countryside Areas), both of which restrict new houses at the site unless there are particular circumstances and special needs in relation to land management. It has not sufficiently been demonstrated that the proposed dwelling is required for the purposes of land management. If approved, the development would set a precedent for further unjustified development of this nature and would encourage the sporadic siting of other residential developments in similar rural locations, all to the detriment of the character of the countryside and the amenity of this part of the National Park.
 2. The proposed development would result in increasing the number and type of vehicles entering and leaving the traffic stream at a point where visibility is restricted thus creating interference with the safety and free flow of traffic on the trunk road
 3. The proposed development would have a significant negative impact on the landscape character of the surrounding area conflicting with its remote, upland and uninhabited character.

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APPENDIX I