
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT MANAGEMENT)

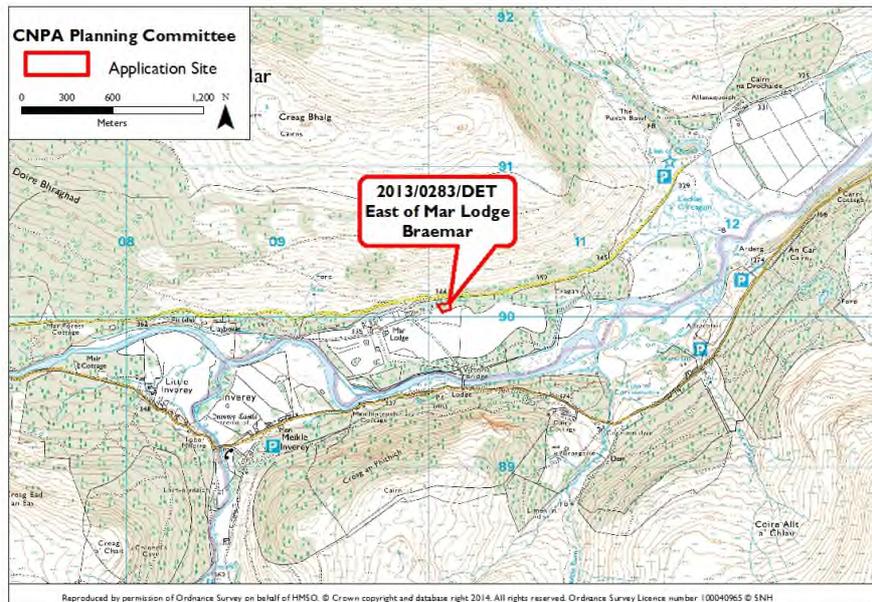
DEVELOPMENT PROPOSED: ERECTION OF BIOMASS HEATING BOILER ROOM, FUEL HOPPERS AND STORAGE AREA AT LAND EAST OF MAR LODGE, BRAEMAR

REFERENCE: 2013/0283/DET

APPLICANT: SCOTT DONALD - MAR LODGE ESTATE/HIGHLAND WOOD ENERGY

DATE CALLED-IN: 23 September 2013

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS



Grid reference: 310094 E / 790066 N

Fig. I - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The site of the proposal is on land which is approximately 260m from the main Mar Lodge building, within the Mar Lodge Estate at Braemar. The proposed building will be 60m distant from the nearest building, an estate workshop. The buildings in the vicinity form two clusters, with the Lodge and Chapel in the main group to the west and the workshops, machine store and other more functional buildings grouped away from the Lodge itself. The location of the building in context is illustrated in **Figure 2** below.

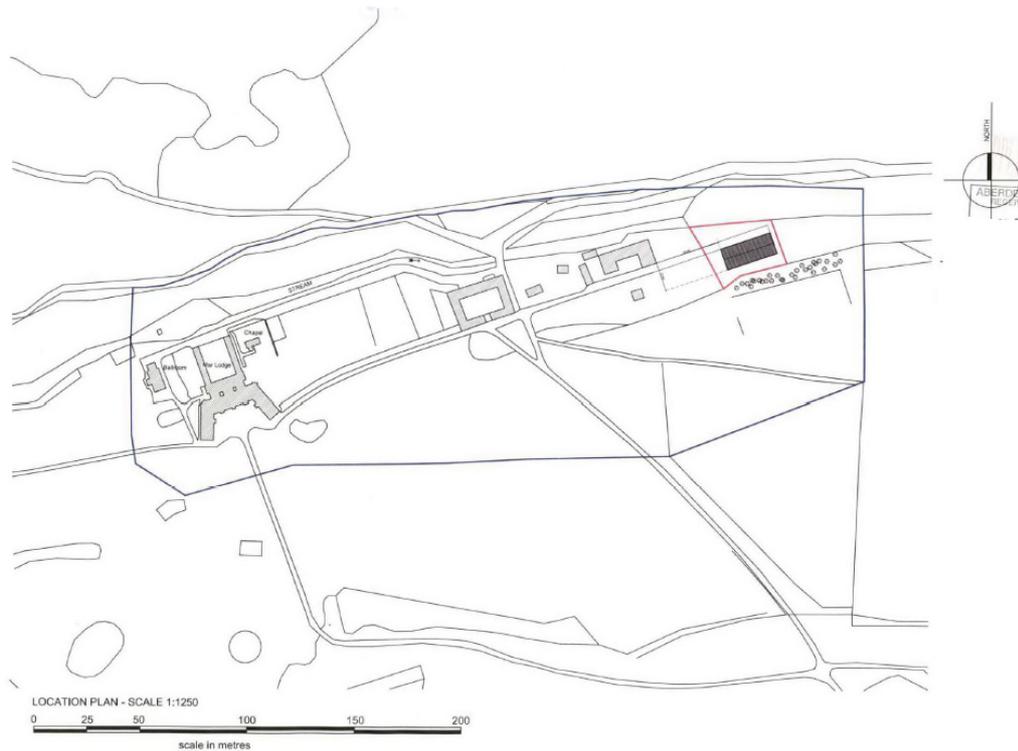


Fig 2 Site Plan

2. The site is accessed from the existing access track, which itself takes access from the minor road from Braemar to the north. It lies within a band of woodland along the edge of the floodplain.
3. The application site is included in the Ancient Woodland Inventory and the Deeside and Lochnagar National Scenic Area. Mar Lodge, the Ballroom and St Ninian's Chapel are all Listed Category B. The closest of these buildings is approximately 200 metres from the application site. The estate is a non-designated Designed Landscape.



Photo I The Site as Existing

Development Proposal

4. The proposal is to erect a large agricultural storage building on the site, to accommodate two biomass boilers, fuel hoppers and a large fuel storage area. The building dimensions are 48.5m long by 20m wide and 9.5m high. The building will have sleeper walls to 2.4m height, timber board on board 'hit and miss' cladding from 2m up to eaves height, timber space boarding cladding from eaves to ridgeline on the gables and metal profile sheet roofing.
5. An updated Biomass Boiler Information Request Form has been submitted. The flue stack to be attached to the building is to be 10.1m in height above ground, with an internal diameter of 0.35m. The thermal capacity of the two boilers is 333kW each, with an efficiency of 92% at full power and 94.6% at partial load.
6. The recommended suitable fuel is wood chips, which are to be sustainably sourced from local forestry, mostly from the Mar Lodge estate. The bulk fuel store will be within the proposed building. The fuel hopper feeding each boiler is to be located in the end bay of the building with the boiler house adjacent. Fuel will be chipped directly into the bulk fuel store and be transferred to each boiler hopper using a tractor loader or materials handler.

7. The building design is illustrated in **Figure 3** below.

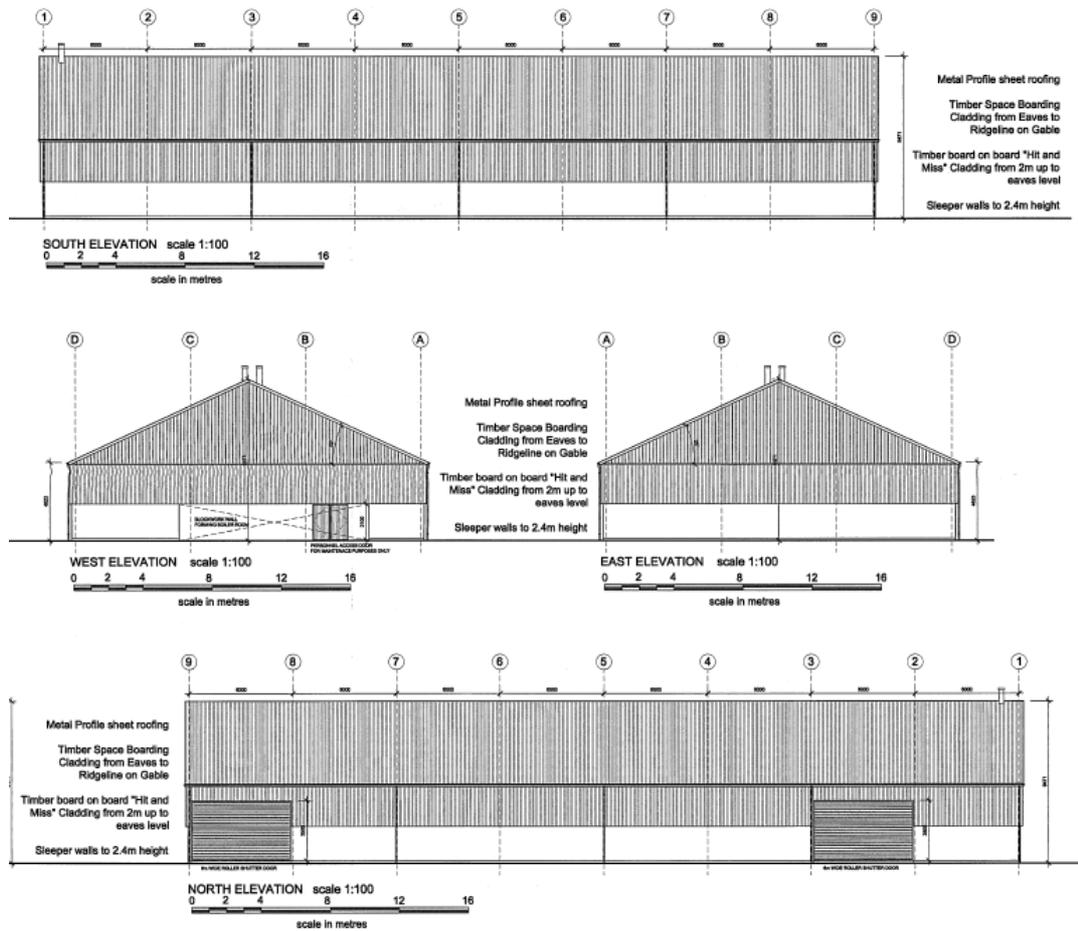


Fig 3 Elevations of Proposed Building

8. A Tree Survey and Woodland Report has been submitted to support the application. It may be noted at the outset that the trees on the red-lined application site are part of a much larger area of woodland. The tree survey was carried out to determine the optimum positioning for the new building close to the existing buildings, to minimise the number of trees to be removed, whilst retaining the maximum number of trees for screening purposes. The survey indicates that there are 90 trees on the proposal site. The proposal involves the removal of 58 Category U trees as follows: 54 Scots Pines (50 young/4m, 2 over mature, 2 mature), 1 over mature Norway Spruce, 1 young Silver Birch and 2 European Larch (1 over mature with fungus and 1 young). The remaining 32 trees are retained for screening purposes. Category U trees are those defined as being in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years. The proposals include an Arboricultural Method Statement referencing that all construction works will be carried out in conformity with BS 5837 and include protective fencing and damage protection from machinery.

9. The application is accompanied by a copy of the National Trust for Scotland's Mar Lodge Forest Plan 2012-2031, a Background Paper providing details of the Biomass Scheme. The Mar Forest Plan shows there is a sufficient thinning programme to supply the proposed system for the next 20 years. The timber will be stacked and dried in the round. To maintain the boiler's efficiency and also due to the uncertainty of the weather, the chip store will be large enough to hold six month's supply. Consultants have estimated that purely based on replacement of fossil fuel use, there will be a saving of 434 tonnes of carbon per annum.
10. To support the application, a series of zoomed-in photomontages from the public lay-by on the Braemar to Linn of Dee road have been submitted to demonstrate the appearance of the proposed building within the landscape at the time when it is constructed and after a ten year period, when the proposed tree planting has become established. The photomontage below shows the building when it is first constructed. It should be noted that, whilst taken from the lay-by, this view is much closer than would be experienced by the naked eye.



BACKGROUND

11. There have been no specific planning applications on the site itself. Various unrelated permissions have been granted on the Mar Estate for accommodation and signage.

DEVELOPMENT PLAN CONTEXT

National Policy

- 12 **Scottish Planning Policy (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:
- The constraints and requirements that planning imposes should be necessary and proportionate;
 - The system shouldallow issues of contention and controversy to be identified and tackled quickly and smoothly; and
 - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
- 13 **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government’s central purpose of increasing sustainable economic growth.” Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
- 14 As a replacement for a variety of previous planning policy documents the **Scottish Planning Policy** includes ‘subject policies’, of which some are directly applicable to the proposed development. Topics include:-
- Landscape and natural heritage: The **Scottish Planning Policy** document recognises the value and importance of Scotland’s landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.
 - Rural development: **Scottish Planning Policy** states in relation to rural development that the “aim should be to enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality.” All new development is required to respond to the specific local character of the location, fit in the landscape and seek to achieve high design and environmental standards.

- *Renewable Energy*: The document sets out the Scottish Government's commitment to increase the amount of electricity generated from renewable resources as a vital part of the response to climate change. Paragraph 183 considers that there is potential for communities and small businesses in urban and rural areas to invest in ownership of renewable energy projects or to develop their own projects for local benefit. Planning Authorities should support communities and small businesses in developing such initiatives in an environmentally acceptable manner.

STRATEGIC POLICIES

Cairngorms National Park Partnership Plan (2012 - 2017)

- 15 The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the national Park can be achieved together. It sets out the strategic direction and priorities for the Park.
- 16 Three long term outcomes for the park are set out as follows:
- A sustainable economy supporting thriving businesses and communities;
 - A special place for people and nature with natural and cultural heritage enhanced; and
 - People enjoying the park through outstanding visitor and learning experiences
- 17 These outcomes address the interaction of the three main characteristics of the National Park, these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. Specific policies of the Plan seek to promote and enhance the special qualities of the Park.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

- 18 All new development proposals require to be assessed in relation to policies contained in the adopted local plan, which was formally adopted on 29 October 2010. The full wording of policies relevant to the current application can be found at: <http://cairngorms.co.uk/park-authority/about-us/publications/?publicationID=265>. Relevant policies are summarised below:

- 19 The Local Plan contains a range of policies and new development requires to be assessed in relation to all policies contained in the Plan. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
- 20 Policy 3: Other Important Natural and Earth Heritage Sites and Interests which seeks to ensure that any adverse impacts upon such areas, including ancient woodland, are mitigated and that the overall interests are not compromised
- 21 Policy 4: Protected Species seeks to ensure that development does not adversely affect European Protected Species, including bats.
- 22 Policy 5: Biodiversity presumes against any development which would have an adverse effect on habitat or species identified in the Cairngorms Local Biodiversity Plan.
- 23 Policy 6: Landscape seeks to ensure that development complements and enhances the landscape.
- 24 Policy 11: the Local and Wider Cultural Heritage of the Park which seeks to conserve and enhance features, or uses, of local/wider or cultural significance.
- 25 Policy 15: Renewable Energy Generation which supports small scale renewable energy schemes which support the aims of the National Park and the Park Plan's strategic objective regarding energy production and where they contribute positively to the minimisation of climate change and complement the sustainability credentials of the development. Developments, including ancillary works, to be sited and designed to have no significant adverse visual or landscape impact and to have no adverse impacts upon neighbours or the environment.
- 26 Policy 16: Design Standards which sets out design standards to be met in order to reinforce and reflect the pattern and character of the surrounding area. This is supported by the sustainable design guide.

Supplementary Planning Guidance (SPG)

- 27 In addition to the adoption of the Cairngorms National Park Local Plan (2010), on 29 October 2010, a number of Supplementary Planning Guidance documents were also adopted. Of relevance for the current proposal are:-

Natural Heritage

- 28 This guidance sets out how the natural heritage of the Cairngorms National Park will be taken into account when considering all development proposals, and explains:
- the six key principles that will be used to assess planning applications;
 - what evidence should be gathered and what information should accompany any planning application;

- how the importance of natural heritage on any site proposed for development should be assessed;
- when information should be submitted to the planning authority.

Sustainable Design Guide

- 29 This guidance encourages everyone involved in development in the Cairngorms National Park to adopt a more sustainable approach to design, and this should help to deliver individual buildings and larger scale developments which:
- are sensitively located, reflect existing development pattern and setting, and respect the natural and cultural landscape of the Park;
 - reflect traditional materials and workmanship and take on board innovation, contemporary design and the emergence of modern methods of construction;
 - maximise efficient use of natural resources;
 - minimise negative environmental impacts; and
 - provide the foundation stone for sustainable communities.

CONSULTATIONS

- 30 **Aberdeenshire Council Roads Service** confirms that any additional parking required will be accommodated within the site. It also advises that the fuel for this boiler will be sourced from the Estate. This will minimise traffic generation through Braemar and on the CIM and UIM public roads. This development should not have any detrimental impact on the public roads network.
- 31 **Aberdeenshire Council Environmental Health Service** advises that the information provided has been assessed against local air quality objectives. It is satisfied that, used in accordance with the manufacturer's instructions, there should not be significant detrimental impact on air quality. To control use of the plant and thus preserve air quality, a condition is recommended to ensure that the boiler is installed, operated and maintained in accordance with the manufacturer's instructions and only used to burn fuel approved for use by the manufacturer – manufactured wood pellets, untreated wood chips or untreated wood.
- 32 **Scottish Environment Protection Agency** has no objections to the proposals.
- 33 **Scottish Natural Heritage** has no comments and is content that the Park Authority identifies any natural heritage impacts and addresses these without further reference to SNH.
- 34 **CNPA Landscape Adviser** concludes that the location in the National Park, the National Scenic Area, close to a listed building and within a non-designated designed landscape, and in a well-visited glen means that the landscape sensitivity of the site is high.

- 35 The Landscape Adviser considers that at the outset this building will not complement and enhance the landscape character of the Park, and will have an impact on some of the special landscape qualities identified above. However, it is the officer's view that with further mitigatory and compensatory planting, and careful choice of colour for the roofing and the walls, the proposed building, would over time, move from being a focal point in the landscape, to being viewed and perceived as part of the existing building cluster. The timescales for this mitigation to become effective could range from 8 to 20 years.
- 36 The officer suggests that the following are necessary to further reduce the visual impact of the building and provide compensation for tree loss on the site;
- additional tree planting on the eastern and south/eastern sides of the building of similar in extent to that to be retained on the south side of the building
 - additional pine planting to all sides of the building to enhance screening in the winter months
 - the walls, roof finish and chimneys to be recessive in colour and non reflective
 - All colours and finishes to relate to the nearby building cluster (stables/steading/larder) so that the lodge with its pink stone and red tiles remains the principle focus in views.
- 37 **CNPA Ecology Adviser** is satisfied with the bat survey report findings that it is unlikely that bats are roosting in the trees identified for removal. The officer also agrees with the suggested precautionary approach to tree felling outlined in the conclusion of the bat survey report. The squirrel drey survey report identified dreys in some of the trees identified for removal and the applicants have indicated they will apply to SNH for a licence to disturb them. Again, the officer agrees with the suggested precautionary approach to tree felling outlined in the conclusion of the squirrel survey report. It is recommended that the applicants install two bat boxes on the new building, which take into consideration the bats' requirements for suitable temperature, vibration, aspect and height.

REPRESENTATIONS

- 38 The application was advertised and no representations have been received.

APPRAISAL

Principle

- 39 National and local planning policies (*Local Plan Policy 15*) support the principle of renewable energy proposals such as this, providing they are suitably sited and designed, and comply fully with other local plan policies on landscape, biodiversity etc. It is therefore the detail of the proposal which requires to

be considered in relation to the other Local Plan policies and Supplementary Guidance listed above.

Landscape and Design Issues

- 40 The proposed building is large and utilitarian in its design, typical of a modern agricultural building and suited to the proposed use. Within the context of the site, the impact of the building has been addressed through the type and colour of the proposed materials for the building itself and by the extent of proposed tree planting, which will ultimately soften its effect.

Environmental Issues

- 41 Whilst a number of trees are being lost to facilitate this development, they have generally been identified as poorer quality trees with a limited lifespan. The proposal to undertake new tree planting to create a wooded setting for the building will mitigate against the initial loss of the trees.
- 42 There is not deemed to be a significant impact on the wildlife, as there are no bats present and satisfactory measures have been identified in relation to the removal of any squirrel dreys.

Technical Issues

- 43 None of the statutory consultees have raised any objections to the proposals. There are no particular technical issues with the proposal, which does not have any detrimental impact upon the road network. Traffic generation will be minimised through the sourcing of fuel from the Estate.
- 44 It is concluded that given the considerable distance of approximately 260m between the proposed building and the residential building at Mar Lodge, that there will be no adverse impacts upon amenities. It is also considered that providing the boiler is installed, operated and maintained in accordance with the manufacturer's details and only uses recommended fuels, such as the proposed wood chips, that there will be no detrimental impact upon air quality.

CONCLUSION

- 45 In view of the fact that this development will contribute significantly to the sustainable management of the Mar Lodge Estate and considerably reduce its carbon footprint, the proposed development will have substantial benefits which have to be balanced against the initial loss of trees and the impact of the building on the landscape. The loss of trees will have a limited but manageable impact on red squirrels and although the development will be quite visible initially, this will be reduced as the new planting grows and matures. It is therefore considered that the proposals accord with the development plan policies and associated supplementary guidance.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

- 46 Whilst there will be an effect on the natural and cultural heritage of the area in the short term, it is considered that the simple design of the building, the use of materials that will blend with the surroundings and the planting of new trees will serve to help conserve and enhance the natural and cultural heritage of the area in the longer term.

Promote Sustainable Use of Natural Resources

- 47 The proposal will provide heating for the whole of the Mar Lodge Estate, which is currently dependent on liquid petroleum gas, creating a saving of 434 tonnes of carbon per annum. The Biomass Boiler will use timber that derives from the timber management policies on the estate and hence requires minimal transport.

Promote Understanding and Enjoyment of the Area

- 48 The National Trust for Scotland will provide a new interpretation panel for the Linn of Dee car park to help visitors understand the forest management on the Estate and will provide details of the project in the Guest Information booklets in the Lodge, explaining the sustainable use of timber to heat the buildings.

Promote Sustainable Economic and Social Development of the Area

- 49 The proposal will contribute to the overall management of the Estate, thereby contributing to maintaining employment. It will also create employment during the construction phase.

RECOMMENDATION

That Members of the Committee support a recommendation to grant planning permission subject to the following conditions:

- I The materials and colours used for the walls, roof and flue shall relate to those of the immediately adjoining Estate buildings and shall be recessive in colour and non reflective in finish. Samples of the proposed materials shall be submitted for the written approval of the Cairngorms National Park Authority acting as Planning Authority prior to the commencement of works on site.

Reason: To minimise the visual impact of the building, thereby ensuring that it blends with its surroundings and that Mar Lodge remains the principal focus in views, in the interests of visual amenity.

- 2 Additional tree planting shall be provided to the eastern and south/eastern sides of the building. The tree planting shall comprise 75% Scots pine, 25% mixed native broadleaf, of local provenance, suitably protected with 1.5 metre centres. Detailed proposals shall be submitted for the approval of the Cairngorms National Park Authority acting as planning authority prior to the commencement of development on site and shall be implemented during the first planting season following the completion of the building.

Reason: To mitigate and compensate for the loss of trees and to create a wooded setting for the building to enable it to blend with its surroundings, in the interests of maintaining biodiversity and visual amenity.

- 3 Two bat boxes shall be installed on the new building. Details shall be submitted for approval of the Cairngorms National Park Authority acting as planning authority prior to the completion of the development and shall be implemented prior to the commencement of the use of the building.

Reason: In the interests of maintaining biodiversity.

Advice notes:

- 1 The biomass boilers should be installed, operated and maintained in accordance with the manufacturer's instructions and only used to burn fuel approved for use by the manufacturer – manufactured wood pellets, untreated wood chips or untreated wood.
- 2 The location of the bat boxes should be designed to take into consideration the bats' requirements for suitable temperature, vibration, aspect and height.
- 3 The applicant is encouraged to provide publicity material to help the public understand the background to the project. This could include:-
- Updated Guest Information booklets in the Lodge with a page explaining the sustainable use of timber, as a by-product of conservation works, to heat the buildings on the estate.
 - A new interpretation panel for the Linn of Dee car park, complementing existing interpretation which talks extensively about the history of forestry on the estate. The new panel could bring the whole "story" up to date and again talk about forest management, how timber is felled and extracted using sensitive methods (horse logging for example) and how the by-product of these conservation works is used as a sustainable fuel source.

- 4 The applicant should contact Scottish Natural Heritage in connection with Licensing requirements for the removal of trees, which contain squirrel dreys.

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Date 28 January 2014

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.