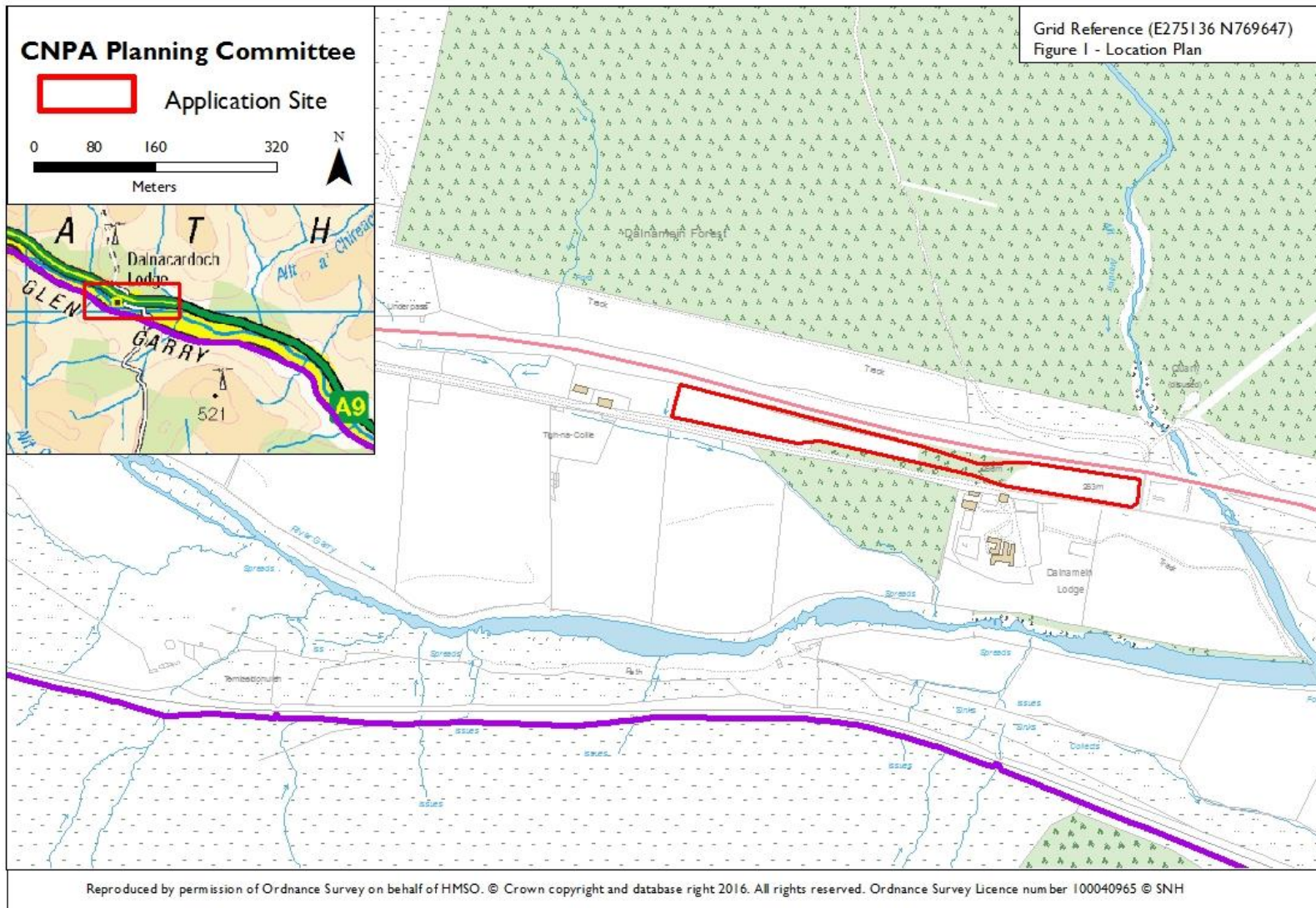

CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:	
Erection of 3 Holiday Cabins and Formation of Vehicular Access	
REFERENCE:	2016/0004/DET
APPLICANT:	Mr Stuart Richardson
DATE CALLED-IN:	11 January 2016
RECOMMENDATION:	APPROVE WITH CONDITIONS
CASE OFFICER:	Matthew Taylor, Planning Officer



SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The proposed site is located to the north west of Dalnamein Lodge which is approximately 9 miles west of Blair Atholl along the A9.
2. The application site is located between the A9 Trunk Road and the 'old A9 road' and is bounded on 3 sides (north, south and east) by a woodland belt with the west side being open. The land subject to the application is elevated from the A9 by embankment lowering from the east to the west of the site which is currently planted with trees.
3. The wider land use of the area is as woodland plantation, rough grazing and sporting estate, with the River Garry running to the south. The settlement pattern comprises residential and agricultural buildings that are sparsely dispersed and located along the old A9.
4. The immediate site relationship is shown on the aerial photograph, location plan and proposed block plan that are attached as part of the plans within **Appendix I**.

Proposal

5. 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>

Title	Drawing Number	Date on Plan	Date Received
Location Plan (OS)			11/01/2016
Aerial Photo			11/01/2016
Location Plan			11/01/2016
Partial Proposed Block Plan	1A	December 2015	11/01/2016
*Proposed Landscaping Plan	8	April 2016	28/04/2016
*Existing Site Contour/Grid Levels	6	April 2016	28/04/2016
*Proposed Site Contour/Grid Levels	7C	April 2016	28/04/2016
*Typical Cabin Floor Plan and Elevations	2	December 2015	11/01/2016
Existing and Proposed Site Sections	5	December 2015	11/01/2016
*Existing and Proposed Site Sections	5/A	April 2016	28/04/2016

Design Statement			20/01/2016
*Details of Trees and Shrubs to be Planted			28/04/2016
*Additional Information (Response to CNPA email)			28/04/2016

6. This application seeks full planning permission to erect 3 holiday cabins, provide access into the site from the old road through part of the tree belt, install septic tank and soakaway and complete site landscaping and planting with boundary fencing.
7. The proposed floor plans and elevations of the single storey static cabins are contained within **Appendix I**. The material finishing to the cabins comprises timber cladding with a dark chestnut finish, and metal profile covering to the roof with a slate grey finish.
8. There are proposals for landscape planting and perimeter fencing around the site comprising new trees, shrubs and grass with wildflower mixture to the recreational areas. The proposed landscape scheme is contained within **Appendix I**.

History

9. There is no recorded planning history associated with the site.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014	
Strategic Policy	Cairngorms National Park Partnership Plan 2012 - 2017	
Local Plan Policy	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	
POLICY 8	SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	
POLICY 11	DEVELOPER CONTRIBUTIONS	

10. 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>

Planning Guidance

11. 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	
Policy 8	Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	
Policy 11	Developer Contributions Supplementary Guidance	

CONSULTATIONS

12. A summary of the main issues raised by consultees now follows:
13. **Transport Scotland (Trunk Roads Authority)** do not object to the proposal and ask that conditions be applied to any consent securing junction standards at the A9 to the old road leading to the site, prevention of any direct access to the A9 from the site, and the provision of a barrier to prevent pedestrians and animals gaining uncontrolled access to the trunk road.
14. **Perth and Kinross Council (Roads Authority)** has no objection to the proposal on local roads grounds.
15. **Perth and Kinross Council (Environmental Health)** has no objection or adverse comments in relation to the application. EH consider that any road noise would not affect short term residential amenity and that Environmental Health has no power to deal with road traffic noise. Nearby residential amenity should not be adversely affected.
16. Environmental Health recommend a condition requiring details of measures for the provision and safeguarding of foul and private water supplies in the vicinity and sited within and running through the application site. Informatives are also recommended advising of the requirement to secure any necessary wayleaves and details of private water provision.

17. **Perth and Kinross Council (Waste Services)** confirm that the development would require to be serviced by a commercial contract for the collection of waste and recycling materials. This should be in place upon the completion of the project.
18. **Perth and Kinross Council (Heritage Trust)** consider that the proposed development does not raise any issues. No archaeological mitigation is required.
19. **Perth and Kinross Council (Planning)** consider that the key implication of the proposal is likely to be the visual impact from the works, with potential biodiversity implications of tree felling and loss of species habitat, and access from the A9.
20. **CNPA Landscape Adviser** states that given a sensitive approach to earthworks and planting the landscape character and visual impacts associated with this development can be reduced to slight in a period of a few years. Some further details relating to the earthworks and changes to the proposed fencing and planting are required to achieve this.
21. **CNPA Natural Heritage Officer** states that the habitat loss anticipated through the proposal (loss of semi-improved grassland) is considered negligible. Tree and shrub planting has the potential to enhance the site ecologically, but changes are required to the species list in order to ensure that a mix of species appropriate to the local area, are planted.
22. Further survey information is needed to determine the impacts on trees. An update to the landscape plan is also required to detail the size of trees planted, the proposed arrangement of species on the site, protection from grazers and a method statement for the wildflower meadow. A red squirrel drey survey is advised prior to felling trees on site.
23. **Blair Atholl and Struan Community Council** has expressed a number of concerns. Those material to the planning assessment relate to the suitability of the present trees to provide year round screening, visual impact and potential tree loss, the provision of car parking and any potential impact upon the A9 cycle route, and the likelihood of promotional and access signage. The full CC response is included as **Appendix 2**.

REPRESENTATIONS

24. The application was advertised and no comments have been received.

APPRAISAL

Supporting Economic Growth

25. The Cairngorms National Park Local Development Plan Policy 2 on tourism and leisure development aims to enable and encourage growth and diversification in the economy of the Park. The policy supports the tourism sector alongside

recreation and land management which are recognised as important to the Park wide economy.

26. Policy 2 supports tourism accommodation provided it meets a number of criteria; including having no adverse environmental impacts, making a positive contribution to the experience of visitors, and adding to/extending the core tourist season.
27. In respect of the current proposal the site is located in an area of low ecological sensitivity and is of a small scale. Private water supplies are proposed and the foul water septic tank and soakaway are contained within the site near to the western boundary and would be subject to building standards control. Environmental Health does not object to the proposal and informatives are recommended to secure details of private water supply and maintenance. As such it is considered that there are no adverse environmental impacts arising from the development.
28. The proposal contains detail of site landscaping and planting with trees, shrubs, and wildflower mix to grass areas. The site is for the most part open ground used as rough grazing with a number of exposed rocks and variable terrain. It is considered that with suitable site landscaping the proposal would make a positive contribution to the experience of visitors, who for the most part are transient along the A9 corridor, to this part of the Park.
29. In terms of core tourist seasons, the proposal would provide 3 modest holiday chalets with 2 bedrooms each, bathroom and open plan lounge/dining/kitchen area and outside decking. There is an established provision of holiday accommodation in the wider area ranging from Bed and Breakfast, hotels, caravan/camping sites and self catering holiday homes. It is considered that the proposal would add to the accommodation provision within the area.
30. In this instance the proposed development is considered to comply with the relevant provisions and intent of the Cairngorms National Park Local Development Plan Policy 2: Supporting Economic Growth.

Design and Location

31. The Cairngorms National Park Local Development Plan Policy 3 on sustainable design aims to ensure that all development, not just the expensive or iconic, delivers high standards of design and contributes to the sense of place.
32. The planning application was submitted with a design statement. This recognised the status of the 'chalets' as exempt from building regulation requirements as they are classified as mobile homes. Whilst being exempt from building regulations and therefore not required to meet the latest standards set out in the Building Standards Technical Handbook, the prefabricated timber construction, which is fabricated in a controlled environment, allows for the accommodation to be brought to the site and placed with minimal site foundation and servicing works.

33. Nearby the site there is Dalnamein Lodge, which is a substantial traditional estate house to the south east, and a farm cottage with modest general purpose agricultural buildings to the west. The area is sparsely populated and is characterised by open landscapes with woodland pockets along the River Garry. The chalets are typical of this type of holiday accommodation and are often found in woodland settings. There are a number of examples of this type of accommodation throughout the Park. Nevertheless the design is generic in nature and relies heavily on site screening to be sympathetic to the local surroundings. As such the site landscaping and screening is crucial for a successful development.
34. The site would be subject to landscaping with existing site levels being excavated by cut and fill to provide further shelter for the chalets and additional screening of the A9 from noise and weather exposure. This would have the added benefit of reducing the visual impact of the development when viewed from the west (with limited view available from the east). As the landscape planting matures this would enhance the site and be complimentary to the wider area adding to the existing level of amenity.
35. The proposal details private water supply and wastewater servicing within the site. As stated in paragraph 20 of this report, Perth and Kinross Environmental Health Service have no objection to the proposal on the grounds of water and wastewater. Waste collection and recycling would be provided through commercial contract.
36. In respect of the existing levels of private amenity and compatibility of the surrounding uses, the proposal is located a sufficient distance from neighbouring property to ensure that the private amenity of site occupants and neighbouring land users is maintained at a suitable level. Boundary treatment is proposed that would be sufficient to prevent guests and pets from walking onto the A9 from the site, and is a requirement of Transport Scotland.
37. The access to the site would be from the old A9 which is currently part of the National Cycle Network, and which is served from an existing junction access with the A9 Trunk Road. Parking provision is available within the site meaning that the cycle route would not be obstructed by parking. Transport Scotland has no objections to the proposal and recommends conditions controlling access standards. Perth and Kinross Council Roads Service has no objection to the proposal.
38. The CNPA landscape advisor and ecologist have identified and proposed suitable landscaping and planting requirements that would provide opportunities to further biodiversity and ecological interest.
39. In this instance the proposed development is considered to comply with the relevant provisions and intent of the Cairngorms National Park Local Development Plan Policy 3: Sustainable Design.

Natural Heritage

40. The Cairngorms National Park Local Development Plan Policy 4 on natural heritage aims to ensure that development conserves and enhances the outstanding natural heritage of the Park.
41. There are no international or national designations relating to the site. There are no other important natural and earth heritage sites or interests. The CNPA ecologist considers that the loss of some neutral semi-improved grassland and a small number of semi mature Scots Pine for access would be negligible. The proposed tree and shrub planting has the potential to enhance the site ecologically and is welcomed.
42. During the course of the assessment additional information was provided referring to a tree survey, impact assessment and protection plan. This confirms that all trees are located behind an existing post and wire fence and so would remain undisturbed. The point of access from the old A9 was chosen to minimise the loss of some semi mature Scots pine where there is some clear spacing and where the shallowest excavation for access would be required. Nevertheless a tree protection plan clearly delineating the protection measures to BS5837:2012 should be conditioned to ensure that the existing trees are retained in so far as is reasonably practical and to be consolidated by the additional planting.
43. The proposed landscaping plan and detail offers planting of 700 trees and 100 shrubs which are welcomed. However, the species list will require to be changed to provide a mix appropriate to the area which contains more native species and which would provide more ecological benefit. As such a revised landscape plan should be conditioned to any consent with reference to the suggested list from ecology. The plan should also provide detail of sizes and detail the measures for protection as they establish and how they will be cared for and maintained.
44. The proposal details the provision of grassed amenity areas with a wildflower mix as part of the landscaping proposal. A method statement detailing how this will be achieved (ground preparation, sowing etc) and maintained is required. A local provenance seed mix should be used with 'Northern Hay Meadow Mix' being recommended by the CNPA ecologist.
45. Bats are unlikely to be present given the size and age of the trees. There is some potential for the Scots Pine to support red squirrel dreys. However the risk is low given the isolation of this block of woodland from other nearby forest. Nevertheless a check for red squirrel dreys is advised prior to felling in order to avoid any offence and the applicant should be reminded of this through an informative.
46. In light of the above the application is considered to comply with Policy 4: Natural Heritage which seeks to ensure that new development conserves and enhances natural heritage interests.

Landscape

47. Policy 5: Landscape is intended to conserve and enhance the diverse and spectacular landscapes of the National Park by ensuring that only development that conserves and enhances the special landscape qualities are supported.
48. The CNPA landscape advisor considers that given a sensitive approach to earthworks and planting the landscape character and visual impacts associated with this development can be reduced to slight in a period of a few years. Some further details relating to earthworks and changes to the proposed fencing and planting are required to achieve this.
49. Notwithstanding the above, it is considered that the combination of earthworks which will mean that the cabins are set into land forms, and the proposed tree and shrub planting will reduce the visual impacts. However the fit with the local landscape character is dependent on the nature of earthworks, planting and fencing. If not done sensitively this risks increasing the overall prominence of the site.
50. A Construction Method Statement should be provided describing the process of removing vegetation turfs, storage and re-use following the creation of the new land forms that should also be detailed as being rounded off to match the profiles and angles of naturally occurring landforms in the area.
51. In respect of the site fencing required by Transport Scotland to prevent uncontrolled pedestrian and animal access from the site to the A9, the proposed chain link fencing is industrial and utilitarian and should not be used in this rural site. This should be substituted with a 1.8m FC standard deer fencing with tree and shrub planting in close proximity. Species for the planting are recommended and to be conditioned to any consent.
52. In this instance the proposed development is considered to comply with the relevant provisions and intent of the Cairngorms National Park Local Development Plan Policy 5: Landscape.

Other Issues Raised in Consultations and Representations

53. In respect of Community Council comments, the developer would be afforded some allowance for advertisement of the site within the site grounds through the Town and Country Planning (Control of Advertisement)(Scotland) Regulations 1984. However, advertisement consent may be required for any off-site advertisements or directional signs and the developer would need to make contact with the Local planning Authority and/or Transport Scotland in the first instance to confirm any consent requirements. Any other issues relating to the applicants other business interests are not material to the planning assessment of this application and must be disregarded.

CONCLUSION

54. The proposed development is appropriately designed and sited and will fit in with the surrounding area whilst also providing for landscape and ecology enhancements. The proposal is compatible with surrounding land uses and can be adequately accessed and serviced with no detrimental environmental impacts. It is considered to fully comply with Local Development Plan policies and is welcomed as contributing to the range of tourist accommodation available within the Park. Approval is therefore recommended subject to appropriate planning conditions regarding access standards, boundary fencing, landscaping and planting.
55. Reason for approval. The development proposal for the siting of 3 timber clad chalets with access from the old A9, site servicing and landscape works, including planting and boundary treatments, is located and designed in a manner which is sympathetic to the landscape setting. Its use for tourism accommodation is compatible with the surrounding land uses. Furthermore there are no detrimental environmental impacts or material considerations that would warrant refusal of permission. The development complies with the provisions and intent of the Cairngorms National Park Authority Local Development Plan Policy 2: Economic Growth, Policy 3: Sustainable Design, Policy 4: Natural Heritage and Policy 5: Landscape.

RECOMMENDATION

That Members of the Committee support a recommendation to: GRANT FULL PLANNING PERMISSION for the Erection of 3 Holiday Cabins and Formation of Vehicular Access subject to the following conditions:

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

- I. **Notwithstanding the approved plans and details, no development shall commence on site until a revised landscape scheme is submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The revised landscaping plan shall as a minimum include the following:**
 - a) **A timetable for the delivery of the landscaping works;**
 - b) **A revised tree/shrub planting list as recommended by the CNPA ecologist in their response of 27.05.2016 and their distribution on the site;**
 - c) **Details of the size of trees and measures to protect them from grazers and how they will be cared for and maintained during the lifetime of the development;**
 - d) **A method statement detailing how the ground will be prepared for the wildflower mix, confirmation of the mix to be used and its**

- distribution on site, and details of the maintenance through the lifetime of the development;
- e) **Details of a 'deer fence' around the perimeter of the site to replace the proposed chain link fence, and details of the trees and shrub species to be planted near to the fence as defined under bullet point a) and b) of this condition.**

Thereafter the development shall be implemented in accordance with those approved details and timetable for the lifetime of the development unless otherwise agreed in writing by the Cairngorms National Park Authority acting as planning authority.

Reason: To ensure the development complements and enhances the landscape character and is compatible with the surrounding uses in accordance with Policy 3: Sustainable Design, Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

- 2. Notwithstanding the approved plans and details, no development shall commence on site until a detailed Construction Method Statement (CMS) detailing the approach to site landscape works and which must demonstrate the following:**
- a) **Profiling of cut and fill slopes to fit in with the naturally occurring landforms of the area;**
 - b) **The process for the careful removal of vegetated turfs and topsoil and their re-use following the creation of landforms.**

Thereafter the development shall be implemented in accordance with those approved details unless otherwise agreed in writing by the Cairngorms National Park Authority acting as planning authority.

Reason: To ensure the development complements and enhances the landscape character of this part of the Park in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

- 3. Notwithstanding the approved plans and details no development shall commence until a accurate scaled plan detailing the following junction standards and a written confirmation of their provision, has been submitted to and approved in writing by the Cairngorms National Park Authority acting as planning authority in consultation with Transport Scotland acting as roads authority.**
- a) **Visibility splays on each side of the access from the A9 to the 'old A9' road leading to the development site as specified in the response from Transport Scotland received by the CNPA dated 03-Feb-2016**
 - b) **A width of access at least 5.5 metres wide for a distance of 5 metres from the nearest edge of the trunk road carriageway**

Thereafter the junction standards shall be provided and maintained in accordance with those approved details for the lifetime of the development unless otherwise agreed in writing by the Cairngorms National Park Authority acting as planning authority in consultation with Transport Scotland.

Reason: To ensure that vehicles entering or existing the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road and to ensure that the access is wide enough to allow vehicles to enter and exit the access at the same time without conflict. To be compatible with surrounding uses in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

- 4. Notwithstanding the approved plans and details and prior to the commencement of works on the site, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways/private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Cairngorms National Park as planning authority in consultation with Perth and Kinross Council Environmental Health Service.**

Reason: To ensure that the development maintains the current level of servicing to neighbouring property, and is compatible with surrounding uses in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

Informatives:

1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of three years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
2. Construction work (including the loading/unloading of delivery vehicles, plant or other machinery) should not take place out with the hours of 0800 hours to 1800 hours Mondays to Fridays, 0900 hours to 1300 hours on Saturdays or at any time on Sundays or Bank Holidays in order to minimise disturbance to residents in the area.
3. Prior to the commencement of development, a notice of the intended date of initiation of development shall be submitted to the CNPA acting as Planning Authority and such notification shall contain the information set out in the 'Notification of Initiation of Development Notice as appended, pursuant to Section 27A(1) of the Town and Country Planning (Scotland) Act 1997.

4. Following the completion of the development, a notification of the completion shall, as soon as practicable, be submitted to the CNPA acting as Planning Authority and such notification shall contain the information as set out in the 'Notification of Completion of Development' Notice as appended, pursuant to Section 27B(1) of the Town and Country Planning (Scotland) Act 1997.
5. Water and wastewater provision 1. The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.
6. Water and wastewater provision 2. The developer is reminded that they must ensure the private water supply for the house/development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.
7. The developer is reminded to undertake a check of the woodland surrounding the site for red squirrel dreys in advance of any removal of trees. This is to avoid committing an offence under the Wildlife and Countryside Act (1981). Should any red squirrel dreys be found the developer must cease works and contact Scottish Natural Heritage for advice.
8. For the avoidance of doubt this planning permission, subject to the satisfactory discharge of conditions, relates to development in the west of the red line development boundary only and to the extent of the landscaping works detailed on the approved landscaping plan. This decision does not grant permission for other works to the east of the site near to the junction and access off the old road with the A9 Trunk Road or for the siting of a cabin. Those matters are being dealt with by the Highland Council.

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.