
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED:

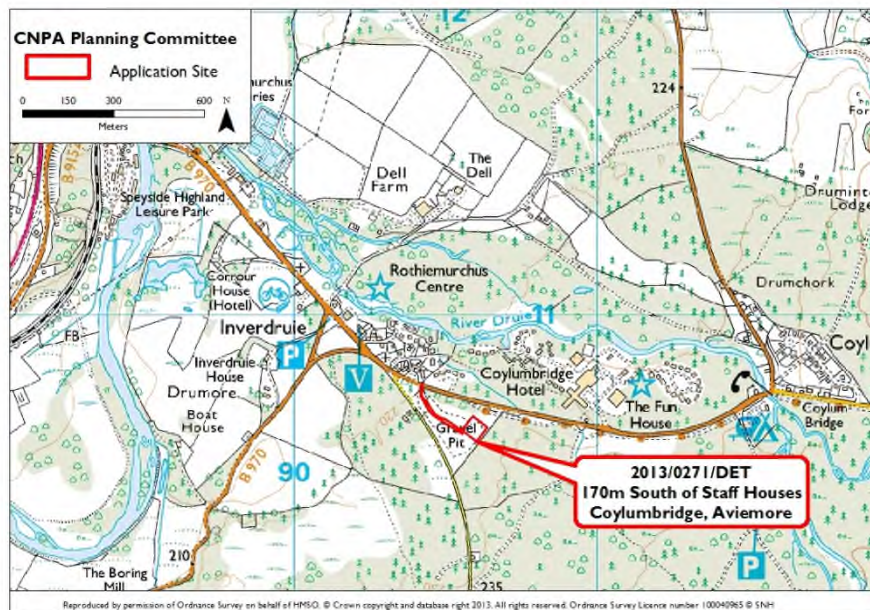
USE OF PART OF EXISTING GRAVEL PIT TO PROVIDE A TEMPORARY COMPOUND AREA FOR THE AREA FOR THE STORAGE OF MATERIALS (CABLE DRUMS, POLES, SAND AND GRAVEL), WELFARE FACILITIES, STORES AND OFFICES IN 8 PORTABLE UNITS. LAYDOWN, STORAGE AND PARKING AREAS WOULD BE ON HARD STANDING. COMPOUND REQUIRED IN CONNECTION WITH BEAULY TO DENNY POWERLINE.

REFERENCE: 2013/0271/DET

APPLICANT: SSE PLC, C/O BELL INGRAM DESIGN

DATE CALLED-IN: 26TH AUGUST 2013

RECOMMENDATION: APPROVE WITH CONDITIONS



Grid reference: 290563 E 810636 N

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought for the part use of a former gravel pit to provide a temporary compound area for the storage of materials (cable drums, poles, sand and gravel), welfare facilities, stores and offices in 9 portable units. The proposal is related to the construction of the Beaully Denny overhead electricity transmission line granted consent by the Scottish Government in 2010. The need for the compound at Coylumbridge is in connection with the Cairngorms Rationalisation Project which includes the removal of 40 kilometres of 132 kV overhead transmission line between Etteridge and Boat of Garten and replacement with 33 kV overhead wooden poles or underground cables by way of mitigation for the 400 kV Beaully to Denny transmission line. Planning permission is sought for a period of 24 months until September 2015 and it is intended that the compound will be operational between 1st April and 30 September 2014. The extended period is to cover any unforeseen delays or changes in works that require prolonged use of the compound.

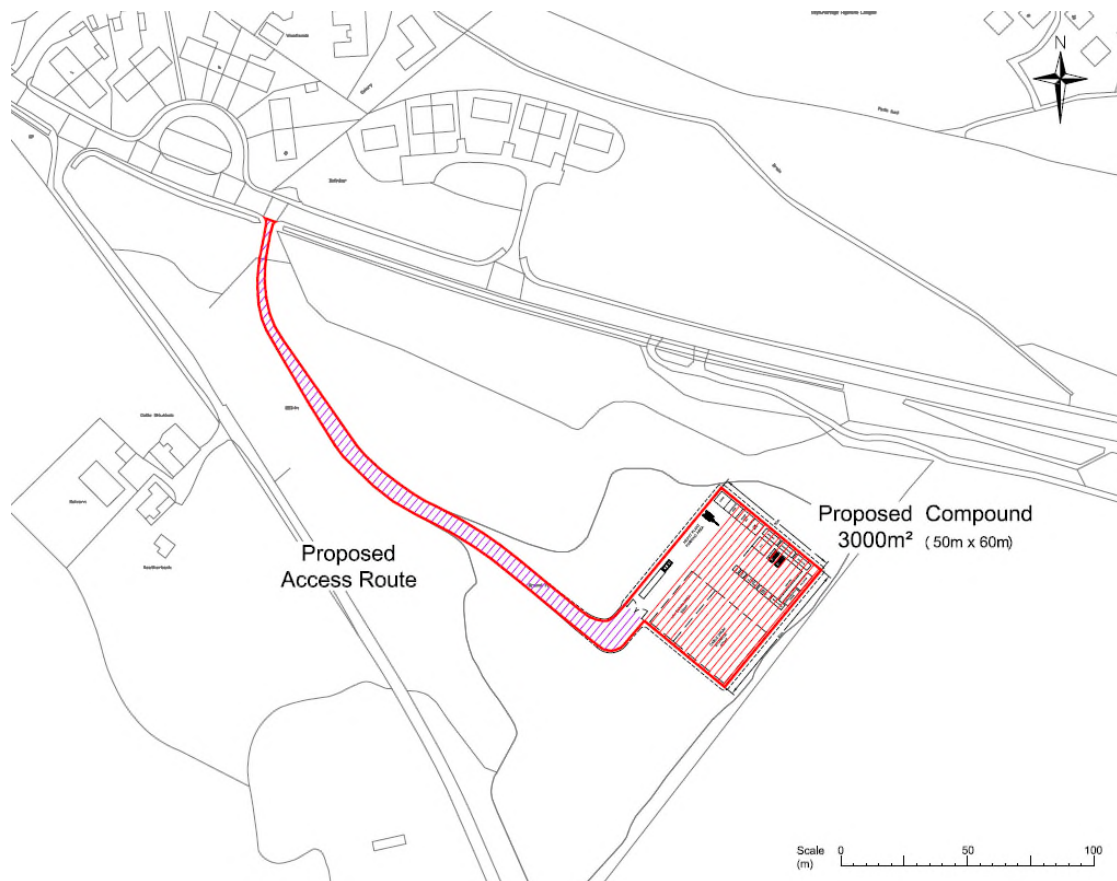


Fig 2 – Location of proposed compound and access road

2. The application site is located within a former gravel pit to the south of the B970 and to the north east of an unclassified road which runs in a south easterly direction from its junction with the B970. The former quarry is approximately 150 metres to the south east of the small settlement of Inverdrue and the existing vehicular access is located to the south of the B970 and approximately 25 metres from the nearest dwelling house. The quarry is bounded to the north and south west by tree belts of varying density and to the south east by raised moorland with a number of young pine trees. Although the area to the south east is open moorland the gravel pit sits below the level of the moor. Apart from a small glimpse from the unclassified road the former gravel pit is mostly concealed from public view.



Fig 3 – View of Gravel Pit from access road



Fig 4 – View of Gravel Pit access road



Fig 5 – View of Gravel Pit

3. The proposed compound will comprise an area of 0.3 hectares on existing hard standing within the gravel pit and will be surrounded by a 2 metre high metal security fence with access gate. A temporary water, waste and electricity supply will be set up to service the site. It will be accessed via an existing quarry road from the B970 running for approximately 200 metres through dense conifer planting. It is anticipated that vehicle movements would initially be in the region of 20 – 30 per day while materials and portable buildings are being delivered. Vehicle movements will drop to 10 - 20 per day when site is fully operational. The compound and fencing will be removed after the temporary use of the site which will then return to its former condition and revert to its current use.

4. Nine portable buildings will be located within the compound and will be grouped together in the south east corner to provide staff accommodation and storage facilities. The portable buildings will comprise office accommodation (3 portable buildings), plant store, joiner store and small tool store, drying room, welfare office and a toilet block. A heavy plant parking area will be located in the north east corner adjacent to a fuel bund, power wash bay, quarantine area and open storage area. A large area in the southwest of the compound is designated for cable drum storage and also a lay down area for poles, sand and gravel.

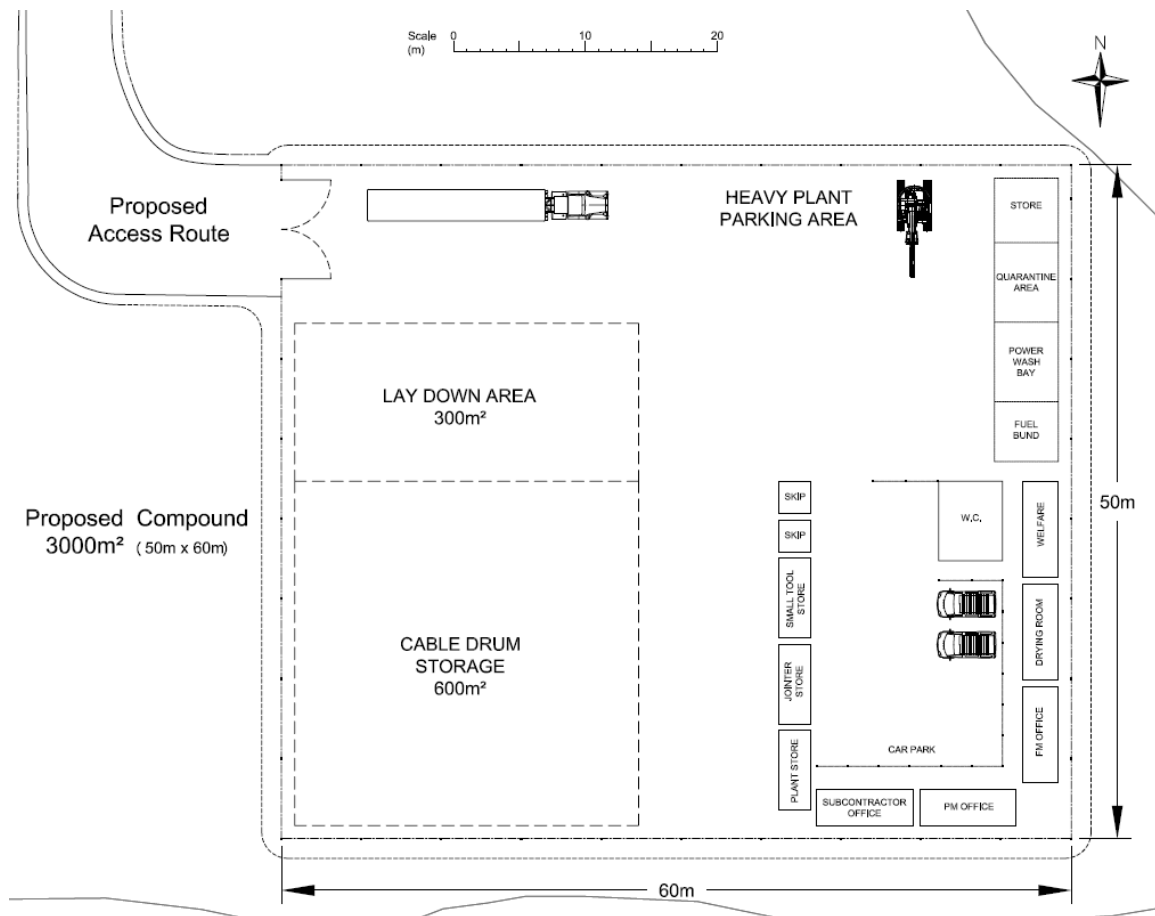


Fig 6 – Proposed Compound Layout

DEVELOPMENT PLAN CONTEXT

National policy

5. **Scottish Planning Policy (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. 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.
6. **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.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth. **SPP** includes ‘subject policies’, which are applicable to the proposed development. These include economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of relevant subject policies.
7. **Economic Development:** Planning authorities are expected to respond to the diverse needs and locational requirements of different sectors and sizes of businesses. The planning system is encouraged to support economic development in all areas by supporting development that will provide new employment opportunities and enhance local competitiveness, and promote the integration of employment generation opportunities with supporting infrastructure and housing development. Planning authorities are also expected to ensure that new development safeguards and enhances an area's environmental quality and where possible promotes and supports opportunities for environmental enhancement and regeneration. Authorities are also encouraged to adopt a proactive approach to encouraging the reuse of buildings and previously developed land.
8. **Rural development:** SPP states (Para. 92) 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.

9. **Landscape and natural heritage:** SPP 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.
10. Scottish Planning Policy provides a Risk Framework which is designed to provide a basis for planning decision making related to flood risk. There are essentially three risk categories - little or no risk where the annual probability of flooding is less than 0.1% (1:1000); low to medium risk where the annual probability is in the range of 0.1% and 0.5% (1:1000 -1:200); and medium to high risk, where the annual probability of flooding is greater than 0.5% (1:200). Within the latter category (medium to high risk), in undeveloped and sparsely developed locations, additional development is not generally suitable. Exceptions may however arise if a location is essential for operational reasons. In such instances, infrastructure should be designed and constructed to remain operational during floods. Job related accommodation, for example caretakers and operational staff, may also be acceptable.

Strategic Policies

Cairngorms National Park Partnership Plan (2012-2017)

11. The Cairngorms National Park Partnership Plan 2012 – 2017 is the management plan for the National Park for the next 5 years. It sets out the vision and overarching strategy for managing the Park and provides a strategic context for the Local Plan. Three long term outcomes have been identified to deliver the vision for the Par. These are designed to deliver the four aims of National Parks in Scotland and include:
 - 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.
12. Specific policy priorities to help deliver the long term outcomes of the Partnership Plan that are relevant to the current application include:
Policy 2.3 Conserve and enhance the special landscape qualities with a particular focus on:
 - a) conserving and enhancing wildness qualities;
 - b) maintaining and promoting dark skies;
 - c) enhancements that also deliver habitat improvements;

- d) enhancing opportunities to enjoy and experience the landscapes of the Park.

Policy 2.4 Conserve and enhance habitat quality and connectivity, with a particular focus on:

- a) woodland enhancement and expansion, especially montane, farm and riparian woodlands;
- b) wetland enhancement;
- c) delivering a combination of ecosystem services including flood management, carbon sequestration and storage, timber and food production.

Highland Council Structure Plan (2001)

13. The Highland Council Structure Plan is founded on the principles of sustainable development, which are expressed as:

- Supporting the viability of communities;
- Developing a prosperous and vibrant local economy; and
- Safeguarding and enhancing the natural and built environment.

Specific policies relevant to the current application include:

Policy NI Nature Conservation advises that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Plan refers to the socio-economic benefits of the nature conservation resource and advises that it should be optimised by a high level and standard of interpretation and understanding wherever possible.

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.”

Policy G2 Design for Sustainability states that developments will be assessed on the extent to which they, amongst other things make use of brownfield sites, existing buildings and recycled materials; are accessible by public transport, cycling and walking as well as car; are compatible with service provision; demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments; and contribute to the economic and social development of the community.

Policy UI Electricity Distribution Network Highland Council states that it will welcome the refurbishment and strengthening of the electricity distribution network.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

14. All new development proposals require to be assessed in relation to policies contained in the adopted local plan. The relevant policies are:

Policy 4 Protected Species: Development that would have an adverse effect on any European Protected Species will not be permitted unless:

- a) there are public health, public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment; and
- b) there is no satisfactory alternative solution; and
- c) the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy 5 Biodiversity: Development that would have an adverse effect on habitats or species identified in the Cairngorms Local Biodiversity Action Plan, UK Biodiversity Action Plan, or by Scottish Ministers through the Scottish Biodiversity List, including any cumulative impact will only be permitted where:

- a) the developer can demonstrate to the satisfaction of the planning authority, that the need and justification for the development outweighs the local, national or international contribution of the area of habitat or populations of species; and
- b) significant harm or disturbance to the ecological functions, continuity and integrity of the habitats or species populations is avoided, or minimised where harm is unavoidable, and appropriate compensatory and/or management measures are provided and new habitats of commensurate or greater nature conservation value are created as appropriate to the site.

15. Where there is evidence to indicate that a habitat or species may be present on, or adjacent to, a site, or could be adversely affected by the development, the developer will be required to undertake a comprehensive survey of the area's natural environment to assess the effect of the development on it.

Policy 6 – Landscape: stipulates that there will be a presumption against development which does not conserve and enhance the landscape character of the National Park unless any significant adverse effects are outweighed by social or economic benefits of national importance and all adverse effects can be mitigated.

Policy 25 Business Development Proposals which support economic development will be considered favourably where the proposal is compatible with existing business uses in the area, supports or extends an existing business, is located within an allocated site identified on the proposals' maps, or specific criteria with regard to sites within identified settlements, sites out with settlements and other business opportunities.

CONSULTATIONS

16. **Aviemore and Vicinity Community Council** stated that the site is located within a well hidden area and there is no objection to the proposal.
17. **Highland Council TEC Services – Roads:** noted that the application sight is within a 40mph zone and a visibility splay of 2.4 metres from the inner edge of the cycle track and 120 metres in both directions is required at the junction of the access road to the former gravel pit and the B970.
18. **Highland Council TEC Services - Environmental Health:** no response to date.
19. **SEPA:** raised no objection to the proposed development and referred to compliance with standard guidance on small scale local development.
20. **CNPA Landscape:** confirmed that as the compound is temporary a requirement for new planting to enhance screening of the quarry from the unclassified public road on the western side of the gravel pit will not be required in this instance.
21. **CNPA Ecology:** indicated that there is evidence of sand martins using the exposed gravel pit embankment to the east of the proposed compound. It is noted however that although the compound is located away from this slope and that although there is a low risk of direct physical damage to the colony it should be marked off with tape for a distance of 25 metres. It is considered that this will eliminate a reasonable possibility of direct physical damage, minimise disturbance from the proximity of people and also minimise vibration from plant operation and other effects. It is recommended that an appropriate condition should be imposed

REPRESENTATIONS

22. The planning application was advertised in the Strathspey and Badenoch Herald on 29/08/13. One representation (in the form of 2 emails) has been received in relation to the development proposal. The reasons for objection concern:
- a) the volume of traffic and heavy loads entering and exiting the site
 - b) the need for operating times as the site is close to housing, and
 - c) the need to include provision for road cleaning in the event of spillage onto the public road.

Lastly, the question of an alternative access into the site has been raised.

APPRAISAL

23. The issues to be considered in the assessment of the application concern: the suitability of the location for the proposed use; the nature of the proposed development; compliance with the development plan and other policies; advice from consultees and reasons for objection to the proposed development.
24. The proposed temporary compound is required in connection with mitigation works associated with the 400kV Beaully Denny overhead transmission line which was granted in 2010 and is currently under construction. The Cairngorms Rationalisation Project includes the removal of 40 kilometres of 132 kV overhead transmission line between Etteridge and Boat of Garten and replacement with 33 kV overhead wooden poles or underground cables. Although Planning permission is sought for 24 months until September 2015 the compound is programmed for use between 1st April and 30 September 2014. The extended period is to cover any unforeseen delays or changes in works that require prolonged use of the compound.
25. The proposed site is located within a former gravel pit close to the settlement of Coylumbridge/Inverdrue on the B970. The existing access serving the site will be utilised for the proposed operation and the compound will be set up as a secure area totally within the confines of the gravel pit. The agent explained that the compound will not require any permanent concrete bases and that the site will not require any levelling or grading to existing surfaces or slopes. The compound will be secured by 2 metre high metal fencing with a gate on the south west side where it meets the existing access road linking the site with the B970. The application site is almost completely screened from public view on all sides, particularly from the B970 where a combination of mature trees on a natural embankment screen the site. The former gravel pit comes very close to the unclassified road to south west where there is a thinner covering of trees and it is possible to see into the quarry from the top of a small embankment. To view into the quarry from this point however, it would be necessary to climb over a boundary

fence and up the embankment. The actual compound would be located over 100 metres from this point. The visual impact on the area will therefore be minimal.

26. Highland Council TEC Services (Roads) requires a visibility splay of 2.4 metres measured from the inside edge of the cycleway by 120 metres in each direction. The agent has provided a detailed drawing showing that this can be achieved and has confirmed that no trees require to be felled to achieve this requirement. Some low level scrub will however need to be removed to ensure a clear view in both directions. An appropriate condition can be imposed to ensure the visibility splay is kept clear at all times.
27. SEPA has no objection to the temporary use but has recommended that proposal should follow Standing advice for small scale local development.
28. Although the site area does not have a particularly high natural heritage value CPNA Ecology has noted that the eastern slope of the gravel pit is used by a colony of sand martins. It is recommended that the area which is out with the compound is taped off for a distance of 25 metres from the face to ensure minimal disturbance. Again, an appropriate condition can be imposed requiring details to be submitted and approved and that the tape is in place prior to the compound becoming operational.
29. Only one representation was received in response to publicity. This raises issues concerning volume of traffic, operational hours, the need to clean the public road in the event of spillages and whether consideration has been given to an alternative access. The application site is located within a former gravel pit where heavy machinery and trucks would have been used in the extraction and removal of gravel from the site. Appropriate conditions can be included to control operational hours and to ensure that vehicles leaving the site are free from possible debris gathered on site. As the use is for a temporary period and a suitable vehicle access exists the applicant was not requested to consider the issue of an alternative access. The only possibility would have been from the unclassified road to the south west of the site. Access from this or any other point would require clearance of trees and cutting through embankments surrounding the gravel pit.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

30. The proposed development is for a temporary period and is on a brownfield site close to the village of Inverdrurie. The temporary development does not raise issues in relation to natural heritage issues. Restoration of the proposed site would occur at the end of the period of use.

Promote Sustainable Use of Natural Resources

31. The nature of the development does not provide opportunity to promote the sustainable use of natural resources. The site has however been selected by the applicants on the basis of its proximity to the works associated with the Beaully Denny line and the Cairngorms Rationalisation Project in an effort to seek to maximise efficiency in terms of delivery of the project. It is also within easy access of the trunk road network and the railway station in Aviemore, as well as being in close proximity to the various services and facilities available in Aviemore. The choice of location therefore has the potential to reduce the travel requirements of workers.

Promote Understanding and Enjoyment of the Area

32. The proposed development would not assist in promoting the understanding and enjoyment of the area and could, for the duration of its existence, be considered to detract from the enjoyment of the area. However, permission is only being sought for a limited temporary period and the site would be restored after use.

Promote Sustainable Economic and Social Development of the Area

33. The proposed development would result in an increase in workforce numbers in the area, many of whom would be resident in temporary accommodation in the area. The additional activity may have the potential to generate increased business and increased revenue in the local economy. It is possible that the presence of the development may have short term impacts in discouraging a limited number of visitors to the immediate area, although this is not likely to have a long term or lasting effect.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT planning permission for the use of part of an EXISTING GRAVEL PIT TO PROVIDE A TEMPORARY COMPOUND AREA FOR THE AREA FOR THE STORAGE OF MATERIALS (CABLE DRUMS, POLES, SAND AND GRAVEL), WELFARE FACILITIES, STORES AND OFFICES IN 8 PORTABLE UNITS in connection with BEAULY TO DENNY POWERLINE subject to the following conditions:

CONDITIONS

- I. **Temporary Permission:** This is a temporary permission, and shall have a duration of two years only from the date on this decision notice. The use of the site as a service compound shall cease at the end of the two year period; all structures shall be removed from the site; and the site shall be restored to its current condition.

Reason: In the interests of the general amenity and the visual amenity of the area.

2. **Visibility Splays:** Visibility splays shall be provided and maintained on each side of the existing access from the B970 to the satisfaction of the Cairngorms National Park Authority acting as Planning Authority, in conjunction with Highland Council's TEC Services. These visibility shall be 120 metres in both directions measured from a point 2.4 metres from the inside edge of the cycle way.

Reason: To ensure that vehicles entering and exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the B970.

3. **Protection of Sand Martins:** The eastern slope of the gravel pit shall be marked off with tape for a distance of 25 metres prior to works commencing on site to form the temporary compound. The tape shall be maintained in good condition and remain in situ for the duration of the temporary planning permission. It shall only be removed when works have ceased and the compound has been removed.

Reason: To minimise any disturbance to sand martins using the eastern slope of the former gravel pit as a consequence of the operation of the temporary compound by personnel, machinery and other possible effects.

4. **Operation of the Compound:** The construction and operation of the proposed compound shall be in compliance with the Construction Procedures Handbook for the Beaulieu - Denny 400Kv overhead Electricity Transmission Project.

Reason: To ensure that the development takes place in an orderly and appropriate manner and in the interests of the general amenity of the area.

5. **Restriction of Activities:** No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site other than between the hours of 7:30am to 7:30pm Monday to Friday, 8:00am to 5:00pm on Saturdays nor at any time on Sundays or a recognised Scottish Bank Holiday without advance notice to the Planning Authority.

Reason: To safeguard the amenities of the area.

6. **Noise control:** All works on site shall comply with BS 5228 'Noise Control on Construction and Open Sites'.

Reason: To protect the occupants of nearby dwellings from excessive noise/disturbance associated with the implementation of this permission.

7. **Wheel Washing Facilities:** Prior to the commencement of the development hereby permitted wheel washing facilities for construction traffic connected with the development shall be installed in accordance with details that have previously been submitted to, and approved in writing by, the Planning Authority. Once installed such facilities shall be used to prevent mud and other debris being deposited on the public highway during the construction of the development.

Reason: To safeguard the amenities of the locality and to ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway(s).

8. **Mud and other material on carriageway:** Prior to the commencement of development hereby permitted, full details of the proposed measures to ensure that all mud and other loose materials are not carried on the wheel and chassis of any vehicles leaving the site and measures to minimise dust nuisance shall be submitted to, and agreed in writing by, the Planning Authority. The approved details shall be implemented throughout the period of operation unless otherwise agreed in writing with the Planning Authority.

Reason: To minimise mud and other material being carried onto the B970 road, and the creation of dust, the interests of road safety.

Advice notes:

The setting up and operation of the temporary compound shall be carried out in accordance with Standing Advice offered by SEPA with regard to small scale local development available at www.sepa.org.uk/planning.aspx.

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30 October 2013

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.