
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(DEVELOPMENT MANAGEMENT)

DEVELOPMENT PROPOSED: ERECTION OF BUILDING AS ANIMAL FEED AND EQUIPMENT SHOP, SITING OF STORAGE CONTAINER AND ALTERATIONS TO ACCESS AT LAND ADJACENT TO PUBLIC ROAD, CLURY CROFT, DULNAIN BRIDGE

REFERENCE: 08/289/CP

APPLICANT: JACKIE FURDA

DATE CALLED-IN: 8 AUGUST 2008

RECOMMENDATION: APPROVAL



Fig. 1 - Location Plan



Fig 2 Clury Croft from the site access



Fig. 3 The proposed site from the access



Fig. 5 Site from West

SITE DESCRIPTION AND PROPOSAL

1. The site is located at the road side below Clury Croft, 4 kilometres South West of Dulnain Bridge, on land adjacent to the C Class road from Balnaan to Carrbridge. Engineering to form 1.2 metre high bunds has already taken place along the North east and North West boundaries. The storage container is already on the site. Access would be via the gate to the croft, where access improvements are proposed.
2. The site is located in open fields. The croft is located 300 metres to the South East. There is an existing agricultural shed to the West.
3. It is proposed to erect a timber agricultural-style building measuring 108m² 12m x 9m x 3.6m high. The building would not include a sales display window but would be accessed by a large door for bulky goods and a pedestrian pass door and ancillary windows. The storage container is typical of its type and would be used to store bulky items such as horse feed and shavings. Bulky items such as bales would be stored at the Croft. No other external storage is proposed. Parking for 5 vehicles and a delivery lorry is proposed.

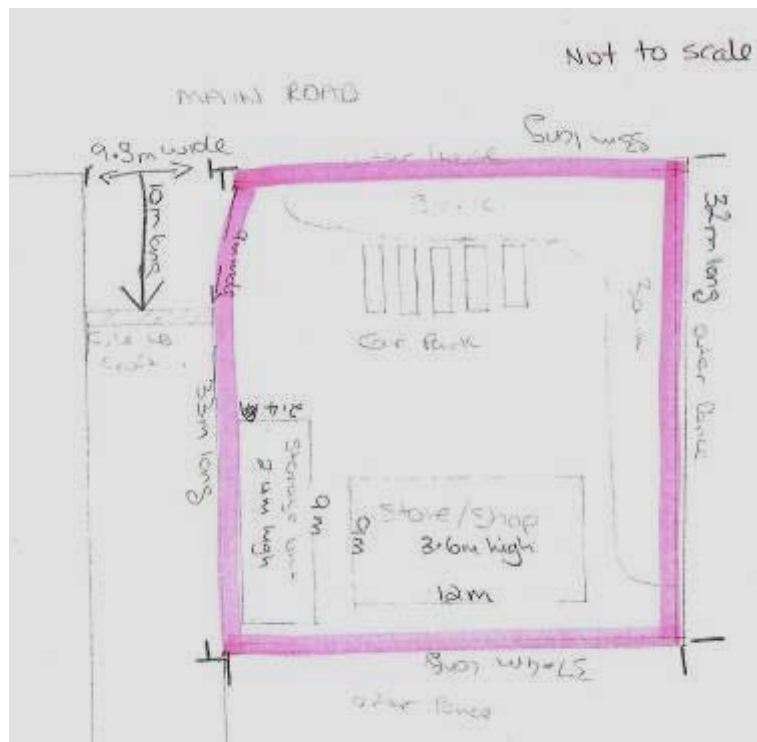


Fig. 4 Proposed site layout



Fig. 5 : Example of proposed structure

DEVELOPMENT PLAN CONTEXT

National Planning Advice

SPP 8 Town Centre and Retailing

4. The Scottish Executive is committed to supporting the viability and vitality of existing town centres by focusing development on them and using a sequential approach to development. Priority for retail development is given to town centres then edge of centre and then edge of town sites.
5. In rural areas, a range of shops and other facilities are provided in small towns, villages and other accessible locations. These locations form an important part of a network, as the uses provide vital local community and economic services both to the settlement and the surrounding rural community. Bulky goods are directed to town centres etc. but out-of-centre locations may be considered appropriate, when the location would provide a qualitative benefit to customers. Travel distances and combined trips are important considerations in these cases. Conditions restricting the sale of certain goods or the format of units, should be used where such restrictions are necessary to support the policies and/or the town centre strategy of the development plan

SPP 15 Planning for Rural Development

6. Scottish Ministers see considerable potential for encouraging diversification, including equestrianism. Small towns should be self sufficient and able to maintain their function in the local economy. They have a key role in providing services to the wider catchment population. However, support is given to a wide range of economic activity in rural areas and planning

authorities should seek environmental enhancement through development at every opportunity.

Cairngorms National Park Plan 2007

7. Strategic objectives for Landscape seek to ensure that development compliments and enhances the landscape character of the Park. Strategic objectives for the Economy and Employment seek to encourage entrepreneurship, especially in young people and promote opportunities for economic diversification and year round employment.

DEVELOPMENT PLAN CONTEXT

8. **The Highland Structure Plan 2001_Policy B7** Business Development in Rural Areas encourages business development and extensions.
9. **The Badenoch and Strathspey Local Plan 1997 Policy 2.2.1(a)** states that new economic development will be encouraged where it is compatible with a clean environment. **Policy 2.2.1(b)** encourages agricultural diversification into a range of businesses including specialist farm enterprises (e.g. farm shops) but does not mention wider retailing, as this is directed into settlements. **Policy 2.2.19 Roadside Development** refers to road side development along the main routes and restricts the spread of commercial development outwith recognised settlements unless it conforms to other policies applied in the Landward Area.

CONSULTATIONS

10. **Highland Council's Area Roads Manager** raises no objection to the proposal subject to conditions to control sightlines, entry and exit from the site and access improvements.
11. **CNPA Economic and Social Development Officer** welcomes the diversification and expansion of a land-based business at Dulnain Bridge and considers the business may compliment the existing shop and garage in the village. A clash with existing rural shops should be avoided by applying conditions to restrict the range of goods sold, thus avoiding a permission for general retailing.
12. **CNPA Heritage and Land Management (Landscape Officer):** no response.
13. **Dulnain Bridge Community Council:** no response.

REPRESENTATIONS

14. In three letters in support the applicant explains that she has been operating an animal feeds and associated goods business for 6 years. The current business is by phone or mail order, with local free delivery. The establishment of a shop and storage would allow for the expansion of the business, although the same range of products would be sold. These comprise:
For horses: feed, hay (big bales), bedding (wood shavings, paper, straw), herbs and supplements, clothing (jodpurs etc.), boots, hats, stable equipment, grooming equipment, tack, shampoos, boots and bandages;
Pets: food, treats, toys, leads and collars, beds, bedding and bowls;
Domestic and wild birds: Bird feeders and food;
Poultry and farm feed.
15. Customers from the Speyside area would be able to visit rather than travel to Inverness (Seaforth Saddlers and Pets at Home) or Nairn (NDS Animal Feeds) and collect bulk purchases or benefit from free delivery. Visiting customers would amount to 15 - 20 per week with a turnover from this sector of between £200 - £400 per day. Bulk sales are growing monthly.

APPRAISAL

Principle of Development

16. National advice and local planning policy for retail development steers retail activity into existing centres such that combined visits and mutually supportive vitality and viability is maintained. The sequential test requires the examination of town centre locations first. Bulky goods may appropriately be provided in out of centre locations when there is a qualitative benefit to customers. In the case of this application, the customer base is found in rural locations and the nature of the goods sold is specifically aimed at their requirements and is generally provided in bulk. The applicant has not done a full retail impact assessment, including the sequential test but has provided information about the locations of the nearest alternative suppliers. There are some small scale specialists for pet foods in Grantown on Spey but otherwise the main alternatives are 40 to 45 kilometres away in Inverness and Nairn.
17. National advice and Development Plan policy are supportive of rural enterprises of this type, when they diversify the traditional economy and provide year round employment. The

development would also be supportive of planning objectives to service the rural population closer to home, reducing the need for lengthy journeys, in this case to Inverness or Nairn. The Economic Development Officer supports these aspects of the proposal and the potential to compliment the existing garage and shop in Dulnain Bridge, subject to conditions to limit the nature of the goods sold.

18. The application is for a general retail shop and storage but it is apparent from the supporting letters provided by the applicant that she already operates an animal feeds and ancillary products sales business and that the proposal would be an enhancement of the existing activity. She does not intend to increase her product range. It would therefore be appropriate to apply conditions restricting the nature of the goods sold and the format of the unit, both in support of planning policies to maintain existing town centres and to prevent the unit becoming a more general retail outlet such as Brodies or Millers, without further consideration of the planning issues.

Access, Traffic and Transport

19. National advice and local policy state that rural developments should be accessible and offer the opportunity for combined trips. The site is 2 kilometres from the A938 Dulnain Bridge to Carrbridge Road and 4.5 Kms from Dulnain Bridge and the A95 . It is not ideally located for accessibility but is near enough from the main roads to service the wider community whilst limiting traffic on minor roads and encouraging some combined trips. The Roads Authority has not objected to the use of the C class road for the proposed business despite a poor junction at the A938.

Landscape

20. The local plan is silent on road side development other than along the main thoroughfares, therefore the impact on the local landscape must be considered on its merits. The unit would be located in open fields with little existing screening other than the artificial bunds to the North East and South East and a small existing agricultural building to the west. The site would be quite prominent in the valley and some tree planting is essential to soften its appearance. The road side location has been selected for the convenience of customers, as the croft itself is 300metres to the South East up an unmade track. Passing trade is unlikely to be anything other than occasional. The site would not enhance the local landscape but at this particular location and scale

would not be seriously detrimental and could be accepted given the other benefits offered by the proposal.

Drainage

21. Normal ground water levels are high so soakaways are impractical. Disposal to local field culverts is unacceptable therefore toilet and welfare facilities would comprise a company serviced Porterloo. Roof water would be collected in a 45 gallon drum and then used on the croft.

Conclusion

22. The proposed activity is small in scale and serves a specific rural market. Due to the bulk nature of the sales and a high proportion of delivery to clients, the activity is unsuited to a high street setting. It is too small to be viable on a business park. It is therefore capable of complying with the relevant policies on the grounds of its nature and type, synergy with other small shops in the area and its capacity to reduce client journeys to distant suppliers. In a rural setting, it would not comply with planning policy if a general retail permission were to be granted therefore it is only capable of support with conditions clearly defining the scale and nature of retail activity and providing for an improved landscaped setting for the site.

IMPLICATIONS FOR THE AIMS OF THE PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

23. The development introduces hard features into an open landscape of fields but a screen bund and planting with native species will partly off set the disruption to the landscape.

Promote Sustainable Use of Natural Resources

24. The development provides a facility which is much closer to its customer base than alternatives, thereby reducing travel by customers and giving greater scope to provide local deliveries to customers, reducing fuel consumption and vehicle emissions.

Promote Understanding and Enjoyment

25. Not relevant to this aim.

Promote Sustainable Economic and Social Development

26. The development provides for a diversification of economic activity in a rural, agriculturally based area and supports employment for a younger person.

RECOMMENDATION

That Members of the Committee agree to a recommendation to:

Grant Full Planning Permission for the erection of building for use as an animal feed and equipment shop, siting of storage container and alterations to access at Clury Croft, Dulnain Bridge, subject to the following conditions:

1. The development to which this permission relates must be begun within five years from the date of this permission.
2. The sales display area shall be restricted to the internal floor area of the timber building hereby approved and goods, other than hay and straw bales, shall not be stored on any external part of the site without the written approval of the Planning Authority.
3. The goods sold shall be restricted to feed for horses, farm animals, birds and pets and associated ancillary consumer goods and clothing necessary for the keeping, feeding and welfare of the above animals and birds; or items that are wholly produced at Clury Croft. No mechanised equipment shall be sold, rented or serviced at the site. No livestock shall be sold.
4. Tree planting, of a native species and variety, height and number, in accordance with a scheme to be submitted to and approved by the Planning Authority prior to the commencement of the development, shall be undertaken in the areas hatched in green on the approved plan, during the planting season next following the completion of the development.
5. Exact details and specifications of all proposed external colour finishes (including roofing) shall be submitted for the further approval of the Planning Authority before any work commences on site. For the avoidance of doubt, the timber building shall remain uncoloured or shall be finished in a dark, recessive colour and the storage container shall be repainted in a dark, recessive colour.

6. In the event that any part of the building is heated, a scheme for the reduction of carbon emissions, by means of energy efficiency, insulation and the use of renewable energy sources, shall be submitted for the approval of the Planning Authority and shall be implemented in accordance with the approval.
7. Prior to any other work starting in connection with the proposed development the works listed in the following paragraphs shall be completed and approved by the Planning Authority in consultation with the Roads Authority:
 - (i) The access bell mouth shall have an edge radii of at least 6 metres and a throat width of at least 5 metres that shall extend for at least a further 5 metres. Construction for at least the first 10 metres measured from the nearside edge of the public road shall consist of a minimum of 40mm thick Close Graded Wearing Course on 60mm Dense Base Course on a minimum thickness of 350mm Type 1 sub base, all on a sound foundation;
 - (ii) Access to the proposed development shall be set back at least 10 metres from the nearside edge of the public road;
 - (iii) Visibility splays of not less than 2.5 metres along the centre line of the access measured from the nearside edge of the public carriageway, 90 metres from the centre line of the access road when measured along the nearside edge of the public carriageway in a North East direction and 120 metres in a South West direction, and thereafter maintained free from any obstructions within the visibility splays exceeding a height of 1 metre above the adjacent road channel level.
 - (iv) Any gates that are provided shall be set back at least 10 metres from the road edge and open into the property only.
 - (v) Parking and manoeuvring space for at least 5no. vehicles shall be provided and maintained within the curtilage of the site such that all vehicles associated with the development are able to safely enter and leave in forward gear.

ADVICE NOTES

Roads Authority

Prior to any work of excavation or surfacing starting within 2 metres of the public road edge a road opening permit shall have been obtained from the Roads Authority.

SEPA consent would be required for any future proposals to discharge foul drainage water to the ground or field culverts.

Advertising consent is required for most adverts at the site other than a small frontage sign. Advice and the necessary consent should be obtained from Highland Council.

The caravan located at the track side to the rear of the site appears to be unauthorised and should be removed unless permission is first sought from and granted by the Planning Authority.

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8th December 2008

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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.