
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED:

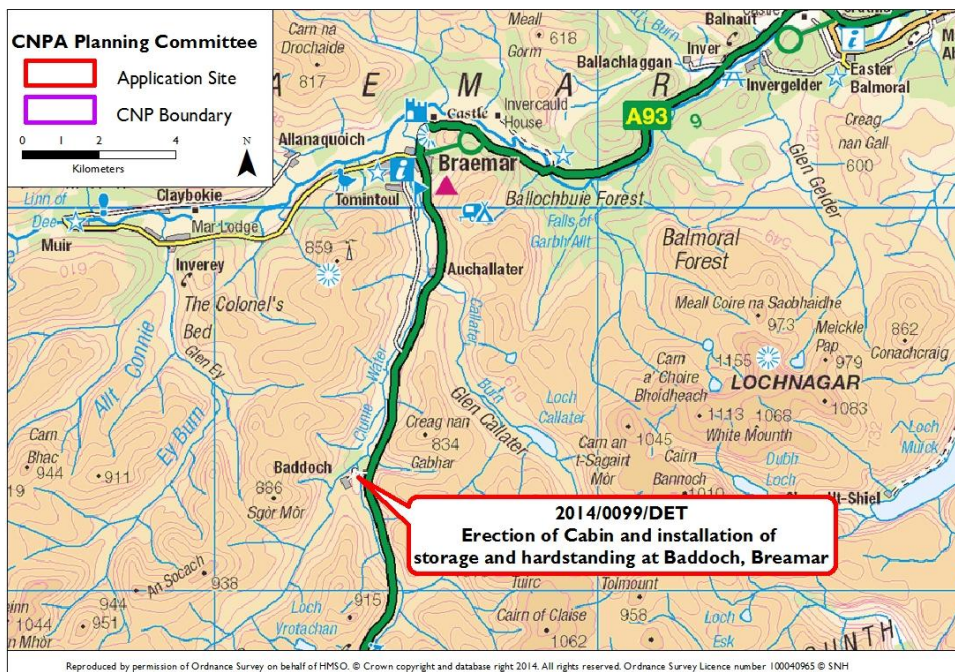
ERECTION OF CABIN TO PROVIDE ACCOMMODATION FOR MARINE SCOTLAND OPERATIVES, INSTALLATION OF STORAGE CONTAINER AND FORMATION OF HARDSTANDING AREA INCLUDING CHANGE OF USE OF AGRICULTURAL LAND TO SUI GENERIS AT LAND TO NORTH EAST OF BADDOCH, GLEN CLUNIE, BRAEMAR.

REFERENCE: 2014/0099/DET

APPLICANT: MITIE TFM LTD

DATE CALLED-IN: 31 MARCH 2014

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS



**Grid reference: E/313612E, N/783306
Figure 1: - Location Plan**

SITE DESCRIPTION AND PROPOSAL

Site Description

1. The site is located approximately 8km south of Braemar, approximately 600m from the A93. The site lies between the junction of Clunie Glen and Baddoch Glen and lies behind a distinct block of coniferous woodland on the A93. It is currently occupied by a steel storage container and a wooden shed. The site is reached by an existing estate track which runs approximately 400m from the A93 along the woodland edge to reach an informal grassy area currently used by operatives for parking. (Photo 1)



Photo 1 - View of existing site

2. Visits to the traps are infrequent and are generally one visit per week increasing to 1 visit per day during relatively short periods according to requirements. The application site is currently used as one of three sites in Scotland used to monitor information on salmon population dynamics which feeds into advice used by the Scottish Government. The Baddoch Trap has been operational since 1988 and currently contains a shed and a container which provides basic facilities for staff (Photo 2) for the tagging of fish and scientific data collection.



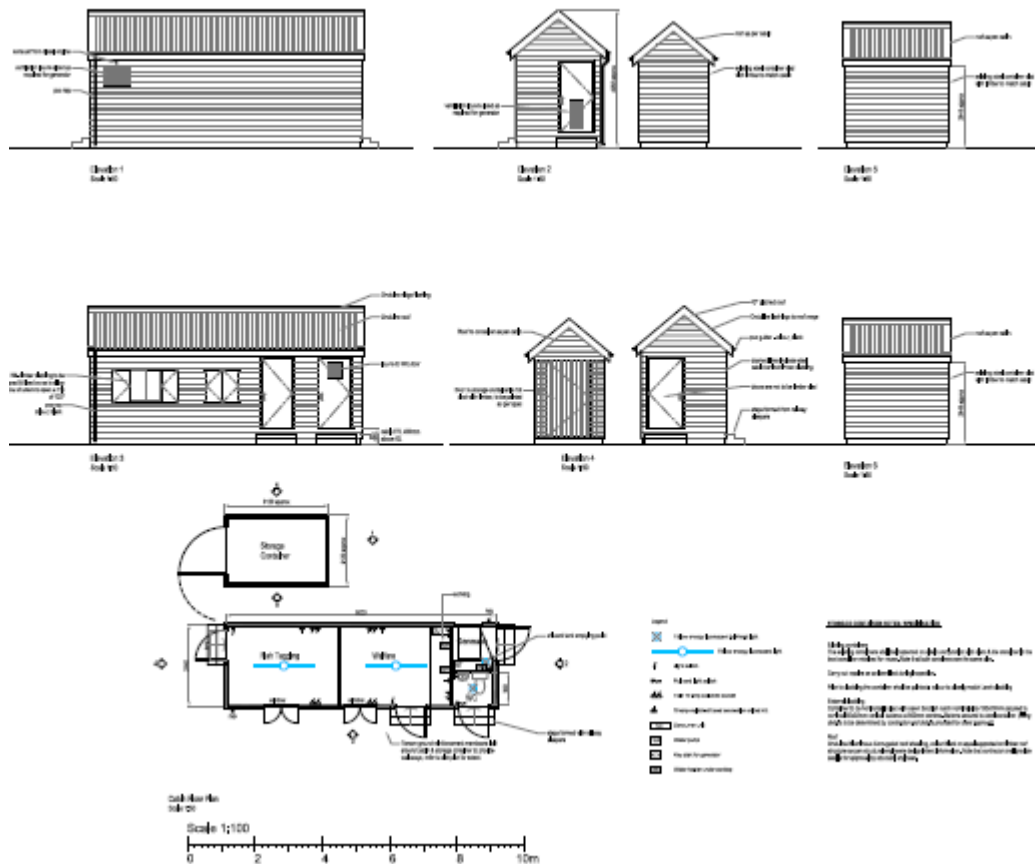
**Photo 2 – Existing cabin and storage shed
Development Proposals**

3. The proposed application is for a new cabin and improved storage container to provide accommodation for Marine Scotland during scientific data collection and fish tagging. The application also comprises an area of hardstanding and a change of use from Agriculture to Sui Generis.
4. The proposal involves the re-use and relocation of the existing steel container and the addition of a new cabin. The proposed development is slightly larger than the footprint of the current structures. The site plan can be seen in Figure 2.



Figure 2 – Site Plan

5. The existing steel cabin will be clad with larch and supported on timber sleepers as is currently the case. The proposed steel cabin will also be clad in larch, with the addition of an onduline pitched roof, and will be supported on concrete foundations above ground level. Following negotiations, a pitched roof is now proposed on the smaller container, the slabbed path around the structures has been replaced with geotextile as per the parking area, and the concrete steps have been replaced with railway sleepers. These changes will further serve to ensure that the impact of the proposed development on the landscape is minimised.



Planning History

- 6 Planning permission was refused for a similar application by the CNPA Planning Committee on the 12 December 2013 (Application No 2013/0238/DET) for the following reason:

'The proposed development is of a poor design and finish and includes an extensive area of hardstanding, all of which is not considered to enhance the landscape quality of the Cairngorms National Park. As such the proposed development is contrary to Local Plan Policies 6: Landscape and 16: Design Standards (as contained in the Cairngorms Local Plan 2010).'

- 7 The latest proposals differ from those that were refused as follows:
- The area allocated for parking has been significantly reduced and the surface is proposed as reinforced grass, rather than hardcore
 - The timber screen fence to the south-east has been omitted
 - Both steel containers are being clad with timber, with the new one also having a pitched metal roof, rather than being left as basic steel containers.

DEVELOPMENT PLAN CONTEXT

National policy

- 8 **Scottish Planning Policy (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. SPP emphasises the core principles of the planning system, highlighting the key role of development management to 'operate in support of the Government's central purpose of increasing sustainable economic growth'.
- 9 **SPP** includes broad 'subject policies' which may apply to the proposed development including Landscape and Natural Heritage, Economic Development and Rural Development.
- 10 **SPP** concludes with a section entitled 'Outcomes' in which it is stated that the 'planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets'.

Strategic Policies

Cairngorms National Park Partnership Plan 2012-2017

- 11 The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park at a time of limited financial resources. The Plan provides the strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together, benefitting people and place.
- 12 The long-term outcome of the Park Partnership Plan address the interaction of three characteristics of the Park as an internationally important area for nature conservation, a fragile rural economy and an internationally known tourism destination. The interdependence and successful delivery of these outcomes is at the heart of the National Park.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

- 13 The Cairngorms National Park Local Plan was adopted on 29th October 2010. All policies of the Plan apply, and the following paragraphs refer to the key policies which are applicable to the site.
- 14 Policy 6 – Landscape: There will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular, the setting of the proposed development. Proposed development that does not complement and enhance the landscape character of the Park and the setting of the proposed development will be permitted only where any significant adverse effects on the landscape character of the Park are clearly outweighed by social or economic benefits of national importance and all adverse effects on the

setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction to the satisfaction of the planning authority.

- 15 Policy 16 – Design Standards for development: This policy identifies the requirements for development to include principles of sustainable development. This includes, where appropriate, design which minimises the effect of development on climate change; reflects traditional pattern and character in the local area; uses materials and landscape that will complement its setting; sustainable use of resources; enables recycling; reduces travel; protects the amenity of neighbouring properties and is in accordance with the design standards set out in the Sustainable Design Guide.

Supplementary Planning Guidance

- 16 In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted.

CONSULTATIONS

- 17 The current application was subject to consultations with Braemar Community Council, Aberdeenshire Council Roads and the CNPA Landscape Officer.
- 18 **The CNPA Landscape Officer** advises that the proposal gives an opportunity to tidy up the ad-hoc nature of the development already on the site. In views from the A93 the timber-clad welfare building with its corrugated and pitched roof, and storage container will appear as agricultural buildings and so relatively fitting in this landscape. In close views the development may intrude on the experience of walkers passing nearby as currently, but interest in the use of the site may counter some of the negative effect. With the inclusion of some minor mitigation the overall effect on the landscape character and people's experience of the special qualities of this part of the Park will not be impacted upon to any significant degree and Policy 6 Landscape will be met.
- 19 The Landscape Officer further advises that the development has potential for a positive impact on landscape and suggests the attachment of mitigation/conditions which have been incorporated below.
- 20 **Aberdeenshire Council Roads Department** considers that the proposed development will not increase vehicle movements at the shared access and is acceptable, given the infrequency of visits which would not exceed those currently made.
- 21 **Braemar Community Council** – no response.
- 22 The changes made to this proposal from that refused are to design rather than content. Whilst they cannot be formally included for the purposes of the consideration of this revised application, the other responses on Application 2013/0238/DET were as follows:

- 23 The CNPA Access Officer stated that the proposal raises no issues of outdoor access.
- 24 Scottish Environment Protection Agency (SEPA) initially objected to the proposal given its location within an area at risk of flooding. Following dialogue with the applicant the objection was withdrawn given the location is required for operational issues relating to fish welfare.
- 25 Aberdeenshire Council Environmental Health Officer had no concerns with the proposal given that there will be no connection to the public water supply or foul water drainage.
- 26 Aberdeenshire Council Infrastructure Services considered that there are no significant issues caused by the proposal providing that the buildings should be resilient and/or resistant to flooding and that it should not be used for overnight accommodation.

REPRESENTATIONS

- 27 No representations have been received.

APPRAISAL

- 28 In principle, the proposal for replacement of the existing facilities at Glen Clunie raises no particular policy issues, given that the site is already used in this manner. Consequently, the key issues relate to technical issues and those of design and potential visual impacts. One of the key considerations for this application is therefore whether the proposal now overcomes the previous reason for refusal whilst being in compliance with policy.

Technical Issues

- 29 A technical concern was previously highlighted by both Aberdeenshire Council and SEPA regarding the risk of flooding to the site in the earlier application. Following discussion with the applicant, the objections were removed given the nature of the site and importance of the siting in relation to fish welfare.

Design and Visual Issues

- 30 Compared with the previous proposal, the proposed structures have been re-designed to create the appearance of simple agricultural buildings typical in the landscape, the parking area has been significantly reduced and a more natural surface proposed, and the extensive timber fencing has been omitted. As a result, it is considered that with the inclusion of some minor mitigation the overall effect on the landscape character and people's experience of the special qualities of this part of the Park will not be impacted upon to any significant degree. As such, it is considered that Policies 6 Landscape and 16 Design will be met.

Conclusion

- 31 It is considered that the changes to the proposals have overcome the reason for refusal of Application No 2013/0238/DET and that the proposals are also in compliance with the Development Plan policies.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

- 32 The proposal would have no significant impacts on designated sites or species. The proposal does however have an important role in relation to informing the management and conservation of salmon.

Promote Sustainable Use of Natural Resources

- 33 The proposal involves the reuse of an existing structure on the site and the larch cladding will be sourced locally.

Promote Understanding and Enjoyment of the Area

- 34 The provision of the replacement cabin to continue operations by Marine Scotland provides the opportunity to involve passers-by with interpretation of the site.

Promote Sustainable Economic and Social Development of the Area

- 35 The provision of the accommodation for operatives provides a key area within Scotland to maintain an interest in the nationwide scientific monitoring programme.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT planning permission for the erection of a cabin to provide accommodation for Marine Scotland operatives, installation of storage container and formation of hardstanding area including change of use of agricultural land to sui generis at land to the north east of Baddoch, Glen Clunie, Braemar - subject the following planning conditions:

- I. The larch cladding shall be unstained and sourced locally. The shutters shall be painted out in a matt colour to blend with the larch cladding. The roofing material shall have a sinusoidal profile and shall be of dark colour with a matt finish.

Reason: To minimise the impact of the development on the local environment and in the interests of sustainable development.

2. The reinforced grass area for turning and parking shall be seeded with a fine (highland mix) grass seed.

Reason: To contribute to the grassland interest in this area, which is generally herb-rich, in the interests of biodiversity and visual amenity.

3. The buildings and site shall be maintained in good condition.

Reason: To ensure that they do not detract from the visual amenity of walkers using the footpath and area.

4. Within three months of the use the facility ceasing, all of the installations, footings and surfacing materials shall be removed and the area restored to permanent pasture.

Reason: To restore the area to its original condition in the interests of visual amenity.

5. There shall be no external storage of materials or equipment on the site.

Reason: To minimise the impact of the development on the surrounding area, in the interests of visual amenity.

6. Prior to the first use of the buildings, an interpretation board shall be erected at the site. Prior approval of the proposed board shall be sought from the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure that the design and materials are appropriate and to provide passers-by with relevant information and interpretation of the site.

ADVICE NOTES

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 3 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. The applicant should note that SEPA previously recommended with regard to application 2013/0238/DET that measures are in place to ensure that the building is water resistant/resilient and not susceptible to damage in the event of flooding.
3. The applicant should note that the site is at risk of flooding and that all employees using the site should be made aware of this. In addition, a flood action plan should be produced to ensure the safety of all staff in the event of flooding.

4. As previously noted in the previous application (2013/0238/DET), in the interest of safety Aberdeenshire Council Infrastructure Services recommend that the building should not be used as overnight accommodation.

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23 April 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.