

---

# CAIRNGORMS NATIONAL PARK AUTHORITY

---

**Title:** REPORT ON CALLED-IN PLANNING APPLICATION

**Prepared by:** KATHERINE DONNACHIE  
(PLANNING OFFICER, DEVELOPMENT MANAGEMENT)

---

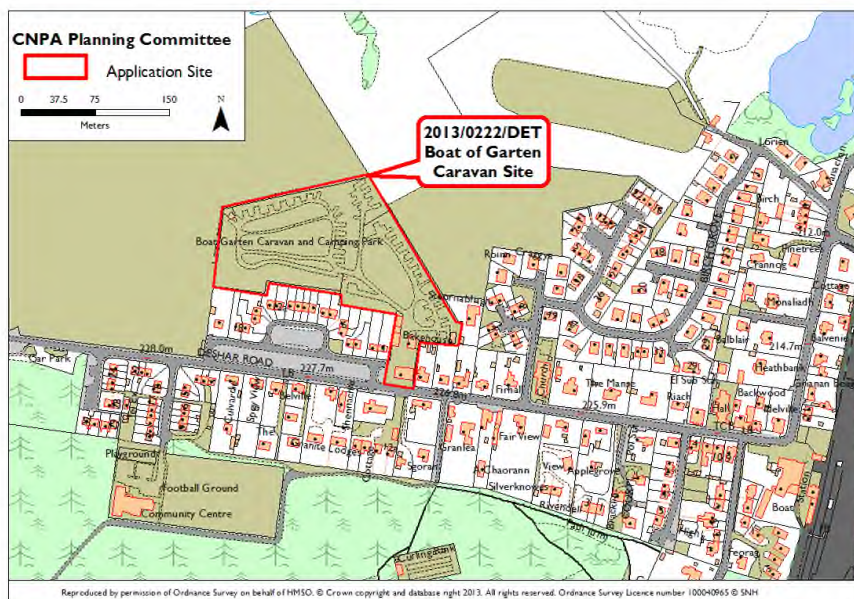
**DEVELOPMENT PROPOSED:** APPLICATION UNDER SECTION 42 TO VARY CONDITION 1 OF PLANNING REF: BS/1976/96 FOR SITING OF 2 NO. STATIC HOLIDAY CARAVANS TO REPLACE 2 NO. TOURING PITCHES (RETROSPECTIVE) AT BOAT OF GARTEN CARAVAN SITE, DESHAR ROAD, BOAT OF GARTEN

**REFERENCE:** 2013/0222/DET

**APPLICANT:** AUSTIN DURRANT

**DATE CALLED-IN:** 5 August 2013

**RECOMMENDATION:** APPROVAL SUBJECT TO CONDITIONS



**Grid reference: 293846 E 819122 N**

**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

### The Proposals

1. This application seeks planning consent to vary a previously imposed planning condition in order to site two static caravans at the Boat of Garten caravan site. The application is retrospective with these two static caravans already on site. (It is understood that the caravans have been on site for some time.)
2. The previous planning condition (as granted in 1976) restricted the amount of static caravans on this site, hence the requirement to apply for permission under section 42 of the Town and Country Planning Act to vary the original condition
3. A plan of the site layout is attached as **Figure 2** below which shows the location of the two static caravans within the caravan site. The location is within the wider site and adjoins existing static caravans, with part of the open area here currently used for touring caravans and tents. A section of the site remains for this touring use. The total of static caravans will be 78 with the original consent restricting the number of caravans/tents on site to 97.

**Fig. 2: Site Layout**



4. The site is located within Boat of Garten and is a long established site which is characterised by caravans set within landscaped grounds, with mature native trees providing a setting. Tared roads within the site, together with internal access tracks, service the caravans and there are recycling, toilet and play area facilities within the site. Access is taken off Deshar Road via an existing road which serves the caravan site, manager's house and reception area. A shop is located immediately adjacent to the access point. Servicing is as existing.
5. The application has been submitted in response to requests from the CNPA Monitoring and Enforcement Officer following a site visit when it was noted that these two static caravans were on site.
6. The agents have previously explained that there is an increasing demand for static caravans on the site with demand for touring pitches decreasing. The agents considered this was due to increasing fuel costs associated with towing caravans and the increasing appreciation of benefits of static caravans in terms of increased space and flexibility in poor weather conditions. The economic benefits which arise for the owners will be used for continued investment in the site.

### **Planning History**

7. There is a lengthy planning history on this site which can be summarised briefly as follows.
8. Planning consent was originally granted in 1976 by Highland Regional Council for an extension to Boat of Garten caravan site to accommodate touring caravans. This was subject to a condition restricting the use of the extension area to touring caravans and tented camping. A condition was also imposed stating that the maximum number of caravans and/or tents to be sited on the whole site should be 97. The current proposal lies within this extension area.
9. In August 2010 a retrospective planning application to site 34 static caravans on this extension area was approved by the CNPA Planning Committee subject to conditions. (Reference 10/041/CP)
10. Following on from this decision in April 2011 an application to relax one of the conditions of this above consent, and of the earlier 1976 consent, was approved. The application sought to allow caravans to be occupied during the month of November, this condition having been previously imposed to prevent permanent residential occupation of the caravans. A revised approach was proposed which attached a condition restricting occupancy to holiday purposes only, which achieved the same objective but did not prevent parties using caravans in a particular month. This application was approved by the CNPA Planning Committee. (Reference 10/448/CP)

11. Earlier this year a planning application to site five more static caravans within this extension area was considered by the CNPA Planning Committee at the 19 July 2013 meeting. It was approved subject to conditions (Reference 2013/0134/DET) which again sought to restrict occupancy to holiday purposes only. (This consent has now been implemented) At this time it was noted that the CNPA Monitoring and Enforcement Officer had visited the site with respect to the siting of two static caravans close by to that application site and had made the applicants aware that if they wished to retain these static caravans on site they required to submit an application for consideration. This led to the submission of the current application.

## DEVELOPMENT PLAN CONTEXT

### National Policy

12. **Scottish Planning Policy (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It sets out that 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 and has the basic aim "to achieve the right development in the right place."

### Strategic Policies

#### Cairngorms National Park Partnership Plan 2012-2017

13. The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. It sets out the strategic direction and priorities for the Park.

Three long term outcomes for the Park are set out as follows:

- A sustainable economy supporting thriving businesses and communities;
- A special place for people and nature with natural and cultural heritage enhanced; and
- People enjoying the park through outstanding visitor and learning experiences.

14. These outcomes address the interaction of the three main characteristics of the National Park these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park.

### Local Plan Policy

15. The Cairngorms National Park Local Plan was formally adopted on 29<sup>th</sup> October 2010. The full text can be found at :  
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
16. The Local Plan contains a range of policies and new development requires to be assessed in relation to all policies contained in the Plan. In this case the application site lies within the defined settlement boundary of Boat of Garten on land which is designated as ED2 stating that *“the existing caravan and camping site provides continued support to the provision of tourism accommodation within Boat of Garten and will be protected from adverse development. Where appropriate enhancement opportunities will be supported”*.
17. Key planning policies are as follows:
18. Policy33 – Tourism Related Development– This policy seeks to support tourism related development (including accommodation) which has a beneficial impact upon the local economy through enhancement of the range and quality of tourism attractions and infrastructure providing there are no adverse environmental impacts.
19. Policy 6- Landscape seeks to ensure that development complements and enhances the landscape
20. Policy 1 Natura 2000 sites and Policy 2 National Natural Heritage Designations – these policies seek to ensure that there are no adverse impacts upon environmental interests/designations.
21. Other policies relating to transport, waste management and water resources also apply in terms of servicing. Supplementary planning guidance also applies in particular guidance on natural heritage and the sustainable design guide.

### CONSULTATIONS

22. **Highland Council Environmental Health Service** was consulted. At the time of writing no formal response has been received, but officers advised verbally with the previous application that they had no adverse comments.
23. **Boat of Garten Community Council** has been consulted and at the time of writing no comments have been received.
24. **Scottish Natural Heritage** was consulted in view of any potential for adverse effects upon capercaillie in Boat of Garten woods as a result of increased recreational disturbance. At the time of the previous application for five static caravans they advised that there would not be any additional impacts upon the wood or the capercaillie population and hence no likely

- significant effect on any of the nearby Special Protection Areas.) They have confirmed that their view on the current proposal is the same.
25. **CNPA's Economic Development Manager** was consulted on the previous application for five static caravans and advised that the market for caravanning in the UK is split into two sectors, touring and static caravan. The number of touring caravan nights spent in Scotland is not increasing. In the UK the split between touring and static caravanning trips in 2010 was 60% static, 40% touring. It is highlighted that the average daily spend of caravanners in the Highlands is between £12-30 per head with the longer stay of static caravanner likely to generate more income.
  26. Analysis of STEAM (a national database of tourism information) data shows only 55 static caravans available for hire in the Cairngorms National Park compared to 760 touring caravan pitches, with 426 static caravans not for hire. It is concluded that there is a need for more availability of static caravan for rent in the National Park with a growing market for this, as opposed to a stagnating market for touring caravans. As length of stay in static caravans is usually longer than for touring caravans, there is also likely to be more economic benefits. (An increase in owned static caravans is unlikely to have the same economic benefits as occupancy levels tend to be lower.)

## REPRESENTATIONS

27. The application was advertised in the local press (Strathspey and Badesonoch Herald) and no representations have been received.

## APPRAISAL

### Principle

28. Local Plan Policy (policy 33) is generally supportive of tourism related development such as proposed here. The application simply seeks to vary an existing planning condition to enable a change to the type of caravan in a small part of a large, well established and popular caravan site, from touring pitches to provision of an additional two static caravans. The overall total number of pitches for the total site will not change – remaining at 97. This proposal represents an increase in static pitches from 76 to 78.
29. The applicant has previously explained the economic and business reasons for this change. The case made that static caravans are growing in popularity is supported by the CNPA's Economic Development Manager.
30. In these circumstances the principle of a change to two more static caravan pitches is considered appropriate and in line with policy, providing enhanced facilities for those persons seeking static caravan sites in the National Park. It will also enable the site owner to continue to re invest in this site which accords with the Local Plan designation safeguarding the site for continued

caravan and camping use. The fact that the application is retrospective does not affect the consideration of the planning merits of the case, and the applicant has been made aware of the need to maintain dialogue with the CNPA regarding future proposals here.

### **Technical Issues**

31. There are no technical issues arising as a result of this application, with existing servicing to be used.

### **Landscape Issues**

32. The site is well maintained with existing trees and landscaping providing a good setting for the overall development. There are no additional landscape impacts arising from this proposal which is located in the middle of the site.

### **Other Environmental Effects**

33. SNH have considered any impacts upon the natural heritage interests in terms of capercaillie in the Boat of Garten woods and concluded there would be no adverse impacts as a result of this proposal. The potential for educating users of the caravan site on natural heritage interests has been discussed with the applicant who is keen to work with the CNPA on this, and provide information leaflets to his clients if desired. This is considered to present a good opportunity to further the wider aims of the Park.

### **Conclusion**

34. In these overall circumstances it is considered that the proposal complies with planning policies and with the aims of the National Park. Approval is therefore recommended subject to suitable planning conditions which reflect those imposed on previous applications on this site to ensure that occupation of the caravans is restricted to holiday use only.

## **IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK**

### **Conserve and Enhance the Natural and Cultural Heritage of the Area**

35. The proposal is not considered to have any adverse effect on heritage of the area and may present the opportunity to enhance natural heritage by providing educational/interpretive materials to the site users to explain about the important wildlife in this area (including capercaillie) and how to ensure minimal disturbance to this wildlife.

### **Promote Sustainable Use of Natural Resources**

36. The proposed development does not conflict with this aim as it simply seeks to change the type of caravan to be used on the site.



### **Promote Understanding and Enjoyment of the Area**

37. The proposal helps support this aim by offering local accommodation for tourists, and the potential to provide educational and interpretive material to these visitors to enhance their enjoyment of the National Park.

### **Promote Sustainable Economic and Social Development of the Area**

38. The proposed development will help support the social and economic development of the area by providing holiday accommodation, encouraging longer stays in the area which supports local facilities in the village, and by generating income for the site owner which can be re invested in the site and also supports a local business. Furthermore the location for holiday makers within a village with ready access to transport and local facilities is inherently sustainable.

## **RECOMMENDATION**

**That Members of the Committee support a recommendation to GRANT full planning permission for Application under Section 42 to vary condition 1 of planning ref: BS/1976/96 for the retrospective siting of 2 No static holiday caravans subject to the following planning condition:**

1. The caravans shall be occupied for holiday purposes only and shall not be a person's sole or main residence. The site operators shall maintain an up to date register of the names and addresses of all owners of caravans (if not the site operator) and their main addresses and shall make this information available at all times to the Planning Authority. The register shall be set up within 3 months of the date of this consent

**Reason:** To ensure that the caravans are not used as a person's main or sole residence and are for holiday use only as the application has been assessed on this basis in relation to Local Plan policies.

### **Information Notes**

1. The Cairngorms National Park Authority recommends that the opportunity be taken to provide educational and interpretive materials to the users of the site regarding the special qualities of the National Park. CNPA staff would be happy to work with the developer on this and suggest contact be made to our Grantown Office for further advice and provision of materials.
2. Please note that all other terms and conditions of previous consents granted at this site apply in full (BS1976/96; 10/041/CP, 10/448/CP and 2013/0134/DET)

**Katherine Donnachie**      [planning@cairngorms.co.uk](mailto:planning@cairngorms.co.uk)      **23 Sept 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.