

---

# CAIRNGORMS NATIONAL PARK AUTHORITY

---

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

**Prepared by: ROBERT GRANT, PLANNING OFFICER (DEVELOPMENT MANAGEMENT)**

---

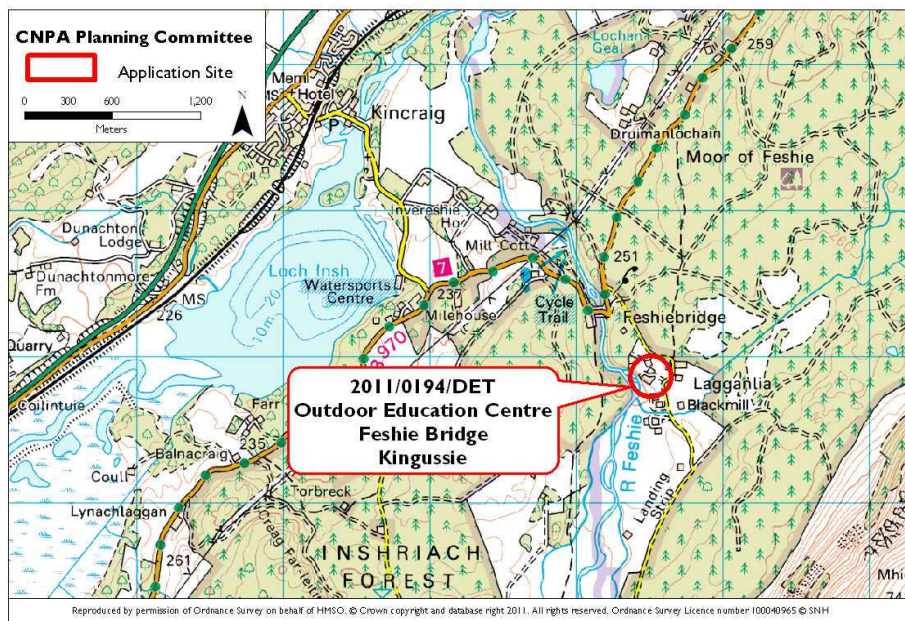
**DEVELOPMENT PROPOSED: USE OF LAND FOR SITING 12 MOBILE WOODEN HUTS (ROTATIONAL BASIS WITHIN TWO DESIGNATED SITES) (RETROSPECTIVE) AT LAGGANLIA OUTDOOR EDUCATION CENTRE FESHIE BRIDGE KINGUSSIE**

**REFERENCE: 2011/0194/DET**

**APPLICANT: CITY OF EDINBURGH COUNCIL LAGGANLIA CENTRE**

**DATE CALLED-IN: 08 JULY 2011**

**RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS**



**(Grid Ref: 803870 285473)  
Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. The application site is located at the Lagganlia Outdoor Education Centre, Feshiebridge. It comprises an established complex with various facilities, lodges and campgrounds in a woodland setting. The site itself extends over 2 designated areas within hummocky birch woodland to the west and southeast of the centre. The remainder of the area is heavily wooded, while the River Feshie runs close by to the south west. Glenfeshie and the surrounding area is located within the National Scenic Area.



**Fig. 2 – Various hut locations around Centre**

2. At the time of a site visit carried out by CNPA Officers for 'call in' purposes, it was apparent that the huts were already in place. Retrospective planning permission is sought to erect 12 mobile wooden huts in two areas of woodland on land at the Outdoor Centre, sited in a randomly scattered pattern. The proposed 'huts' are prefabricated timber clad structures which have an entrance door positioned in the gabled front elevation, dimensions of 2.15m (l) x 2m (w) x 2m (h) and each accommodates 2 beds. The huts themselves do not require any services or foundations – each is sited on a sand and gravel pad. Some limited earthmoving and tree works have been carried out to site them in their current positions. The siting locations may be altered if soil compaction pressures later became an issue. Car parking, toilet and shower facilities for users would be provided within the existing centre.



**Fig. 3 & 4 – Wooden Hut photos showing woodland location  
Background**

3. The application is accompanied by supporting information stating that Lagganlia is a residential Outdoor Centre operated as an education establishment (and not a commercial enterprise) which has delivered outdoor learning to schools and young children for 41 years. The Centre, which is wholly owned by the City of Edinburgh Council, has provided camping facilities for the entirety of its time operating and is often used by Duke of Edinburgh Awards schemes participants, or other outdoor learning courses. The proposed huts are intended to be an extension of the existing camping area and used as overflow for existing lodge accommodation.
4. It is stated in the information that there was some confusion on the applicant's part whether planning permission was required or not. This position was not fully understood when the huts were ordered and subsequently delivered and erected on site.

## DEVELOPMENT PLAN CONTEXT

5. Part 2, Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan covering the application site comprises the Highland Structure Plan 2001 and the Cairngorms National Park Local Plan 2010.

## National policy

6. **Scottish Planning Policy<sup>1</sup> (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. 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 should .....allow 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.
7. **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." Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that "the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places." Planning authorities are

---

<sup>1</sup> February 2010

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.

8. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
9. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include open space and physical activity, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
10. Open Space and Physical Activity : Para. 148 of the **SPP** states that access to opportunities for recreation make important contributions to a healthier Scotland. The planning system has a role in helping to create an environment where physical wellbeing is improved and activity made easier.
11. Landscape and natural heritage : The **SPP** document 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.
12. **Scottish Planning Policy** 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.” Planning authorities are required to be clear about the standard of development that is required. Quality of place not only refers to buildings, but also how the buildings work together as well as the relationships between buildings and spaces. Design is highlighted as an important consideration and planning permission may be refused solely on design grounds.<sup>2</sup> Finally it is stated that the planning system should be “judged by the extent to which it maintains and creates places where people want to live, work and spend time.”

---

<sup>2</sup> Para. 256.

## Strategic Plan

### Cairngorms National Park Plan (2007)

13. The **Cairngorms National Park Plan** sets out the strategic objectives that provide a long term framework for managing the National Park and working towards a 25 year vision. Under the broad heading of **Conserving and Enhancing the Park**, some of the strategic objectives include maintaining and enhancing the distinctive landscapes of the Park and also ensuring that development compliments the landscape character of the Park. Under the theme of **Living and Working in the Park**, the National Park is recognised as being a national asset and a place of recreation and enjoyment.
14. Under the final theme of **Enjoying and Understanding the Park** there is recognition that the Cairngorms National Park is known for its outstanding environment and outdoor recreation opportunities. The vision for the Park involves developing a world class destination and this requires a sustainable approach to developing tourism, and an excellent quality provision of outdoor access and recreation opportunities.

## Structure Plan

### **Highland Council Structure Plan 2001**

15. The **Highland Structure Plan 2001** includes several policies that are broadly applicable to the type of development proposed, including policies on sport and recreation, tourism and the environment. The benefits of sport and recreation facilities are highlighted in section 2.5.1 of the Plan, where they are attributed to making an important contribution to sustainable development and enhancing the health and quality of life of the residents of the Highlands.
16. **Policy G2 (Design for Sustainability)** sets out certain criteria against which proposed developments will be assessed. These include the extent to which they demonstrate sensitive siting and high quality design in keeping with the local character and historic and natural environment.
17. **Policy NI (Nature Conservation)** advises that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible.
18. **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.”

## Local Plan Policy

### Cairngorms National Park Local Plan (2010)

19. 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/planning/localplan/pdf/19-Aug-10-Local-Plan-with-PIMs-included-for-web-23-Aug.pdf>
20. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
  - Chapter 3 - Conserving and Enhancing the Park;
  - Chapter 4 - Living and Working in the Park;
  - Chapter 5 - Enjoying and Understanding the Park.
21. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The policies are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
22. Policy 2- National Natural Heritage Designations: development that would adversely affect the Cairngorms National Park, a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will only be permitted where it has been demonstrated that: a) the objectives of designation and overall integrity of the designated area would not be compromised; or b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance and mitigated by the provision of features of commensurate or greater importance to those that are lost.
23. 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. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
24. Policy 16 Design Standards for Development: requires that all development minimises the effects of climate change, reflects the local vernacular and uses materials and landscaping that compliments its setting.
25. Policy 34 – Outdoor Access: the policy encourages development which improves opportunities for responsible outdoor access and adheres to the Cairngorms Outdoor Access Strategy.

26. Policy 35 - Sport and Recreation Facilities: 1. Developments of formal sport and recreation facilities, diversification of, or extensions to existing sport and recreation-related business activities, or for the enhancement of existing facilities in terms of quality and design will be supported where:
- a) they demonstrate best practice in terms of sustainable design and future maintenance, and where there are no adverse environmental impacts on the site or neighbouring areas; and
  - b) they will meet an identified community or visitor need.

## CONSULTATIONS

27. **Kingussie Community Council** has no objection to this application.
28. The **Highland Council Forestry Officer** initially had some concerns regarding development which could affect trees and in particular how the use of heavy machinery for moving the structures could further impact on the woodland. Conditions are proposed for a scheme of landscaping and sensitive manhandling of the huts to reduce further mechanical disturbance to the wood.
29. The **CNPA Ecologist** has no objections but states that the huts should not be relocated in the woodland area as it has a good understorey developing which could provide good habitat.
30. The **CNPA Landscape Advisor** has no objections and states that the effects of the development are slight and limited to the immediate site.
31. The **CNPA Visitor Services and Outdoor Access Officers** have no objections as the development does not raise any access issues.

## REPRESENTATIONS

32. This application was advertised in the *Badenoch & Strathspey Herald* on 29 June 2011. No representations have been received in respect of this application.

## APPRAISAL

33. In determining this planning application regard is to be had to the development plan and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
34. The main issues to consider in this application relate to the nature of the proposal including its design, siting and any associated implications, particularly on natural heritage and landscape.



35. In terms of the principle of development, there is general support in planning policies contained within the Development Plan. The policies which have been detailed in paragraphs 5 to 26 of this report all generally encourage increased recreational opportunities and facilities in the National Park in particular, Policy 35 - Sport and Recreation Facilities. The proposed huts would clearly add to the range of facilities and services available at the established outdoor centre and provide an additional choice of accommodation for young people and other groups attending courses.
36. The design of the huts is an accepted and sensitive approach, with similar structures seen in other parts of the National Park. The site is located within the Cairngorm Mountains National Scenic Area which has been designated for its landscape quality. The limited scale and unobtrusive siting of the huts ensures the effects of the development are slight and would not be readily visible as stated by the CNPA Landscape Officer.
37. The Highland Council Forestry Officer and the CNPA Ecologist both have limited concerns regarding the siting of the huts in the woodland due to the disturbance created by erecting them. However the applicant maintains that any trees felled or lopped were already damaged, windblown or multi-stemmed and the siting was done carefully and sensitively. On the issue of moving the huts, he has also confirmed that he would be happy to do this by manhandling them and does not intend to use machines to relocate them again. He then goes on to state that the huts are likely to remain in situ for the foreseeable future or if a reason to move any hut became apparent it would be onto existing car parking area or lawn. A number of conditions are recommended to provide compensatory landscaping, handling and woodland management.
38. In conclusion, the proposal is limited in scale, with the units being of a design which would result in minimal interference (both visual and physical) in the area in which they have been located. They are positioned within the area of the Outdoor Centre, and would be within easy reach of its various facilities. It is unfortunate about the retrospective nature of the development, nonetheless it should be recognised that it is acceptable in policy terms and all other considerations. The CNPA are still required to determine the application in the same manner as with prospective development. The huts would help develop and improve the Centre's facilities for delivering a programme of outdoor education and training activities and as such is seen as positive to the social and economic development of the area

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

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

39. The development of 12 huts is small scale in the context of the overall established development at the Outdoor Centre. The units would not have any adverse effect on the National Scenic Area.



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

40. There are no significant negative impacts associated with the proposed development.

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

41. The huts would provide an alternative form of accommodation provision for the Outdoor Centre, providing an affordable and flexible choice to groups and the general public, increasing availability of facilities.

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

42. The proposed huts would enhance the variety of accommodation facilities available at the Lagganlia Outdoor Centre and in the general area. The units are designed to provide a more robust style of camping accommodation than the traditional tent and would therefore be usable outside the traditional summer camping season

## **RECOMMENDATION**

43. **That Members of the Committee A. GRANT Planning Permission for Use of land for siting 12 mobile wooden huts (rotational basis within two designated sites) (retrospectively) at Lagganlia Outdoor Education Centre subject to:**

#### **The following conditions:-**

1. The development to which this permission relates must be begun within three years from the date of this permission.

Reason: To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006.

2. The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority within 6 months of the date of this approval. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and shall ensure:-

- (a) Completion of the scheme during the planting season next following the completion of the development, or such other date as may be agreed in writing with the Planning Authority.
- (b) The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the Planning Authority, are dying, being severely damaged or becoming seriously diseased within five

years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development.

3. In the event that the huts hereby approved require to be relocated, the huts should not be repositioned within the woodland but located in a position to be agreed in writing with the CNPA acting as planning authority. No heavy mechanical machinery or lifting equipment shall be used to relocate the huts.

Reason: To ensure the environmental quality of the woodland is not further disturbed.

**AND**

- B. A letter be sent to the applicant expressing the disappointment of the CNPA that the works were carried out prior to planning permission being granted.**

**Robert Grant**  
**31 August 2011**  
[planning@cairngorms.co.uk](mailto:planning@cairngorms.co.uk)

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.