
CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Erection of 12 Holiday Cabins and Associated Ancillary Plant Building, Ground Mounted Solar Panels and Formation of Parking Area at Site At Laghlasser Corgarff Strathdon AB36 8YP

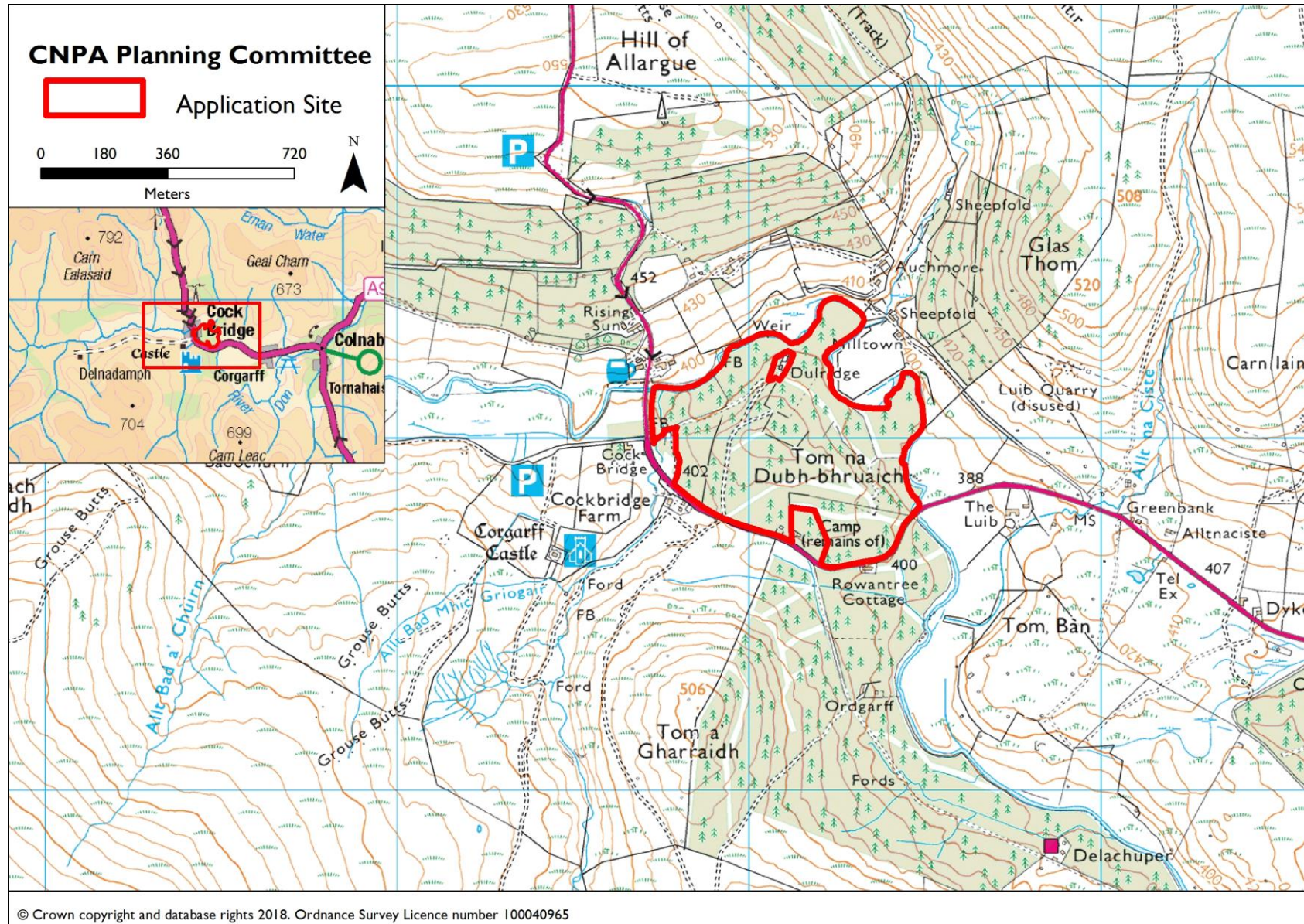
REFERENCE: 2018/0350/DET

APPLICANT: Blackbyre Developments Ltd

DATE CALLED-IN: 6 September 2018

RECOMMENDATION: Approve subject to conditions

CASE OFFICER: Emma Wilson Planning Manager



INTRODUCTION

1. This application was presented to Committee at its meeting on 22 March 2019. Following discussion it was agreed that Committee should defer the application to visit the site and for the following matters to be given further consideration:
 - a) To establish the water supply and its effect on the neighbours;
 - b) On the woodland management;
 - c) Visualisations of the development site.
2. This site visit has been arranged for the meeting of 24 May 2019 following which the application will be presented to Committee for its subsequent decision.
3. In terms of the matters to be considered:
 - a) The applicants have submitted a Water Supply Desk Top Assessment. This concludes that proposed increase in abstraction from the Laghlasser well will have no effect on other private water supplies in the vicinity. This has been passed to Aberdeenshire Council's Environmental Health team for comment. They have raised concern regarding the assumptions that have been made in this assessment. As discussed at the previous meeting, it was agreed an appropriate condition be attached to any consent requiring that the water supply issue is resolved prior to the commencement of development.
 - b) The applicants have confirmed that they are agreeable to a condition ensuring continuity of woodland cover over the wider site under their ownership and surrounding the application site.
 - c) The site visit should offer Committee the opportunity to see the site and view it from 'the Watchers' viewpoint. The Landscape and Visual Appraisal document that accompanied the application shows a number of visuals from different viewpoints and the anticipated visual effects of the proposals.

SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

4. The site covers an area of approximately 0.54 hectares and lies within an existing predominantly coniferous woodland which is located on a rounded landform bounded by the River Don to the north and east and the principal A939 road to the south and west. The site is accessed from the A939 and is a small cleared area within the existing woodland. The surrounding landscape is relatively open with some large areas of conifer woodland interspersed with small groups of trees associated with adjacent buildings which lie predominantly on terraces or higher ground above the floodplain. A key landmark within the immediate landscape is Corgarff Castle which lies to the south west.

Proposal

5. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PEOO55SI0CH00>

Title	Drawing Number	Date on Plan*	Date Received
Plan - Location Plan and Existing Site Plan	323(GA)001 REV B	08/11/18	09/11/18
Plan - Proposed Site Co-ordinate Plan - Cabin Locations	323(GA)002 REV B	08/11/18	09/11/18
Plan - Proposed Site Entrance	323(GA)003 REV D	11/12/18	12/12/18
Plan - Proposed Site Plan	323(GA)004 REV D	24/01/19	24/01/19
Plan - Cabin 1, 2, 3 - Block Plan and Site Section	323(GA)005 REV C	24/01/19	24/01/19
Plan - Cabin 4, 5, 6 - Block Plan and Site Section	323(GA)006 REV C	24/01/19	24/01/19
Plan - Cabin 7, 8, 9 - Block Plan and Site Section	323(GA)007 REV C	24/01/19	24/01/19
Plan - Cabin 10, 11, 12 - Block Plan and Site Section	323(GA)007 REV C	24/01/19	24/01/19
Plan - Photomontages	323(GA)022	08/11/18	09/11/18
Plan - Site Cross Sections	323(GA)023 REV A	24/01/19	24/01/19
Plan - Sectional Details	323(GA)024	21/06/18	09/11/18
Plan - Proposed Solar Panels	323(GA)025 REV A	24/01/19	24/01/19
Plan - Proposed External Lighting Plan	323(GA)026 REV B	08/01/19	10/01/19
Plan - Proposed Visualisations - Mirrored Cladding Option	323(GA)021 REV A	28/08/18	17/09/18
Plan - Proposed Visualisations - Cor-Ten Cladding Option	323(GA)020 REV A	28/08/18	17/09/18
Plan - Proposed Locker and Plant Room	323(GA)019 REV A	21/08/18	17/09/18
Plan - Proposed Sections II - LL - 2 Bed Cabin	323(GA)018 REV A	21/08/18	17/09/18
Plan - Proposed Sections EE - HH - 2 Bed Cabin	323(GA)017 REV A	21/08/18	17/09/18
Plan - Proposed Sections AA-DD - 2 Bed Cabin	323(GA)016 REV A	21/08/18	17/09/18
Plan - Proposed Elevations - 2 Bed Cabin	323(GA)015 REV A	21/08/18	17/09/18
Plan - Proposed Plans - 2 Bed Cabin	323(GA)014 REV A	21/08/18	17/09/18
Plan - Proposed Sections II - LL - 1 Bed Cabin	323(GA)013 REV A	21/08/18	17/09/18
Plan - Proposed Sections EE -	323(GA)012 REV A	21/08/18	17/09/18

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Title	Drawing Number	Date on Plan*	Date Received
HH - 1 Bed Cabin			
Plan - Proposed Sections AA - DD - 1 Bed Cabin	323(GA)011 REV A	21/08/18	17/09/18
Plan - Proposed Elevations - 1 Bed Cabin	323(GA)010 REV A	21/08/18	17/09/18
Plan - Proposed Plans - 1 Bed Cabin	323(GA)009 REV A	21/08/18	17/09/18
Other - Landscape and Visual Appraisal		01/08/18	17/09/18
Other - Woodland Management Plan	MP V2.0	01/07/16	21/11/18
Other - Species Protection Plan	18/04/GOO/R01 V1.2	11/08/18	18/09/18
Other - Drainage Recommendation Report	2231/18 Issue 1	28/09/18	31/10/18
Other - Water Supply Assessment Report	1945/17 Issue 1	30/10/18	31/10/18
Other - Maintenance and Management Plan		01/11/18	16/11/18
Other - Economic Impact Appraisal		01/11/18	21/11/18
Other - Compensatory Planting Plan		01/01/19	10/01/18
Other - Construction Method Statement		01/11/18	10/01/19
Other - Corgarff Cabins Timeline		24/01/19	24/01/19
Other - Project Delivery Plan Notes		01/01/19	24/01/19
Other - Arboricultural Impact Assessment		01/11/18	24/01/19

**Where no specific day of month has been provided on the plan, the system defaults to the 1st of the month.*

6. The application seeks permission for the erection of 12 holiday cabins. These are of a contemporary angular design finished in a palette of contrasting external materials including larch boards, steel reflective cladding panels and aluminium fascia. They will all incorporate sedum 'green' roofs. The cabins will be sited within the woodland, around an open central space which will accommodate car parking and where an ancillary plant building and ground mounted solar panels will be located.

7. Plans and visualisations of the proposals are included within **Appendix I**.

8. A number of supporting documents accompanied the application:
- a) Landscape and Visual Appraisal
 - b) Woodland Management Plan
 - c) Species Protection Plan
 - d) Drainage Recommendation Report
 - e) Water Supply Assessment Report
 - f) Maintenance and Management Plan
 - g) Economic Impact Appraisal
 - h) Compensatory Planting Plan
 - i) Construction Method Statement
 - j) Arboricultural Impact Assessment
 - k) Corgarff Cabins Timeline
 - l) Project Delivery Plan Notes
9. A Water Supply Desk Study has been now been submitted to address the water supply issues previously raised.

These are available to view on the CNPA website.

History

10. There is no relevant planning history on file for this site.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014	
Strategic Policy	Cairngorms National Park Partnership Plan 2017 - 2022	
Local Plan Policy	Cairngorms National Park Local Development Plan (2015) Those policies relevant to the assessment of this application are marked with a cross	
Policy 1	NEW HOUSING DEVELOPMENT	
Policy 2	SUPPORTING ECONOMIC GROWTH	X
Policy 3	SUSTAINABLE DESIGN	X
Policy 4	NATURAL HERITAGE	X
Policy 5	LANDSCAPE	X
Policy 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
Policy 7	RENEWABLE ENERGY	X
Policy 8	SPORT AND RECREATION	X
Policy 9	CULTURAL HERITAGE	X
Policy 10	RESOURCES	X
Policy 11	DEVELOPER CONTRIBUTIONS	

11. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:
<http://cairngorms.co.uk/uploads/documents/Park%20Authority/Planning/LDPI5.pdf>

Planning Guidance

12. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	New Housing Development Non-Statutory Guidance	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	X
Policy 3	Sustainable Design Non-Statutory Guidance	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	X
Policy 8	Sport and Recreation Non-Statutory Guidance	X
Policy 9	Cultural Heritage Non-Statutory Guidance	X
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance	

CONSULTATIONS

Summary of the main issues raised by Consultees

13. **Forestry Commission** states that the forest has areas of native and non-native species that are managed together as a commercial forest, the current management regime provides economic, environmental and social benefits derived from timber income, providing a core area in a large Native Woodland habitat Network and providing an attractive component in a highly visible landscape. Development in this forest block could have significant impact on each of these benefits. Following clarification on the red line boundary on the site which confirmed the site to cover a smaller area than originally identified, the Forestry Commission confirm that the site still lies partly within the Native woodland and commercial conifer Forest. As such details of how compensatory planting is to be achieved should form part of this application. If the applicants are to deliver this then an appropriate compensatory planting plan should be submitted as part of the application. It is also noted that the applicant has provided further details as to how the forest could be managed in the future if the application is successful. However, this will lead to further woodland loss.
14. **Aberdeenshire Council Flood Risk and Coastal Protection Team** have reviewed the proposals and have no comment to make.

15. **Aberdeenshire Council Roads Department** states that based on minimum visibility requirements within the Council's current standards and on the design speed, a visibility display of 2.4 metres by 215 metres will be required. The visibility eastwards from the site access is not shown correctly on the site entrance plan and should be drawn to a point tangential with the outside of the bend in the road approximately 185m away. This will ensure that the full width of the carriageway is visible from the site entrance to a point 215m away and will increase the impact of the splay on the site frontage. As such they maintained a holding objection until this information was submitted. A revised drawing was submitted, however Roads maintain their objection as the drawing includes survey data for the road carriageway and OS information but there seems to be a considerable offset between them. The visibility splay lines have been drawn extending to a point on the OS date that is offset into the field on the south side of the road. These splays need to be drawn correctly so as illustrate the impact of the splay on the site frontage. Further consultation on a revised drawing has been undertaken and Roads are now satisfied the drawing is correct and achieves satisfactory visibility. Further conditions are recommended in relation to the visibility splay at the junction of the site with the A939, the gradient and finish of the access, the servicing arrangements and vehicle manoeuvrability within the site.
16. **Aberdeenshire Council Environmental Protection** states that the applicants have failed to provide details of the proposed private water supply and details relating to it. They were requested to provide the following information:
- a) A detailed plan showing the location of the source and distribution network, including the location of all septic tanks and soakaways.
 - b) Details relating to the quantity of the supply to be carried out by a competent person.
 - c) Sample results, taken within the last 12 months by an accredited lab or if these are not available the applicant should contact Aberdeenshire Council Water Team to request a sample be taken in relation to the application, the cost to be borne by the applicant.
 - d) Details should also be provided in relation to a water safety plan for the site.
17. The applicants have provided further information, however the Environmental Protection team have provided the same comments again. Further clarification from the Council has been sought on two occasions, however, they have not responded.
18. Following the Committee meeting on 22 March 2019 the applicants have now submitted additional information in a Water Supply Desk Study. Environmental Protection team still have concerns relating to the assumptions made in this report.
19. **Aberdeenshire Council Contaminated Land Officer** states that there are no issues of concern under contaminated land legislation in respect of the development and as a consequence no further information regarding contaminated land is required.

20. **CNPA Ecology Adviser** undertook a full appraisal of the submission and identified additional information necessary to assess the proposals in detail. This information included:
- a) Arboricultural Impact Assessment – this has now been received and shows the proposed cabins have been sited to avoid tree loss. It also includes details of the impact of the installation and access for the foul water soakaway/tanks and the likely impact of excavation works for the cabins. This allows a more accurate estimate of the expected tree loss;
 - b) Detail as to the design of the track and siting of the cabins given the nature of the site and slopes (sections are likely to be required to show this) – this has been received;
 - c) A new woodland management plan for the whole of the woodland – this has been received, however this could be revised. This shows the site being managed as woodland in the long term with the aim of introducing a more diverse woodland through replanting/restocking in 2019.
 - d) Plans detailing lighting for the whole site have now been received;
 - e) A Drainage Impact Assessment – sufficient information has now been submitted. Swales were considered to deal with surface water drainage but given the nature of the site, soakaways have been viewed as the best option;
 - f) A Construction Method Statement detailing how works will be undertaken within the wooded site in such a way that impact on existing trees can be minimised – this has now been received;
 - g) Amended design to the cabins with reflective cladding showing that adaptations have been made to eliminate the likelihood of bird strike; and
 - h) Revised Landscape Management and Maintenance Plan to include more detailed information on tree planting – further information has been submitted and a more accurate figure for tree loss is now known. A compensatory planting plan provides ample mitigation for this.
21. **CNPA Landscape Adviser** states that the site lies within the Corgarff and Cockbridge Landscape Character Area with intervisibility with the adjoining LCA's of Strathdon: Upper Strathdon, The Lecht and Northern Eastern Hills which collectively provide a background to the Corgarff and Cockbridge LCA. The site is located within a wide shallow, elevated glen contained by steep hills with rounded summits and narrow side valleys. The landscape is relatively open with the key landmark feature of Corgarff Castle at the junction of Strath Don and the A939, which is the principal route providing access to the landscape and which adds to the character and visual experience of Corgarff given its long curves undulating with the gentle curvature of the landform. The site is located on a key glacial – fluvial deposit which is now a rounded landform covered predominantly by woodland. There are clear long views from the A939 approach from the Lecht and shorter dynamic views from the south given the curvature of the road. The site is dominated by managed woodland placed around a central open space at the top. Around the edge, principally along the northern side, there are significant underlying changes in the landform where parts are relatively steep falling to the floor of the flood plain adjoining the River Don. The development will result in the loss of individual trees and the Woodland Management Plan provides details for restocking and changing its composition.

22. In general the principle is acceptable subject to the following issues being addressed:
- a) The use of the reflective panels and their potential to be visible and act as a 'beacon' or interrupt the landscape character of the woodland from viewed from outwith the site. Careful placement and retention of existing trees should help mitigate this potential adverse effect;
 - b) Further detail of the solar panel in terms of its orientation and placement above ground;
 - c) The composition of the restocking raises concern with the increase in mixed conifers. This should include native species – Scots Pine, Silver Birch, Aspen and Larch.
 - d) Further details on the extent of tree loss expected and the risk that thinning will result in further loss due to wind-blow damage.
 - e) Further consideration on new planting and expected growth rates to ensure an enclosed woodland is provided around the cabins.
23. It is concluded that the development would have a minor impact on the landscape and visual character of the area but has the potential to be addressed by appropriate mitigation measures.
24. **CNPA Economic Development Officer** agrees with the Economic Impact Appraisal that the proposed development would have positive economic impacts.
25. **CNPA Outdoor Access Officer** has considered the likely impacts on core paths, right of ways and the exercise of access rights and confirms that these will not be unreasonably impacted upon by the development.
26. **Donside Community Council** recognise that development of tourism opportunities is generally of benefit to the community. In this case, however, it would appear that the scale and location of the proposed development would have a significant impact on the balance of residents to holiday home and lets in the area. There is also evidence that there would be a significant adverse impact on the environment and consequently the enjoyment of the area by residents.

REPRESENTATIONS

27. The application was advertised in the local press on 14 September 2018 and a total of 24 letters of representation have been received, these are attached in Appendix 2.
28. 4 letters offer comments, including one from the West Aberdeenshire Access Panel.
29. 2 letters have been received which are in support of the proposals, one from Visit Scotland and the other from Visit Aberdeenshire.

30. There have been 18 letters objecting to the proposals. The main issues raised are summarised as follows:
- a) Inappropriate and out of character eco -design with scattered, random layout – should be traditional style and fit into the local area;
 - b) Contrary to the main aims of the National Park to preserve the environment and its visual appearance;
 - c) No economic benefit to the local area contrary to Policies 2.3a) and b) of the Local Plan;
 - d) No local amenities to serve holiday makers in this area;
 - e) Unacceptable loss of trees;
 - f) Road safety issues. Junction with A939 is dangerous;
 - g) Unsatisfactory and unreliable plan for water supply contrary to Policy 10 of the Local Plan;
 - h) Inappropriate drainage especially outflow from septic tank system;
 - i) No demand for this type of holiday accommodation in this area contrary to Policy 2.3a) of the Local Plan – better solution would be one or two cottage of traditional design;
 - j) Noise nuisance contrary to Policies 2.2a) and 3.1i) of the Local Plan;
 - k) Light pollution contrary to Policies 2.2a), 5, 7 and 10 of the Local Plan in terms of the introduction of light pollution and the impact on the Dark Skies;
 - l) Security issues to the adjacent Delnadamph Estate;
 - m) Detrimental impacts on rare and protected species, e.g. red squirrel, roe and red deer, water vole, otter, osprey, owls, birds of prey, fresh water mussels and wildcat;
 - n) Dogs creating a nuisance to livestock and rare species;
 - o) Loss of view;
 - p) Too large in this rural area;
 - q) Irreversible impact on wild ecology and scar the landscape;
 - r) Contradicts the special qualities of the National Park;
 - s) Increase in traffic;
 - t) Contrary to Policy 1.2b) of the Local Plan by introducing a disproportionate and unreasonable concentration of holiday homes which will alter the character of the village;
 - u) Contrary to Policy 3.1i) of the Local Plan as the proposed 12 house will result in a loss of privacy and reduction in amenity enjoyed by local residents;
 - v) Contrary to Policies 2.2b) and 5 of the Local Plan in terms the impact on wider landscape views of the area;
 - w) Contrary to Policies 7.1c) and 5b) of the Local Plan in terms of the inappropriate industrial elements e.g. the Plant Room, Solar panels and car park;
 - x) Substantially will alter the character of this rural area;
 - y) The site will be inaccessible in the winter months;
 - z) Disproportionate scale and does not reflect the character of the existing settlement patterns and buildings – alien to the surrounding area;
 - aa) A Habitats Assessment is required;
 - bb) Back-up for solar panels – are generators proposed which would introduce noise and emissions pollution;
 - cc) The site is not allocated within the Local Development Plan;
 - dd) The proliferation of this type of accommodation is having a significant cumulative effect on the cultural heritage of the Park; and

ee) The depletion of the Cock Burn and the River Don will have a detrimental impact on the breeding grounds for brown trout and salmon;

31. Three requests to address Committee have been received. This included one from Visit Scotland, however they have confirmed they are now unable to attend.

APPRAISAL

Principle

32. **Policy 2:** Supporting Economic Growth, of the Cairngorms National Park Local Development Plan 2015 supports development which enhances formal and informal recreation and leisure facilities; tourism and leisure based business activities and attractions; tourism and leisure related infrastructure including accommodation, where it has no adverse impacts on the site or neighbouring areas and it makes a positive contribution to the experience of visitors and adds to or extends the core tourist season. The Policy also goes on to support economic development that will enhance the range and quality of economic opportunities.
33. The site is located on the A939, a principal tourist route within the National Park and which now forms part of the highly publicised Snow Roads Scenic Route. The proposed development will introduce additional tourist accommodation in a location which is likely to be able to support such provision given the high number of visitors to this area. It is proposed to construct two cabins each year over a period of six years. This will generate construction employment opportunities and in the longer term permanent employment for a small number of staff. This in turn will support the vitality and viability of the local economy. The principle of the proposed development is considered to be acceptable subject to compliance with other local plan policies on the issues discussed below.

Environmental Issues

34. **Policy 4:** Natural Heritage of the Cairngorms National Park Development Plan 2015 seeks to restrict development that would have an adverse impact on protected species and where this cannot be avoided that appropriate mitigation measures are provided.
35. The main environmental impacts resulting from the proposed development will be as a consequence from the loss of trees. In terms of protected species, a Species Protection Plan has been submitted that outlines satisfactory mitigation in respect of red squirrels and pine marten. Survey work has also been undertaken for otter, water vole and breeding birds and although none were identified pre-construction surveys are recommended for otter (given they are highly mobile and may use the site in future) and breeding birds (depending on what time of year of construction works are due to take place). It was identified that there was no requirement for a Habitats Regulations Appraisal (HRA) in this instance.

36. The woodland is a commercial forest and is of relatively low ecological value due to the mix of non – native species and even aged structure with poor understorey. Notwithstanding this, the forest has the potential to incorporate the development and benefit from enhancement to improve its diversity and structure over the longer term. An Arboricultural Impact Assessment has been provided detailing the expected loss of trees which is estimated at approximately 256. A total of 92 trees will be lost to accommodate the cabins and a further 164 due to the foul water soakaways. Compensatory Planting of 594 stems is proposed, which is in excess of the 1:1 ratio normally expected for the loss of low quality woodland and thus provides ample mitigation. This will cover an area of approximately 0.54 hectares, however, this will be located on an area of land outwith the National Park.
37. The AIA details how the cabins have been sited to minimise tree loss with the identification of Tree Protection Zones. An existing cleared area will be utilised for car parking, plant, etc. It is recommended, however that a condition is imposed to revise the Construction Method Statement to include a requirement that the TPZs are clearly defined and agreed with CNPA prior to works commencing on site and any unforeseen construction information is also submitted for approval. The removal of the surface layer must also be carried out carefully during excavation to ensure that it can be reinstated with minimal impact on the existing flora. Again an appropriate planning condition can be imposed to this effect.
38. The AIA states that work taking place within the root protection areas of the retained trees will never exceed 50% of the total root protection area of any tree. It is, however, unclear what the impact will be on these trees – the amount of compaction and impact on the trees will depend on species, soil type, root depth, pressure applied, etc. A condition is therefore recommended to ensure compaction is kept to a minimum through the use of appropriate equipment and tools.
39. The submitted Landscape Management and Maintenance Plan indicates that the open area of ground will be replanted with a mixture of mixed broadleaves and those species will be planted around the first 2 cabins to be erected. There is concern that those trees will not survive in these locations given the drainage conditions there. It is considered that further information is necessary in terms of tree planting numbers, sizes, locations and planting specification. It is recognised that such information will be developed further once construction works commence and as such, should the application be supported, a condition should be imposed requiring a revised Landscape Management and Maintenance Plan to be submitted to and approved by CNPA.
40. A Woodland Management Plan has also been submitted which indicates the longer term management of the woodland and the intention to introduce a more diverse woodland through replanting/restocking with a mix of conifers and mixed broadleaves. The long term objective is to create an improved, diverse woodland with increased biodiversity value. It is suggested that the biodiversity could be improved further by retaining those felled trees unsuitable for commercial purposes on site to provide an increased source of deadwood.

41. The CNPA Ecology Adviser has highlighted the potential for bird strike given the proposed use of reflective cladding on the cabins and therefore has requested that this be reviewed and adaptations made to reduce this risk. A standard condition requiring details of the external finishing materials is recommended to ensure all materials are appropriate and if necessary sample panels are made available for inspection.
42. Following the Committee meeting on 22 March 2019, a further two conditions have been recommended to address the concerns regarding the water supply and in relation to the long term woodland cover over the wider site.
43. The proposals will potentially have an environmental impact in terms of the loss of trees on the site, however, the measures proposed will ensure these impacts are appropriately mitigated against or compensated for. Subject to the recommended conditions the application is considered to be in compliance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

Landscape and Cultural Heritage Issues

44. **Policy 5:** Landscape of the Cairngorms National Park Local Development Plan 2015 presumes against development which does not conserve and enhance the landscape character and special qualities of the National Park and in particular the setting of the proposed development.
45. **Policy 9:** Cultural Heritage of the Cairngorms National Park Local Development Plan encourages development to protect and enhance the feature or its setting and take reasonable measures to avoid, minimise and mitigate any adverse effects.
46. The site is located on a glacial-fluvial deposit, which lies within a valley floor and is now a distinct rounded landform predominantly covered in woodland. From the approach on the A939, from the Lecht there are unobstructed, broad views. From the approach from the south on the A939, the curvature of the road wraps around this landform and the site and provides shorter, more dynamic views. Other views can be experienced from a variety of hill tracks, footpaths and other residential properties within the vicinity. The site is dominated by a managed woodland made up of a mix of species – predominantly Scots Pine, Norway Spruce with a small proportion of Larch and mixed conifers, all planted round the central area to the top of the site.
47. The proposal is to site the cabins within this woodland setting and orientate them towards outward looking views. This will undoubtedly result in the loss of individual trees to accommodate their construction and provide access to them. As such the development has the potential to impact on this distinctive landform, and the wider landscape and visual character of the area.

48. The applicants have taken on board advice given and provided information which provides appropriate mitigation measures to ensure the proposed development does not have a significant impact on this prominent wooded landform and the wider area in general. The submitted information satisfactorily demonstrates that the proposed development will complement and enhance the landscape as required by policy.
49. It is good practice to obtain all detailed landscape information prior to the determination of a planning application, however, in this instance this has not been possible given the agreed timescales. It is recommended that a more robust Landscape Maintenance and Management Plan be submitted giving more specific details for the proposed planting and management of the existing and future landscape. As such it is recommended an appropriate condition is attached to any consent granted to ensure this information is forthcoming and is subsequently tightly monitored and that a high quality scheme is delivered which minimises any significant adverse impacts to the landscape.
50. At the Committee meeting of 22 March 2019, members expressed concern regarding the long term management and retention of the wider, adjoining woodland. They sought assurance that the surrounding woodland would be retained in the long term. The applicants have stressed that it is crucial that this woodland is retained to achieve the principle of the design – cabins located within a woodland setting. They have agreed to a condition which will ensure the continuity of woodland cover over the site and the wider adjoining woodland despite them losing the ability to receive grants through the Forestry Grant Scheme for the woodland.
51. In the short term the proposed development will potentially impact on the visual and landscape character of the site and the wider area, however, subject to the recommended conditions and firm monitoring of these, this impact should be kept to a minimum in accordance with Policy 5: Landscape and Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2015.

Scale, Mass and Design Issues

52. **Policy 3:** Sustainable Design of the Cairngorms National Park Local Development Plan 2015 requires that all development proposals should be designed to be sympathetic to the traditional pattern and character of the surrounding area, local vernacular and local distinctiveness whilst encouraging innovation in design and use of materials. Development should seek to use materials and landscaping that will complement the setting of the development. Development should also ensure that the amenity of neighbours is protected.
53. The cabins will be located away from the cleared space and sited within the woodland, on the down slopes with minimal intervention to the existing trees. Restocking is also proposed to ensure tree cover is maintained and the impact on the setting is also kept to a minimum. They are contemporary in their design and will be finished in materials to complement their woodland setting, incorporating timber and metal cladding and green roofs. As stated previously a condition requiring the detailed specification of the external materials is recommended to ensure these are appropriate in this location.

54. The proposed development will sit sympathetically within its landscape setting and the cabins will be located a sufficient distance from adjacent properties that will not introduce issues of overlooking and loss of privacy and impact on the amenity enjoyed by these properties.
55. Subject to an appropriately worded condition in relation to external materials it is considered that the proposed development will satisfy Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

Road Safety Issues

56. **Policy 3:** Sustainable Design of the Cairngorms National Park 2015 states that all new development will include appropriate means of access, egress and space for off street parking.
57. Aberdeenshire Council Roads Department initially objected to the proposed development on the ground that it had not been clearly demonstrated that there would be sufficient visibility at the junction of the site and the A939. It is recognised that this is a main tourist route with high volumes of traffic. The applicants have submitted a revised drawing showing the visibility from the site entrance and Roads are now satisfied this addresses their concerns subject to a condition in relation to specific design of the visibility display, the gradient and finish of the access and servicing arrangements and vehicle manoeuvrability within the site. In terms of car parking, there are 25 car parking spaces proposed within the central space which includes 2 disabled spaces. A further disabled car parking space is proposed adjacent to cabin 4.
58. The proposals are considered to be acceptable in terms of road safety and offer sufficient parking provision in accordance with Policy 3 of the Local Development Plan.

Flood Risk and Water Supply

59. **Policy 10:** Resources of the Cairngorms National Park Development Plan 2015 seeks to ensure that surface water is dealt with accordingly and that an appropriate SUDs is adopted. It also seeks to ensure that all new development is free from significant risk of flooding and that there should be no significant adverse impact on existing or private water supplies.
60. A Drainage Recommendation Report was submitted following concerns regarding the lack of information with regards to drainage for the site and provision of SUDs. This information now satisfactorily addresses this issue. Swales were considered to deal with the surface water drainage, however, given the nature of the site, soakaways are considered to be the best option here. There have been no objections from the Council's Flood Risk Team.

61. It is proposed to utilise a private water supply from an existing well situated to the north west of the site and which currently serves Laghlasser Cottage. Aberdeenshire Council Environmental Protection Team raised objections to this and sought further information. The applicants submitted a Water Supply Assessment Report which provided details addressing all the points raised. No further updated response was received from the Council regarding this at that time. As such it was recommended that an informative be included to ensure the applicants comply with Environmental Health legislation.
62. Following the Committee meeting on 22 March 2019, the applicants were asked to undertake further investigations on the water supply and the potential effect on neighbours. They have submitted a Water Supply Desk Study, and the Environmental Protection team have now commented on this. They still have concerns regarding the assumptions that this study is based on. A condition is therefore recommended to address these on-going concerns regarding the water supply.
63. In view of the forgoing it is considered that the proposals will comply with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

Other Issues Raised in Consultations and Representations

64. The majority of issues raised by the contributors have been addressed in the paragraphs above. However, the following points have not been addressed.
65. In terms of Local Plan Allocation, the site does not fall within any settlement boundary and is not allocated for any particular land use. It operates as commercial woodland at present.
66. It is acknowledged that the development will require a degree of lighting. A lighting plan has been submitted which states that the lighting will be low energy LED, compliant with the Government Guidance Note – Controlling Light Pollution and Reducing Energy Consumption. The lighting that was originally along the track has now been removed and lighting across the site has been kept to a minimum to minimise light pollution.
67. The introduction of security issues is not relevant in the determination of this application.
68. It is not considered that the development will introduce any significant noise impacts and should such issues arise these can be addressed through Environmental Health legislation.
69. The potential risk to livestock and the loss of a view is not material in the consideration of this application.

CONCLUSION

70. The proposed development will introduce high quality tourist accommodation in a location renowned for its high number of visitors. It will contribute both in the short and long term to the vitality and viability of the local economy. Subject to appropriately worded conditions any environmental and landscape impacts will be suitably mitigated against and in the longer term kept to a minimum. The development has been sited and designed to respect its setting and the wider landscape character of the site. It will incorporate external finishes to complement its surroundings. The proposals are considered to comply with all other relevant policies of the Cairngorms National Park Local Development Plan 2015 and in turn the collective aims of the National Park. Approval is recommended subject to appropriate planning conditions.

RECOMMENDATION

That Members of the Committee support a recommendation to approve the Erection of 12 Holiday Cabins and Associated Ancillary Plant Building, Ground Mounted Solar Panels and Formation of Parking Area at Site At Laghlasser Corgarff Strathdon AB36 8YP subject to the following conditions:

Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.

Conditions

- I. **Notwithstanding the details contained within the approved Property and Landscape Maintenance and Management Plan, no work shall commence on site until this is revised and includes more specific details for the proposed planting and management of the existing and future woodland (tree planting numbers, sizes, locations and planting specification). This shall be submitted to and approved in writing by the CNPA acting as Planning Authority.**

Thereafter the development shall be implemented in accordance with those approved details.

Reason: To ensure the retention of an appropriate landscape setting, enhance biodiversity and ensure the development will not have an adverse impact on the landscape setting or ecological quality of the development site in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

2. **Notwithstanding the details contained within the approved Construction Method Statement, no work shall commence on site until this is revised and includes the following information, which shall be submitted to and approved in writing by the CNPA acting as Planning Authority:**
- a) **All Tree Protection Zones shall be clearly defined and agreed;**
 - b) **Measures to ensure compaction is kept to a minimum through the use of appropriate equipment (e.g. hand tools and extending boom, etc.);**
 - c) **Measures to ensure the removal of the surface layer is carried out with care during excavation works to ensure that it can be reinstated with minimal impact on the existing flora;**
 - d) **Proposals for the creation of the car park and upgrading of the forest track (e.g. materials, cross sections, drainage, etc.); and**
 - e) **A commitment to notify CNPA prior to undertaking any unforeseen construction works required for the development to commence.**

Thereafter the development shall be implemented in accordance with those approved details and where relevant in accordance with BS 4428/1989 and BS 5837/2012.

Reason: To ensure that construction methods will not have an adverse impact on the landscape setting or ecological quality of the development site in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

3. **No development shall commence until a revised Woodland Management Plan that demonstrates how continuous woodland cover will be achieved and maintained across the Corgarff Woodland for the life of the development has been submitted to and approved in writing by the CNPA acting as Planning Authority. Thereafter the woodland will be managed in accordance with the approved Woodland Management Plan unless otherwise agreed in writing the Cairngorms National Park Authority acting as Planning Authority.**

Reason: To ensure the retention of the distinctive wooded landform, and to protect the wider landscape and visual character of the area in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

4. **No work shall commence on site until an Environmental Clerk of Works is appointed and a schedule of reporting has been submitted to and approved in writing by the CNPA acting as Planning Authority. This will include, but shall not be limited to, details on the scope, frequency and method of reporting. Thereafter the development shall be monitored and managed by the Environmental Clerk of Works in accordance with the approved schedule of reporting.**

Reason: To ensure that there is an accurate account of applied working methods in accordance with the requirements of Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

5. No work shall commence on site until pre – construction survey work conducted by a suitable qualified ecologist in line with the approved Species Protection Plan is undertaken. This shall include otter as well as red squirrel and pine marten.

Reason: To ensure the development does not have a detrimental impact on protected species in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

6. No work shall commence on site until full details and specifications (samples may be required) of all external finishing materials have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority.

Thereafter the development shall be implemented in accordance with those approved details.

Reason: To ensure a full assessment is undertaken of the appropriateness of the external materials and the development will not adversely impact upon the landscape setting of the development site in accordance with Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

7. Notwithstanding the Water Supply Assessment Report and the subsequent Water Supply Study no work shall commence on site until the applicants provide evidence that there is an adequate water supply in terms of quantity and the capacity to serve the development and that this meets the requirements of the relevant legislation in terms of quality, the details of which shall be submitted to and approved in writing by CNPA acting as Planning authority and in consultation with Aberdeenshire Council's Environmental Protection Team.

Reason: In the interests of health and safety and to ensure that the development is appropriately serviced in accordance with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

8. **No work shall commence on site and the access hereby approved shall not be brought into use unless visibility splays measuring 2.4 metres by 215 metres are formed on either side of the junction of the vehicular access with the public road in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted with the visibility splays so formed.**

Reason: In the interests of road safety and to enable drivers of vehicles using the access to have clear view of other road users and pedestrians in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

9. The first 5 metres of the new access (measured from the edge of the road) must not exceed a gradient of 1 in 20 and this shall be fully paved prior to the occupancy of the development.

Reason: In the interests of road safety and to ensure safe access and egress from the site is provided in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

10. Prior to the occupancy of the development a refuse bin store area shall be constructed (behind any visibility splay) so as to be accessible for bin uplift and shall secure enough empty bins from being wind blown, the details of which shall be submitted to and approved in writing by CNPA acting as Planning Authority and in consultation with Aberdeenshire Council's Roads Department.

Reason: In the interests of road safety and to ensure that safe access is provided to the site and the development is appropriately serviced in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

Informatives

1. The development hereby approved must commence within 3 years of the date of this decision notice. If development has not commenced within this period then this planning permission will lapse.
2. The person undertaking the development is reminded that pre-construction survey work to check for nesting birds should take place between April and August inclusive.

3. The person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.

4. Following completion of the development, a notification of the completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.

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.