
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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

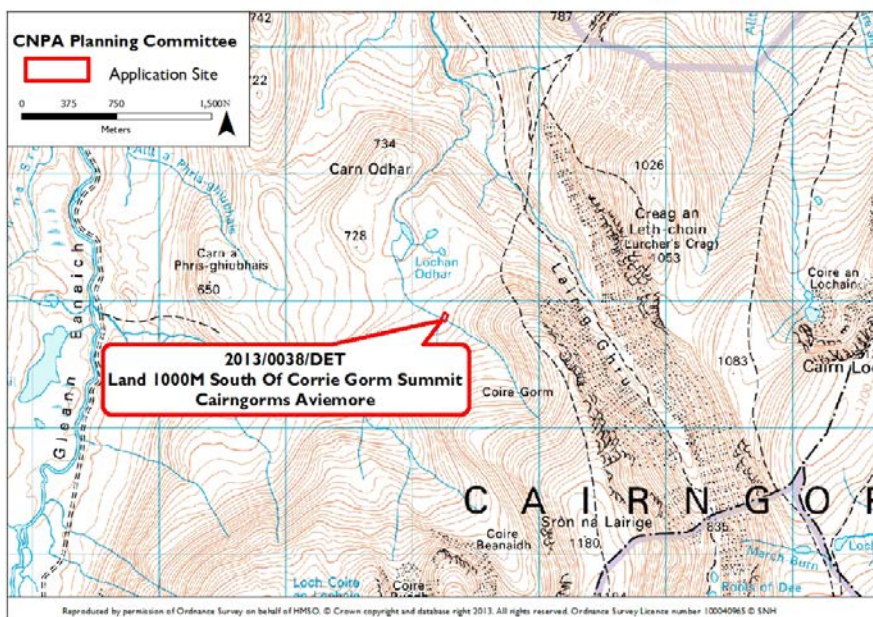
DEVELOPMENT PROPOSED: TEMPORARY SITING OF THE REMOTE ACCOMMODATION SYSTEM, TO ALLOW FOOTPATH WORKS ON SRON NA LAIRIGE, FOR A MAXIMUM PERIOD OF 7 MONTHS FROM 1ST APRIL 2013 TO 31ST OCTOBER 2013.

REFERENCE: 2013/0038/DET

APPLICANT: CAIRNGORMS OUTDOOR ACCESS TRUST

DATE CALLED-IN: 11/02/13

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS



Grid reference: 295251 802856 (easting northing)

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This application seeks temporary planning consent to site a remote accommodation system in connection with footpath works at Sron Na Lairige for a temporary period until the end of October 2013. The accommodation is required to enable people working on remote footpaths at the top of the mountain to stay overnight and so avoid the time and safety issues associated with walking into this remote site each day.
2. A supporting statement outlining the background has been submitted and this explains that the applicants (Cairngorms Outdoor Access Trust –COAT) are undertaking a 4 year mountain heritage project to build and repair footpaths across the East Cairngorms including the Braeriach footpaths which have a walk in time of in excess of one and a half hours. This statement is attached as **Appendix I**.
3. The proposed site is located on the mountains to the west of Coire Gorm and the Lairig Ghru pass at a height of around 745 metres. The nearest roads are at Rothiemurchus to the north. This is a remote wild area and the proposed site is a flat area which the applicants consider is well suited to locate the accommodation due to its free draining level characteristics. The site can only be accessed by walking and it is proposed to deliver the accommodation system by helicopter. This site is located in an area covered by numerous environmental designations including the Cairngorms Special Area of Conservation, Special Protection Area, National Nature Reserve, National Scenic Area and Site of Special Scientific Interest. **Figure 2** below shows the site location

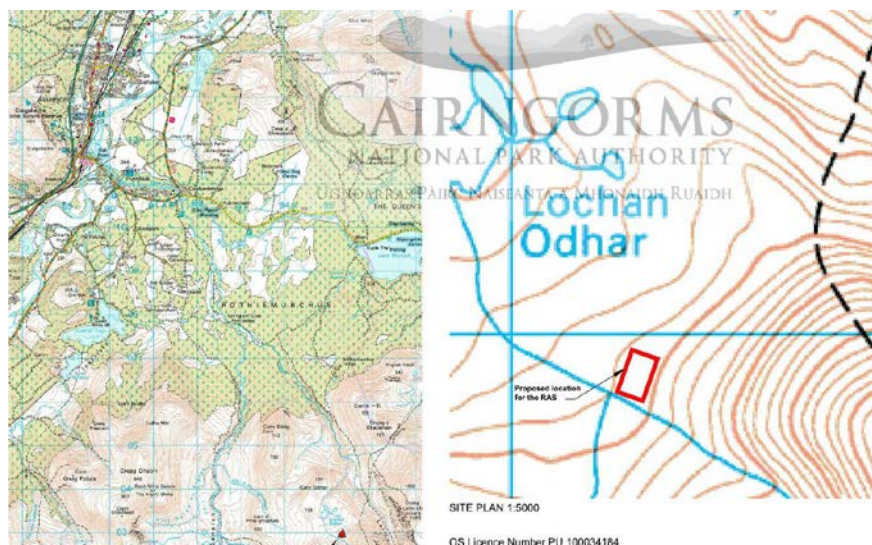


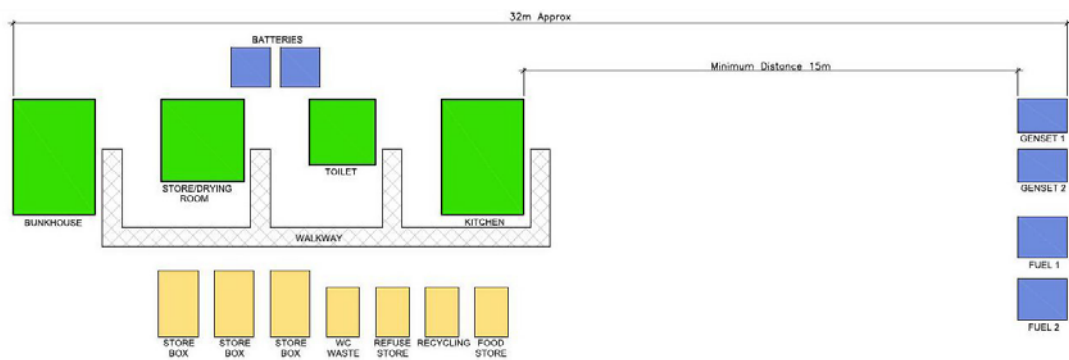
Figure 2 Site Location

4. The proposed accommodation takes the form of a series of small storage containers, plus four cabins providing bunkhouse, toilet, and kitchen and store/drying room accommodation. The storage boxes will be supplemented

by toilet waste, refuse, food and recycling secure containers. All waste will be contained in the containers which are vermin and water proof with waste taken off site at the end of operations. Water will be sourced from the burn, with grey water to be discharged to a partial soakaway. The photographs below in **Figure 3** show the general appearance of the system whilst **Figure 4** shows the site layout



Figure 3 – Appearance of Accommodation System



INDICATIVE LAYOUT OF THE REMOTE ACCOMMODATION SYSTEM (RAS)

Figure 4 Site Layout

5. The accommodation system will be elevated above the ground on timber pads to minimise any damage to the vegetation through compaction or shading with a temporary walkway similarly constructed to avoid trampling of vegetation.

DEVELOPMENT PLAN CONTEXT

National policy

6. **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."
7. 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. .
8. The key topic in this case is natural heritage which highlights the importance of Scotland's landscape and natural heritage, and the need to safeguard our most sensitive landscapes. The need to support opportunities for enjoyment and understanding of the natural heritage is also highlighted.

Strategic Policies

Cairngorms National Park Partnership Plan 2012-2017

9. 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.

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.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

10. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at :
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>

11. New development requires to be assessed in relation to all policies contained in the Plan. In this case the key policies are as follows :
12. Policy 1 Natura 2000 Sites – This policy sets out that any development which is likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment. Where the assessment is unable to ascertain that the development will not adversely affect the integrity of the site it will only be permitted if there are no alternative solutions and there are overriding reasons of public interest.
13. Policy 2: National Natural Heritage Designations This policy basically seeks to ensure there is no adverse effect on the overall integrity of the designated area with any significant effects outweighed by social or economic benefits.
14. Policy 4 – Protected Species which sets out that if development has an adverse effect on a European Protected Species it will not be permitted except in particular circumstances set out in policy.
15. Policy 34 – Outdoor Access – this policy encourages development which supports opportunities for responsible outdoor access.
16. Policy 6 – Landscape which sets out that there will be a presumption against any development that does not complement and enhance the landscape character of the Park. Where development does not complement and enhance the landscape character, any significant adverse effects must be clearly outweighed by social and economic benefits of national importance and all adverse effects must be minimised and mitigated.
17. Policy 16: Design Standards for new development applies which sets out the design standards to be met with new development and is supported by supplementary planning guidance in the form of sustainable design guide

Supplementary Planning Guidance

18. 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. Guidance on Natural Heritage applies here. This guidance sets out how the natural heritage of the National Park will be taken into account when considering development proposals. Supplementary Planning Guidance on Wildness also applies which explains how to consider wildness, which is highlighted as a core special quality of the Park, when considering development proposals

CONSULTATIONS

19. **The CNPA Access Officer** notes that the location of remote cabins as a base to undertake upland path work is a tried and tested method within the National Park. The proposal is part of a Mountain Heritage Paths Project and will have a positive benefit on outdoor access. It is further noted that any negative impacts, for example perception of intrusion into wild land will be temporary.

20. **Scottish Natural Heritage** has no objections to the proposal. They support the path improvement work which is necessary to prevent further erosion and damage to sensitive upland habitats that are popular walking routes. The accommodation will maximise the amount of work achieved. SNH note that the site lies within the Cairngorms SSSI, SPA and SAC with the qualifying interests relative to this application are golden eagle, merlin, peregrine falcon, dry heath, alpine and sub alpine heath and montane acid grassland.. Having considered the likely impacts on natural heritage interests SNH conclude that the proposal is directly related to the conservation management of the site and an appropriate assessment is not required. They further note that this is a high altitude, remote and relatively inhospitable location with the majority of European Protected Species likely to be found at lower altitude, other than otter which are likely to visit the area only occasionally and will not be disturbed by the proposal.
21. **Aviemore and Vicinity Community Council** support the application noting that if maintenance is to be carried out on these paths it is essential that accommodation is provided as walking in daily would increase the costs.

REPRESENTATIONS

22. The application was advertised in the local press and no representations have been received.

APPRAISAL

Principle

23. This proposal is to site temporary accommodation to facilitate the repair and completion of upland footpaths in the National Park. The need for the accommodation is fully understood and supported, on health and safety, as well as efficiency, grounds. The development will help facilitate provision of improved outdoor access which is supported by Local Plan policy 34 and this type of remote accommodation solution has been approved elsewhere in the Park previously. Accordingly the principle of the development is considered to be acceptable on a temporary short term basis. (Clearly any proposal for permanent accommodation of this type and style in the mountains would not comply with policy.) The key planning issues to consider with the proposal are the impacts upon the special environment here.

Environmental Impacts

24. The proposed development is for a short time with measures proposed to ensure minimal environmental disturbance through containment of waste, minimal use of resources, and construction methods to raise the structures above ground level to protect the ground below. Provided these measures are all implemented there should be minimal disturbance to the area.
25. However, as noted earlier in this report, this area is covered by numerous designations and is a NATURA site. It is therefore essential to ensure there is

no adverse impact upon the qualities for which the area is designated. Scottish Natural Heritage has assessed this matter and they are satisfied that the development is directly connected with, and necessary for, the ongoing conservation management of the site for its qualifying interests, whereby an appropriate assessment is not required in this case. SNH have also highlighted the environmental benefits which will result out of the associated path works in terms of addressing erosion issues, whereby overall there may be an environmental improvement ultimately. The application is therefore considered to comply with policies 1 and 2.

26. Other environmental impacts relate to visual and landscape impacts. Introducing built development into this wild and remote landscape would not normally be supported in terms of Local Plan policy 6 which seeks to conserve and enhance the landscape. However the impacts are very short term in this case and overall the need to support completion of upland path works is considered to be sufficient justification to set aside any temporary visual impacts which will be addressed in any event by removal of the development at the end of October.

Conclusion

27. In these overall circumstances the proposed development is considered to comply with Local Plan policies providing appropriate conditions are attached to ensure the development is carried out in a manner to ensure there are not any harmful effects on the special qualities of this area. Approval is recommended on this basis.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

28. The proposal will support this aim in the longer term by enabling completion of pathways which will help prevent erosion of the fragile upland environment by walkers who will be directed onto the pathways instead. Any short term impacts upon the environment are minimal as a result of the method of construction and containment of wastes.

Promote Sustainable Use of Natural Resources

29. The proposed development involves re-usable units, and during occupation minimal use of natural resources will be required, with water supply being taken from a local burn, and all waste contained, compacted and taken off site at the end of the operations.

Promote Understanding and Enjoyment of the Area

30. The proposal supports this aim by enabling work to be carried out to provide upland paths which will allow for safe outdoor access to the mountains. Once

completed this will promote the wider enjoyment of the area. Any negative effects on enjoyment of the area as a result of the visual impacts of the siting of the system will be temporary and minor in the wider context.

Promote Sustainable Economic and Social Development of the Area

31. The proposed development will support this aim initially by providing employment for the people working on the paths and thereafter the provision of improved pathways will ultimately support this aim by providing improved outdoor access and visitor/tourism provision which may be of overall benefit to the businesses servicing tourists and walkers in the Park.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT temporary planning permission for temporary siting of the remote accommodation system, to allow footpath works on Sron na Lairige, for a maximum period of 7 months from 1st April 2013 to 31st October 2013.

Subject to:

(a) the following planning conditions

- 1** Unless otherwise agreed with the Cairngorms National Park Authority (CNPA) acting as Planning Authority this permission is for a temporary period expiring on 31 October 2013.

Reason: to ensure that the duration of the development hereby approved is for a limited period, in order to ensure that the special environmental interests of the area are protected in accordance with Local Plan Policies

- 2** Within one month of expiry of this permission, or within one month of when the units have ceased to be occupied, whichever is the sooner, the entire accommodation system (including walkway and all wastes) shall be removed from the site by helicopter, and the ground reinstated to its former condition.

Reason: in order to ensure that the special environmental interests of the area are protected in accordance with Local Plan Policies

- 3** All units shall be constructed on pads in accordance with the applicant's supporting statement dated January 2013.

Reason: to protect the local surface vegetation from any trampling effects, allowing for easier regeneration at the end of the consent and in

order to protect the special environmental interests of the area in accordance with Local Plan policies.

- 4** Unless otherwise agreed in writing with the CNPA acting as Planning Authority the development hereby approved should be finished in a dark green colour

Reason: To ensure that the visual impact of the development is minimised in accordance with Local Plan policies

- 5** No work shall start on site until a method statement has been submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority, to detail the following matters
- How it is proposed to dispose of grey and surface waters
 - install and operate any energy system and manage the storage of any generator fuel, without causing pollution or contamination.
 - Confirmation that all wastes will be contained in sealed containers and removed from site following expiry of the consent.

The energy and drainage systems shall thereafter be installed and operated in accordance with the terms of the agreed method statement throughout the lifetime of the consent.

Reason: In order to ensure that the special environmental interests of the area are protected in accordance with Local Plan Policies

Advice note:

It is recommended that in the interests of furthering public understanding that interpretive material be erected at the accommodation site and on the nearby path to explain the purpose of the accommodation for users in the area.

Katherine Donnachie

planning@cairngorms.co.uk

15 April 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.