
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT PROPOSED: FULL PLANNING PERMISSION TO VARY CONDITION ON 04/379/CP TO EXTEND THE PERIOD OF TIME FOR THE SITING OF A CARAVAN AT LAGGAN HOTEL, LAGGAN, by NEWTONMORE.

REFERENCE: 09/156/CP

APPLICANT: MR. DAVID HUISMAN, LAGGAN HOTEL, LAGGAN.

DATE CALLED-IN: 29 MAY 2009

RECOMMENDATION : APPROVE WITH CONDITIONS

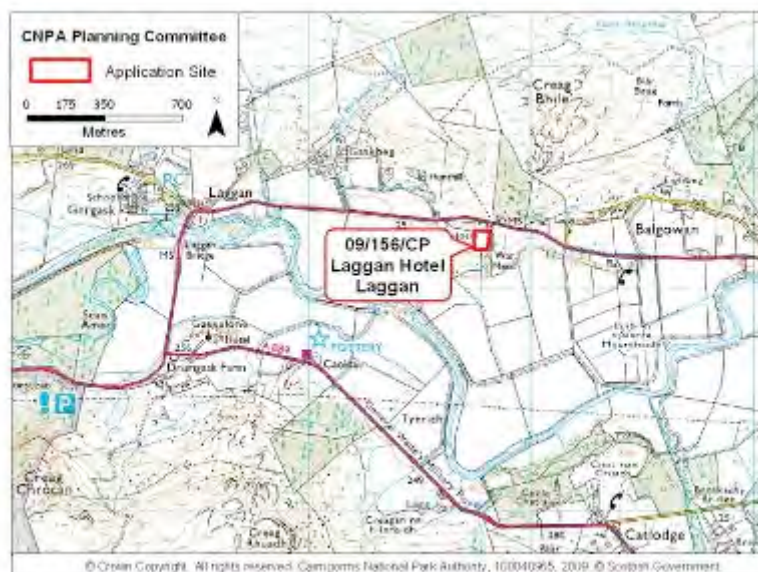


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Full planning permission is being sought in this application to vary a condition of a previous permission on the site, in order to extend the period of time for the siting of a caravan on land within the grounds of Laggan Hotel, Laggan, by Newtonmore. Full planning permission was originally granted by the CNPA in 2004 for the siting of a staff caravan, for a limited period of 3 years (CNPA planning ref. no. 04/379/CP refers). The permission expired in November 2007 and the caravan currently remains in place. The CNPA's Enforcement and Monitoring Officer recently brought the expiry of the previous permission to the attention of the current applicant and this application has been submitted as a result, in an effort to regularise the situation.
2. The caravan is situated within the grounds of the Laggan Hotel. The hotel is located approximately 1.3 kilometres east of Laggan, immediately adjacent to the A86 trunk road. Vehicular access to the hotel and grounds is on the eastern side of the hotel building. The currently identified site is located in the south of the overall hotel grounds. The caravan which is the subject of this application is located adjacent to two existing chalet style mobile homes (which are located outside the site boundaries). The two units are located within a fenced area. The caravan, which is smaller than the other two units, is positioned on an open grassed area, with a backdrop of trees.



Fig. 2 : two chalet style static caravans, together with the caravan that is the subject of this current application (right)

Planning History

3. At the time of the application in 2004, the hotel was in the ownership of another party and the case was advanced that the caravan accommodation was to meet a temporary staff accommodation need at the hotel, on the basis that new investment was planned at the hotel premises, in the form of staff and management accommodation. The permission was granted for a period of three years, and it also included two additional conditions, the first of which stated that the permission was personal to the owners of the Laggan Country Hotel only. The final condition stipulated that the occupation of the caravan should be for staff employed in the adjacent hotel business and that it

should not be let or sub-let to any other individuals, for any other purpose, at any time.

4. The hotel was purchased by the current applicant, Mr. Huisman, in 2005 / 2006 and since that time there has been a continuing need to use the caravan as staff accommodation. Members will be familiar with another application on the site in 2006, in which the CNPA resolved to grant full planning permission for the erection of a dwellinghouse (CNPA planning ref. no. 06/336/CP refers). In that application, Mr. and Mrs. Huisman advanced a case for their dwelling on the basis that it was required as their family home in conjunction with their operation of the hotel. In May 2007 the CNPA planning committee resolved to grant planning permission subject to the completion of a Section 75 legal agreement to ensure that the dwelling house is not sold separately and is used to accommodate staff engaged in the operation of the business. The Section 75 legal agreement has recently been completed and the decision notice has been issued.

Case for the continued retention of the caravan

5. All of the accommodation within the hotel is required for the operation of the business, and as a result members of Mr. Huisman's family have been residing in one of the staff chalets on the site, while the caravan which is the subject of this application is utilised by staff that would otherwise be accommodated in the chalet accommodation. Work is now underway on the applicants dwelling house on the site. Mr. Huisman anticipates that the construction project may take until October 2010 to complete and he is therefore requesting an extension of the time period that the caravan can remain on the site to coincide with this. In the event that the dwelling house is ready for occupation prior to that, the applicant has indicated that he would intend to remove the caravan as soon as possible

DEVELOPMENT PLAN CONTEXT

Highland Structure Plan (2001)

6. **Highland Structure Plan 2001, 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 and; maximise energy efficiency in terms of location, layout and design, including the utilisation of renewable sources of energy. **Policy H3 (Housing in the Countryside)** allows for the development of housing in the countryside to support the viability of rural communities experiencing difficulties maintaining population and services.

Badenoch and Strathspey Local Plan (1997)

7. The site lies within a Restricted Countryside Area as identified in the Badenoch and Strathspey Local Plan (1997). **Policy 2.1.2.3 (Restricted Countryside Areas)** states that there will be a strong presumption maintained against new houses in the Restricted Countryside, except where a

house is essential for the management of land, related family and occupational reasons.

8. **Policy 2.2.9 (Tourism and Recreation)** states that these activities will make a vital contribution to the economy, and the priority is to ensure that broadening the range and quality of facilities and accommodation is balanced with protecting the area's exceptional scenic and heritage resources. **Policy 2.2.10 (Tourism)**, encourages the development of tourist accommodation and facilities at suitable sites within or immediately adjoining communities. Priority is to be given to expansion of existing facilities, and development is to be compatible with adjoining land uses and should associate well with the prevailing pattern of building, or be well-absorbed visually by landform or trees.

CONSULTATIONS

9. In the course of the previous application for the siting of the caravan on the site **SEPA** advised, given the fact that it was a temporary development, that there was no objection to the use of the existing septic tank and soakaway system for foul drainage, provided the caravan remains under the same ownership as the hotel, and that the terms of the Building Standards (Scotland) Regulations 1990 are met.

REPRESENTATIONS

10. No representations have been received.

APPRAISAL

11. The request to vary a condition of the previous permission to allow the retention of the caravan on the site for a further two years has arisen as a result of the applicants need to maintain accommodation in the caravan on the site for his hotel staff. Meanwhile Mr. Huisman and his family have a need to continue to occupy one of the adjacent staff chalets while the construction of their dwelling house is on going. The need for the family to reside on the site is accepted, as they, together with their staff, are involved in the daily operation of the Laggan Hotel.
12. The issues regarding the use of large caravans / mobile home units in the countryside were explored in the course of the planning application in 2004. Although it was accepted that there was a specific case for the temporary siting of such a unit, the design, materials and colour of such units are not generally regarded as being sensitive to countryside areas. Nonetheless, the caravan remains in the same location as in 2004, and it was acknowledged at that time that it is visually separated from the main hotel premises and has the benefit of some degree of tree cover to the south and east sides, which

limits the overall visibility of it and the other two adjacent mobile home units, from the surrounding countryside.

13. Also as acknowledged in the planning report relating to the 2004 planning application, the design quality of the caravan does not accord with the general thrust of planning policy. In addition, in terms of the overall sustainability, the use of a caravan for habitation cannot be regarded as maximising the quality of housing, the use of renewable resources or the efficient use of energy. The general concept of utilising a caravan as permanent accommodation is also inconsistent with the aims of the National Park. However, the current proposal seeks to retain the caravan for a limited temporary period, to facilitate a genuine accommodation need until the applicants new dwelling house is ready for occupation. Construction activity has recently commenced on the site and the applicant has provided details of the anticipated construction timescale, which would result in the house becoming habitable by October 2010 (although he is hopeful that it may be even sooner than this), with the need for the use of the caravan ceasing at that time.
14. While I have some concerns regarding the prolonged retention of the caravan on the site, particularly having regard to the length of time that it has already been in place, as well as its physical condition, I accept that the applicant has been realistic in the timescale in which he anticipates completing his dwelling house. On this basis, I am of the view that it is appropriate to support this application seeking to vary the condition of the original permission and allow the retention of the caravan on the site for a further two years from the date of issuing of any potential decision notice. In the interests of consistency and in order to ensure that the caravan is only used by the applicant and his family, or other staff of the hotel business, I recommend that conditions applied to the previous permission regarding occupancy and restricting the use of the caravan, be applied again in the event of consideration being given to the granting of planning permission for the current proposal.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

14. A caravan of this type is not normally appropriate for a rural location on the grounds that it could detract from the character and amenity of the countryside. However, the retention of the caravan on the site is for a temporary period only, to accommodate a relatively short term accommodation need, pending the completion of the applicants' dwelling house on the site. The location of the site is such that it is reasonably well screened and its landscape impact is therefore minimal.

Promote Sustainable Use of Natural Resources

15. The use of a caravan for habitation is not viewed as being sustainable in the long term, due to its failure to maximise the use of energy and renewable resources.

Promote Understanding and Enjoyment of the Area

16. The general siting, as well as the visual appearance of the caravan, would not assist in promoting the general public's understanding and enjoyment of the area. However, its impact is tolerable in the short term.

Promote Sustainable Economic and Social Development of the Area

17. While the construction of permanent accommodation for the hotel owner and his family is on-going, the availability of temporary accommodation appears to be essential for the continued operation of the hotel business.

RECOMMENDATION

18. That Members of the Committee support a recommendation to:

Grant full planning permission to vary a condition on CNPA planning ref. no. 04/379/CP to extend the period of time for the siting of a caravan at Laggan Hotel, subject to the following conditions : -

1. This planning permission is for a limited period until 31st October 2010, and on or before this date the caravan shall be removed from the site and the land shall be restored to its former condition to the satisfaction of the Cairngorms National Park Authority acting as Planning Authority.
2. The planning permission hereby granted is personal to the owners of the Laggan Hotel and the caravan shall not be disposed of separately from the existing hotel business.
3. The occupation of the caravan shall be for staff (and their families) employed in the adjacent hotel business only, and shall not be let or sub-let to any other individuals, for any purpose, at any time.

Mary Grier
12 June 2009

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