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## CAIRNGORMS NATIONAL PARK AUTHORITY

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

**Prepared by: MARY GRIER (PLANNING OFFICER, DEVELOPMENT MANAGEMENT)**

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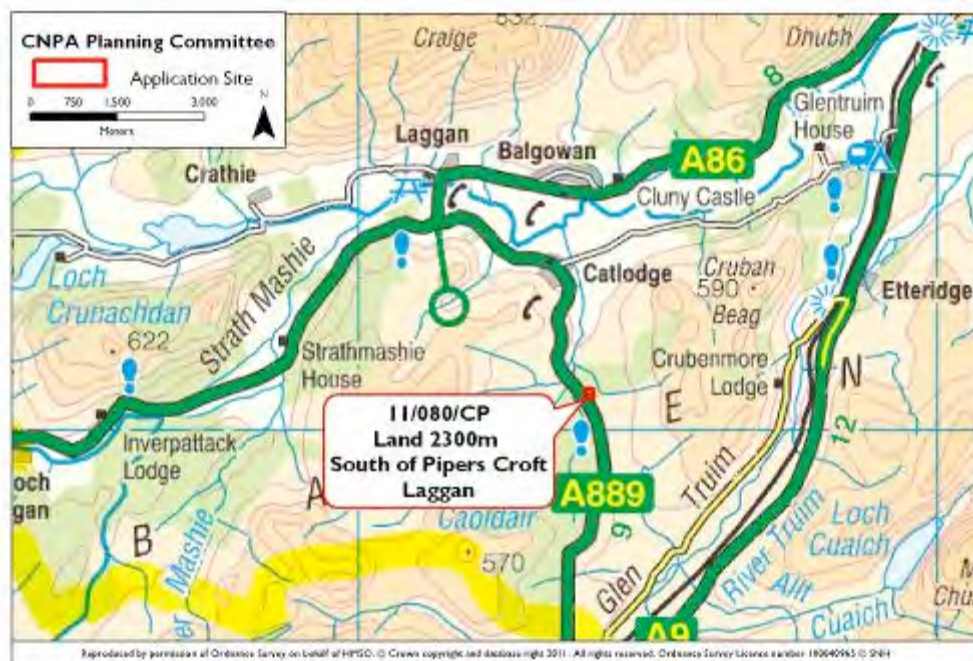
**DEVELOPMENT PROPOSED: PERMISSION IN PRINCIPLE FOR THE ERECTION OF A SHOOTING LODGE ON LAND 2300 METRES SOUTH OF PIPERS CROFT, LAGGAN**

**REFERENCE: 11/080/CP**

**APPLICANT: MR. MICHAEL PATTISON C/O COLIN ARMSTRONG ASSOCIATES, INVERNESS**

**DATE CALLED-IN: 18 MARCH 2011**

**RECOMMENDATION : REFUSE**



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. Permission in principle is sought for the erection of a shooting lodge on land 2300 metres from Pipers Cottage, near Catlodge, between Laggan and Dalwhinnie, on the Cathar Mor. The formal description of the proposed development refers to this being a “resubmission of refusal application 09/351/CP.” The proposed site is approximately 0.3 ha and also extends to include the proposed location of an access track from the site to the A889 trunk road (approximate length of 220 metres). The site is within recently planted pine woodland and is set back from the roadside. It is part of an overall landholding of 411 hectares. The woodland is of varying density, with trees growing on the drier heather ground and areas of open wet grassland in between.



Fig. 2 : Proposed site area

2. As an application for Permission in Principle the formal details provided in the application are limited to an identification of the site boundaries. Other supporting information includes indicative sketches demonstrating the type of shooting lodge which the applicant envisages on the site, as well as a written case in support of the development proposal. The indicative sketches show a large two storey turreted baronial style property, with external finishes listed as wet dash render, dressed sandstone features, hardwood windows and doors and natural slate on the roof. An indicative floor plan has also been provided, showing a wide range of living accommodation on the ground floor, with six en suite bedrooms at first floor level.



Fig. 3 : Indicative house type

### Site History

3. The applicant sought planning permission for the erection of a shooting lodge and access road on the same site in 2009. The planning application was called in by the CNPA (planning ref. no. 09/351/CP). The shooting lodge was proposed as a residential property and the land management case was insufficient. Permission was refused by the CNPA Planning Committee in March 2010, for three reasons. The first reason for refusal was due to the fact that there was insufficient evidence to demonstrate that the proposed development was required for the purposes of land management and it was therefore contrary to regional and local planning policy. The second refusal reason referred to restricted visibility at the entrance to the site and consequent interference with the safety and free flow of traffic on the trunk road. The final reason for refusal referred to the significant negative impact of the development on the landscape character of the surrounding area, and mentioned in particular its conflict with the remote, upland and inhabited character of the area.

### Justification

#### Business Plan

4. A Business Plan and supporting statement has been submitted with this current planning application. The Business Plan includes details of the recent history of the applicants' lands, which he purchased in 1987. The primary objective of the 411 hectare estate is the growth of native pinewood whilst maintaining it as a sporting facility. Pinewood and hardwood planting commenced in 1994 and the trees have now matured. This has apparently facilitated the recent removal of fencing in order to allow roe and red deer to roam freely.<sup>1</sup> With the free roaming of the animals, it is now intended to increase stalking activities. The Business Plan concedes that "only a minimal amount of shooting has taken place previously."
5. The Business Plan explicitly states that the shooting lodge "would not be built as a permanent residential home, but rather as a short term letting facility, run as a business venture." It is proposed for short term letting purposes, to accommodate short breaks, stalking, fishing, walking and bird watching. The letting of the lodge is intended "to generate sufficient funds to maintain the Estate and provide a small return on the capital invested." Details provided of the facilities that would be offered include :
  - Availability of kitchen facilities or a complete catering package, with all requirements met by a house keeper;
  - Marketing of the lodge to shooting parties on a weekly basis during the winter months;
  - Summer marketing of the lodge to fishermen, walkers and wildlife enthusiasts;
  - Packages would be provided to include housekeeping, catering and the provision of guides and ghillies.

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<sup>1</sup> As evidenced by the photos at fig 4-6 of the report, deer fencing was still in evidence at the time of a recent site visit in April 2011.

6. The Business Plan includes an indication of the projected build costs of the lodge, as well as estimates of the revenue generation from letting of the lodge (projected to be in excess of £1,500 per week and totalling £35,000), as well as staffing and running costs. The development of the shooting lodge for short term letting purposes is intended to provide a sustainable income source in order to “enable the continued development of the land and habitat available to wildlife.”
7. A section entitled Environmental and Local Benefits is included in the Business Plan and refers to employment generation during the building of the proposed lodge and the need for on-going workers to assist in the operation of the lodge.<sup>2</sup> It is also suggested that visitors to the lodge would benefit other businesses in the area by visiting, and also that the revenue stream generated would facilitate continued work on the estate, including “planting of shrubs and additional trees together with installation of nesting boxes to entice more ducks and small birds to breed on site.”

#### **Indicative design**

8. The shooting lodge envisaged is described as “not being a large scale development” but of a sufficient size to make it financially viable and to facilitate large parties to visit at any one time. It is suggested in the supporting information that the building would be constructed in a style sympathetic and complementary to its surroundings and would use eco-friendly and environmentally sound construction techniques where practically possible. It is also suggested that “power sources such as solar energy and geothermal heating would feature as part of the lodge’s design.”

#### **Supporting Statement**

9. In addition to the Business Plan, a supporting statement has also been provided.<sup>3</sup> The statement primarily focuses on detailing work which might be undertaken on the 411 hectare estate lands in the future. Suggested future works include :
  - Further digging out of the ponds in order to create an island and provide more nesting sites for ducks, geese and waders;
  - Digging out small pools in an existing wet area in order to create feeding areas for waders;
  - The planting of ‘water loving’ plants and trees around the edges of small pools and ponds;
  - Spraying of bracken, in order to encourage the return of grasses and wild flowers;
  - Undertaking of some landscaping;
  - Possible planting of a small area with oats in order to provide extra food for black grouse;
  - Undertaking of a small restocking programme in the ponds to increase the sporting potential;

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<sup>2</sup> Staff include a housekeeper, guides, ghillies and other seasonal staff.

<sup>3</sup> This is the same supporting information which was prepared and submitted with the previous application on the site in 2009.

- Possible commencement of a small amount of game rearing and release; and
- The building of hides and provision of feed and nesting boxes to encourage ducks and geese.

## DEVELOPMENT PLAN CONTEXT

### National policy

10. **Scottish Planning Policy<sup>4</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.
11. **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 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.
12. 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."
13. 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 economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.

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<sup>4</sup> February 2010

14. Economic development : planning authorities are required to respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that new economic opportunities can be realised. The planning system is expected to support development which will provide new employment opportunities, enhance local competitiveness and promote the integration of employment generation opportunities with supporting infrastructure and housing development.
15. Rural Development : **SPP** stresses the significant role that the planning system has to play in supporting sustainable economic growth in rural areas. “By taking a positive approach to new development, planning authorities can help to create the right conditions for rural businesses and communities to flourish” (para. 28). Development which provides employment and community benefits should be encouraged.
16. Although encouraging rural development, **SPP** is clear that the aim is not to see small settlements lose their identity or to suburbanise the Scottish countryside. The motivation is to maintain and improve the viability of communities and to support rural businesses. All new development would be expected to respond to the specific local character of the location, to fit into the landscape, and to seek to achieve high design and environmental standards, particularly in relation to energy efficiency.
17. Landscape and Natural Heritage : Improving the natural environment and the sustainable use and enjoyment of it is one of the Government’s national outcomes. Planning authorities are required to support opportunities for enjoyment and understanding of the natural heritage. Para. 127 notes that “landscape in both the countryside and urban areas is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character.” **SPP** recognises that different landscapes have different capacities to accommodate new development, and the siting and design should be informed by local landscape character.
18. There is an acceptance that landscape and natural heritage are sensitive to inappropriate development, but it is also acknowledged that careful planning and design can minimise the potential for conflict with natural heritage interests. Where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain, planning authorities are advised to apply the precautionary principle. It is however also stated that the precautionary principle should not be used to impede development unnecessarily, and modifications to a proposal which would eliminate the risk of irreversible damage should be considered.
19. National Parks are also discussed under the heading of national designations, and the four aims of the Park are outlined. Para. 138 advises “in circumstances where conflict between the objectives arises and cannot be resolved, the 2000 Act requires that the conservation of the natural and cultural heritage should take precedence.”

20. **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>5</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.”

### **Strategic Policies**

#### **Cairngorms National Park Plan (2007)**

21. The Cairngorms National Park Plan sets out the vision for the park for the next 25 years. The plan sets out the strategic aims that provide the long term framework for managing the National Park and working towards the 25 year vision. Under the heading of ‘conserving and enhancing the special qualities’ strategic objectives for landscape, built and historic environment include maintaining and enhancing the distinctive landscapes across the Park, ensuring that development complements and enhances the landscape character of the Park, and ensuring that new development in settlements and surrounding areas and the management of public spaces complements and enhances the character, pattern and local identity of the built and historic environment.
22. Under the heading of ‘Living and Working in the Park’ the Plan advises that sustainable development means that the resources and special qualities of the national park are used and enjoyed by current generations in such a way that future generations can continue to use and enjoy them. Section 5.2.3 of the Park Plan acknowledges that tourism is one of the primary forms of employment in the Park, although many jobs in this and other sectors are highly seasonal and with little long term security. Strategic objectives for economy and employment include creating conditions that are conducive to business growth and investment that are consistent with the special qualities of the Park and its strategic location and the promotion of green business opportunities. Section 5.3 of the Plan concerns ‘enjoying and understanding the park’ noting that the Cairngorms National Park is known for its outstanding environment and outdoor recreation opportunities and advises that the vision for the Park seeks to “go further and develop a world class destination which plays a significant part in the regional and national tourism economy.”

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<sup>5</sup> Para. 256.

## Structure Plan policy

### Highland Council Structure Plan (2001)

23. **Highland Council Structure Plan** is founded on the principles of sustainable development, which are expressed as –
- Supporting the viability of communities;
  - Developing a prosperous and vibrant local economy; and
  - Safeguarding and enhancing the natural and built environment.
- A variety of detailed policies emanate from the principles.
24. The Economy is discussed in a section in Chapter Two. It is noted that a major aspect of the Structure Plan strategy is to assist in the creation of small-scale economic activity to provide employment opportunities in rural areas. **Policy B7 (Business development in rural areas)** states that “small scale business development or extensions to existing indigenous industries will be encouraged in rural areas.” The Structure Plan also recognises that one means of achieving rural economic development is to maximise the use of the area’s natural resources and support diversification from traditional rural industries. **Policy B8 (Adding value)** states that the Council will encourage and support the development of small value adding enterprises where appropriate.
25. In a section on the Environment, the Structure Plan considers the topics of nature conservation, landscape and built and cultural heritage. Paragraph 2.13.2 sets out the fact that the policy for the protection of nature conservation interests follows a hierarchical approach of internationally important, nationally important and locally important areas. The existence of designations does not necessarily preclude development taking place within or affecting sites and even developments affecting international or national sites are possible if they are compatible with maintaining the features for which the sites are designated. The Structure Plan also highlights that the protection of the nature conservation resource cannot be achieved simply through the designation of sites, and some nature conservation interests are not confined to such sites. Consequently all development proposals are expected to be evaluated for their implications for nature conservation, both direct and indirect. Proposals should include justification for any adverse effects and set out remedial measures where appropriate.
26. **Policy NI (Nature Conservation)** requires that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Council will seek to conserve and promote all sites according to their hierarchy.
27. Section 2.14 of the Structure Plan deals with the subject of Landscape. It is recognised that landscape is not a static feature and that many forces bring about change in it, whether immediately or subtly over a number of years. **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.



28. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things make use of brownfield sites, existing buildings and recycled materials; are accessible by public transport, cycling and walking as well as car; are compatible with service provision; demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments; and contribute to the economic and social development of the community.

## Local Plan

### Cairngorms National Park Local Plan (2010)

29. The Cairngorms National Park Local Plan was formally adopted on 29<sup>th</sup> October 2010. The full text can be found at :  
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
30. 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.
31. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with the policies in the Local Plan, 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 development proposal.
32. **Policy 6 Landscape** refers to 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. Development which does not accord with this will only be permitted where the adverse landscape effects are outweighed by social and economic benefits of national importance and where the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
33. **Policy 16 – Design Standards for New Development** is one of a number of policies which is intended to encourage developers to consider how they can best include the principles of sustainable development in their proposals, and consider the impact on the environment, economy and community. Policy 16 requires that all proposals are accompanied by a design statement which sets out how the requirements of the policy have been met. The design of all development is encouraged to :

- Reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and materials;
  - use materials and landscaping that will complement the setting of the development;
  - demonstrate sustainable use of resources; and
  - be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.
34. The subject of **Housing Developments Outside Settlements** is dealt with in **Policy 22**. Under the heading of 'Other housing outside settlements' it is indicated that such housing will only be permitted where
- (a) The accommodation is for a worker in an occupation appropriate to the rural location; or
  - (b) The dwelling is for a retiring farmer or crofter; or
  - (c) The development is sited on rural brownfield land.
35. **Policy 25** relates to **Business Development** and states that proposals which support economic development will be considered favourably where the proposal is compatible with existing business uses in the area, supports or extends an existing business, is located within an allocated site identified on the proposals maps, or where certain criteria are met. Criteria applicable to the current development proposal comes under part (c) Other business opportunities, with the criteria including
- (a) Supports the vitality and viability of a farm, croft or other business in a rural location; or
  - (b) Is complementary to that current rural business activity; or
  - (c) Creates new small scale development which supports the local economy.
36. **Tourism-Related Development** is the subject of **Policy 33**. The policy recognises the beneficial impact of tourism development on the local economy. Development which enhances the range and quality of tourism attractions, including accommodation will be supported "provided that the development will not have an adverse impact on the landscape, built and historic environment, or the biodiversity, or the geodiversity, or the culture and traditions of the Cairngorms National Park."

## **CONSULTATIONS**

37. **Transport Scotland** was consulted on the planning application and has advised that planning permission should be refused. The response indicates that there is insufficient information and refers to the fact that the previous application on the site was also refused, due to the restricted visibility at the access to / from the trunk road.
38. A consultation request to **SEPA** was initiated by Highland Council prior to the planning application being 'called in' by the CNPA. **SEPA** does not wish to provide any comment on this specific application and has referred in correspondence to standing advice which is applicable to small scale local

development of this nature, noting that the advice is available to view at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx).

39. Highland Council's **Environmental Health Officer** was consulted and has indicated that there is no objection to the planning application.
40. The CNPA's **Landscape Officer** assessed the proposal and notes that it is proposed within an area characterised by its expansive tracts of moorland and wide open views to hills in all directions, and that there are no buildings on the Cathar Mor. The proposed site is also within an area designated as a Special Landscape Area (Glen Banchor, Laggan and Ben Alder), which was designated by Highland Council for its regionally important landscape quality.
41. The **Landscape Officer** considers that a building and associated activity in this location would conflict with the remote, upland and uninhabited character of the Cathar Mor. It is conceded that over time tree growth could reduce visibility of a house from the A889, although the existing service bay and proposed access track would be a visible indication of development. The advice from the **Landscape Officer** is that the key landscape issues in this application are associated with the overall inappropriate location, and this cannot be eliminated through siting and design. It is concluded that a new shooting lodge in the location would not complement or enhance the landscape character of this part of the National Park.



Fig. 4 : Proposed access and site location as viewed from A889 northern approach

42. A consultation response from the CNPA's **Economic Development** section suggests that the proposed development could have a beneficial impact on the local economy and could enhance the range of visitor accommodation locally. The potential occupancy levels suggested in the Business Plan are described as being a 'conservative estimate' although this is in part attributed to it being a new business which would cater to a niche market. The response from the **Economic Development** section highlights that effective marketing of the property and the nature of the visitor offering would be essential to the

success of a business of this nature. In connection with this, comment is made in the consultation response that the Business Plan does not provide any details of the proposed marketing activity or details of how it is intended to grow the business in the longer term.

## **REPRESENTATIONS**

43. The proposed development was advertised in the Strathspey and Badenoch Herald on 16<sup>th</sup> March 2011. No representations have been received in connection with the development proposal.

## **APPRAISAL**

44. The proposed development is for a shooting lodge which would be used for short term holiday letting purposes. Issues to consider in the assessment of this planning application include compliance with planning policy, landscape impact, access arrangements and traffic safety, and consideration of the proposal in the context of the aims of the National Park.
45. Given that a business case for the use of the proposed shooting lodge as tourist letting accommodation has been submitted, it is necessary to consider the proposal under policies relating to Business Development and Tourism Development, rather than policies relating to housing in the countryside. At national level and as also expressed in strategic policies in the Highland Council Structure Plan and in the Cairngorms National Park Plan, policies are generally supportive of rural development, recognising the benefits of introducing small scale businesses into rural areas. At Local Plan level, Policy 25 is favourable towards economic development and also favourable in respect of tourism related development (Policy 33). However, policies at national and local level, generally have a number of caveats, where business and tourism related development are acceptable only where they respond to the specific local character of the area and fit into the landscape, where they safeguard and enhance the natural and cultural environment, complement current rural business activity and would not have “an adverse impact on the landscape, built and historic environment...or the culture and traditions of the Cairngorms National Park.”
46. The business case provided has been detailed in paragraphs 4 – 7 and at a very basic level, the development proposal can be considered a tourism related business development. However, given that it is effectively a new business as the main activity on the landholding to date appears to have been planting, the Business Plan contains only limited information on the intended development of the new business. Figures provided in the business case regarding likely rental revenue (rental at £1,500 per week, to generate annual revenue of £35,000) suggest that the property is expected to be rented for approximately 23 weeks per annum. No information has been provided on how the property would be utilised for the remainder of the year. The rental of a shooting lodge at this location also appears to focus to a large extent on plans to attract those engaged in sporting pursuits such as stalking and fishing. However, the Estate

on which it is proposed is relatively small, consisting only of 411 hectares and it is acknowledged in supporting information that the primary objective on the land to date has been the growth of native pinewood and only a “minimal amount of shooting has taken place previously.” Other than an aspirational expression of plans to “increase stalking activities”, together with a list of ‘suggested future works’ which might be undertaken on the 411 hectares, the business plan is unconvincing in justifying the proposal for the development of a shooting lodge for short term holiday letting purposes at this location. There Information has not been provided to demonstrate that the overall landholding is operated as a business at present and as such the current proposal does not appear to support or complement existing business activity at this location. It could however be considered to constitute a new small scale development.

47. Having regard to the remote rural character of the area in which it is proposed, and the fact that the absence of built development (with the exception of one small cottage) in the landscape is a particular feature of the area, the development of a new building at this location would have an adverse impact on the landscape and the cultural tradition of this part of the National Park. While the details of the intended use of the proposed shooting lodge can broadly be classified as ‘tourism related development’ the proposal fails to accord with all requirements of Policy 33 of the CNP Local Plan. The policy advises that support can only be given in situations where the development would not have an adverse impact.
48. In considering the overall landscape impact of the proposed development, the indicative design which has been submitted has not been considered in detail. As this is an application for Permission in Principle, detailed design proposals are not pertinent at this stage (despite suggesting that the envisaged shooting lodge would be a large and prominent structure, of a design which is at odds with the vernacular architectural traditions of the Cairngorms). Landscape impact has therefore been considered in the basic context of introducing any new structure into this remote moorland area. Landscape concerns have already been alluded to in the paragraph above in relation to other planning policies. In considering the proposal purely in the context of Landscape policies<sup>6</sup> there is a clear presumption against development that would adversely impact upon or fail to conserve and enhance the landscape character of an area.
49. The consultation response from the CNPA’s **Landscape Officer** has been detailed in paragraphs 40 and 41, with reference being made to the setting of the proposed site within an area characterised by expansive tracts of moorland and wide open views to the hills and highlighting the absence of buildings on the Cathar Mor. The area is also part of the Laggan-Ben Alder Area of Great Landscape Value. The impact of any new development in this location would undoubtedly have an adverse impact on the landscape character of the area, and the **Landscape Officer’s** advice is clear that this cannot be eliminated through siting and design measures. A development at this location would fail

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<sup>6</sup> SPP – Landscape and Natural Heritage; Cairngorms National Park Plan strategic objectives for conserving and enhancing the special qualities of the National Park; Highland Council Structure Plan Policy L4 – Landscape Character; and CNP Local Plan Policy 6 – Landscape.

to conserve or enhance the landscape character of this part of the. As such the proposal fails to accord with a wide variety of landscape oriented policies and fails to accord with the first aim of the National Park.

50. The issue of landscape impact had previously been considered in the previous planning application on the same site (CNPA planning ref. no. 09/351/CP) and the same conclusion was reached regarding the detrimental impact of a development at this location. Notwithstanding the submission of indicative sketch proposals for a baronial style shooting lodge, no other information has been submitted to overcome the landscape grounds on which the previous application was refused.
51. Policy 16 of the Local Plan regarding Design Standards for New Development places a clear responsibility on applicants to devise proposals which support sustainable communities and development. Through consideration in earlier sections of this report of the proposed setting of the development and the associated adverse landscape impact, it is clear that the introduction of a new building in this area would fail to reflect or reinforce the traditional pattern and character, where the remote and undeveloped nature of the landscape is a key characteristic. The development therefore fails to comply with Policy 16 of the Local Plan.
52. The final point to consider in the assessment of the current planning application relates to the proposed access arrangements. The identified site boundaries are curtailed to a precise access point, at an existing entrance to the landholding off the A889 public road. It is the same access point which was identified in the course of the previously refused planning application on the land. In that instance, and again on this occasion, concern has been raised in a consultation response from **Transport Scotland** regarding the inadequacy of visibility at the proposed access, with the current consultation response recommending refusal of planning permission.



Fig. 5 : visibility to the north



Fig. 6 : visibility to the south

53. In conclusion, with the exception of the shooting lodge now being proposed as a business venture, rather than as a conventional dwelling house, all other circumstances pertaining to the planning application remain unchanged from the application which was previously refused by the CNPA in March 2010. The reasons for the refusal of permission in relation to landscape impact and road safety concerns remain unresolved and as such the current proposal is unacceptable.

## IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

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

54. The development of a new structure in this expansive open moorland area would have a significant adverse landscape impact and as such would detract from, rather than conserve or enhance the natural or cultural heritage of the area.

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

55. As an application for Permission in Principle, the information provided in support of the proposal is limited. No details have been provided on the sourcing of materials and limited general comment has been made on the potential sustainability credentials of any structure which would be constructed at this location.

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

56. The imposition of a new shooting lodge in an undeveloped, remote, open moorland area would have an adverse impact on the landscape quality of the area and as such would detract from the general public's enjoyment of the special qualities of this remote area of the National Park.

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

57. The development of a shooting lodge for the purposes of short term tourist letting has the potential to attract visitors to use such a facility and it could therefore be considered to have some potential to contribute towards the economic development of the area.

## RECOMMENDATION

**That Members of the Committee support a recommendation to REFUSE permission in principle for the erection of a shooting lodge on land 2,300 metres south of Pipers Croft, Laggan, for the following reasons :**

1. There is restricted visibility at the access to the identified site to and from the A889 trunk road. Insufficient information has been provided on measures to improve the visibility and the proposed development would therefore have the potential to endanger public safety by reason of a traffic hazard.
2. The introduction of a new shooting lodge into the remote, undeveloped, open moorland landscape of the Cather Mor would have a significant negative impact on the landscape character of the overall area. New development in this area would have the potential to form a prominent and alien form in this remote area and would diminish the landscape quality of this identified Area of Great Landscape Value. The proposed development fails to complement and enhance the landscape character and would be contrary to Policy 6 – Landscape of the Cairngorms National Park Local Plan (2010).

3. The proposed development would result in the introduction of a new structure into a remote and undeveloped landscape. As such fails to comply with the requirements of Policy 16 (Design Standards for Development) of the Cairngorms National Park Local Plan, as it would fail to reflect or reinforce the traditional pattern and character of the surrounding area.
4. The information provided in support of the development of a shooting lodge for short term holiday letting purposes is insufficient to definitively demonstrate that the development complies with Policy 25 (Business Development) of the Cairngorms National Park Local Plan 2010. In addition, the adverse landscape impact of the development renders it incompatible with Policy 33 (Tourism Related Development) of the Local Plan.

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**17 May 2011**

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