
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: **REPORT ON CALLED-IN PLANNING APPLICATION
(UPDATE/REVISED RECOMMENDATION)**

Prepared by: **ANDREW TAIT , PLANNING OFFICER
(DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: **ERECTION OF REPLACEMENT CLUB HUT, BRAEDOWNIE, GLEN CLOVA (FULL PP)**

REFERENCE: **09/039/CP**

APPLICANT: **CARN DEARG MOUNTAINEERING CLUB**

DATE CALLED-IN: **20 FEBRUARY 2009**

RECOMMENDATION: **GRANT SUBJECT TO CONDITIONS**

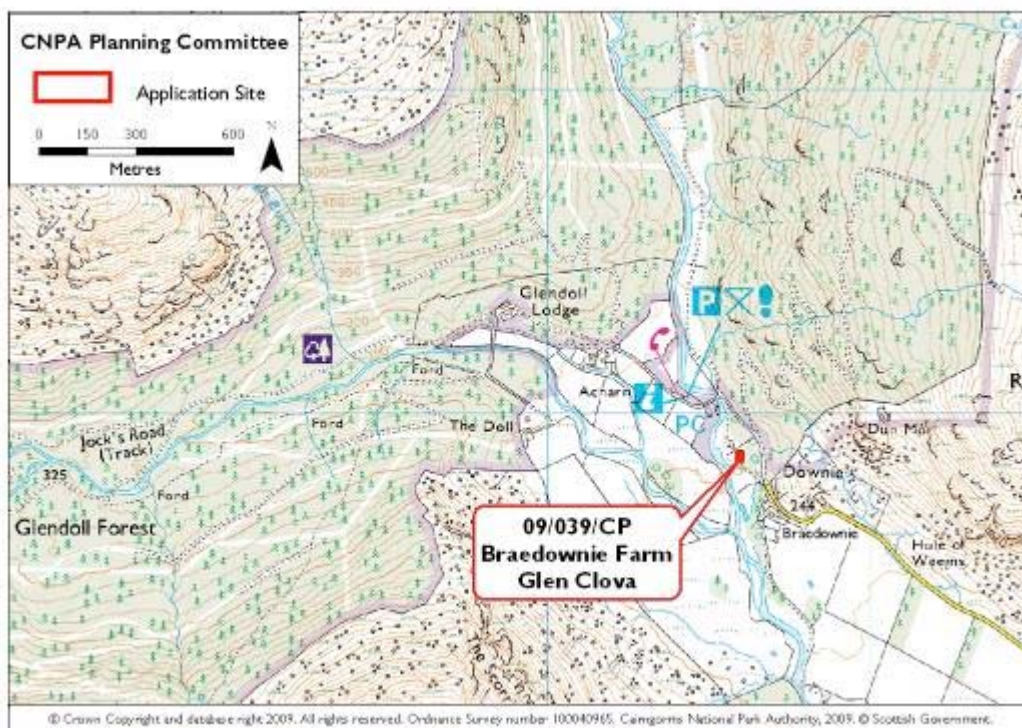


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Full planning permission is sought for the replacement of an existing mountaineering club hut at Braedownie, Glen Clova. The site is located between the Glen Doll Road and the River South Esk in an area of deciduous woodland, dominated by birch. The site is accessed directly off the Glen Doll Road and onto a car park which received permission from the CNPA in August 2006. From the car park a path leads to the existing club hut which is set amongst trees close to the river. The site is within the Lochnagar and Deeside National Scenic Area and adjacent to the River South Esk Special Area of Conservation Area (SAC).
2. The proposal was presented to Planning Committee on 11 December 2009. While otherwise supportive the report (see attached) had two technical reasons for refusal as follows:
 - *The proposal fails to demonstrate that it would be free from a risk of flooding in a 1 in 200 year flood event, potentially placing persons and property at risk contrary to the requirements of SPP7 Planning and Flooding and to the advice of Angus Council Design and Engineering Services as the Flood Prevention Authority.*
 - *The proposal fails to demonstrate protection of the River South Esk Special Area of Conservation contrary to the requirements of NPPG14 Natural Heritage, Angus Council Local Plan Policies Env/13 Natura Sites, RT10 Angus Glens Management, RT18 Visitor Accommodation and to the satisfaction of Scottish Natural Heritage.*
3. The purpose of this report is to update members and present a revised recommendation in support of the proposal.
4. The applicant has carried out a flood risk assessment at the request of the Planning Committee. This shows that the site is not at risk from a 1 in 200 year flood event and presents no further risks of flooding downstream. The site is not part of the functional flood plain. Angus Council Flood Prevention Unit has withdrawn their objection. There is no need to raise levels on the site to accommodate the new building.
5. The second reason for refusal was based upon Scottish Natural Heritage's concern about the drainage proposals and potential effects upon the River South Esk. However, these issues have been resolved and the objection has been withdrawn.
6. This assessment enables a revised recommendation of approval, all other issues being covered in the previous report as attached. The scheme is viewed positively and meets development plan policy and performs strongly under the aims of the Park. Consequently the revised recommendation is one of approval subject to the conditions set out below.

RECOMMENDATION

7. It is recommended that members of the Planning Committee support a recommendation to **GRANT** Full Planning Permission for the erection of a replacement club hut at Braedownie, Glen Clova, subject to the following conditions:

1. The development to which this permission relates must be begun within 3 years from the date of this permission.

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

2. Within 6 months of the new hut being first brought into use the existing hut shall be removed from the site and the footprint of the hut landscaped in a manner to be agreed under planning condition 3 as set out below.

Reason: To prevent a proliferation of buildings at the site.

3. No part of the development hereby approved shall be first brought into use until a landscaping scheme has been submitted to and approved in writing by the CNPA acting as planning authority. The landscaping shall be carried out in the first planting season (November-March) after the completion of the development unless otherwise agreed in writing by the CNPA acting as planning authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing with the CNPA acting as planning authority.

Reason: To assimilate the new building into its surroundings.

4. Prior to the commencement of above ground construction works samples of external timber, window frame and roofing material shall be submitted to and approved by the CNPA acting as planning authority.

Reason: To ensure that the finished material for the building reflect the surrounding environment.

5. No part of the development hereby approved shall be brought into use until a detailed plan indicating methods and location of all foul drainage infrastructures shall be submitted for the approval of the CNPA acting as planning authority. The measures shall be in place prior to the development first being brought into use.

Reason: To ensure that adequate drainage measures are in place before the development is brought into use.

Andrew Tait - 7 May 2010 planning@cairngorms.co.uk

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