
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: IRAM MOHAMMED, ASSISTANT PLANNING OFFICER
ANDREW TAIT, PLANNING OFFICER (DEVELOPMENT MANAGEMENT)

DEVELOPMENT PROPOSED: ERECTION OF LUNCH HUT, SITE TO THE NORTH OF INVERNETTIE, STRATHDON (RETROSPECTIVE)

REFERENCE: 07/056/CP

APPLICANT: CANDACRAIG ESTATE C/O ROBB KEIR DESIGN, BRIDGEND, BRIDGEVIEW ROAD, ABOYNE, AB34 5HB

DATE CALLED-IN: 23 FEBRUARY 2007

RECOMMENDATION: APPROVAL

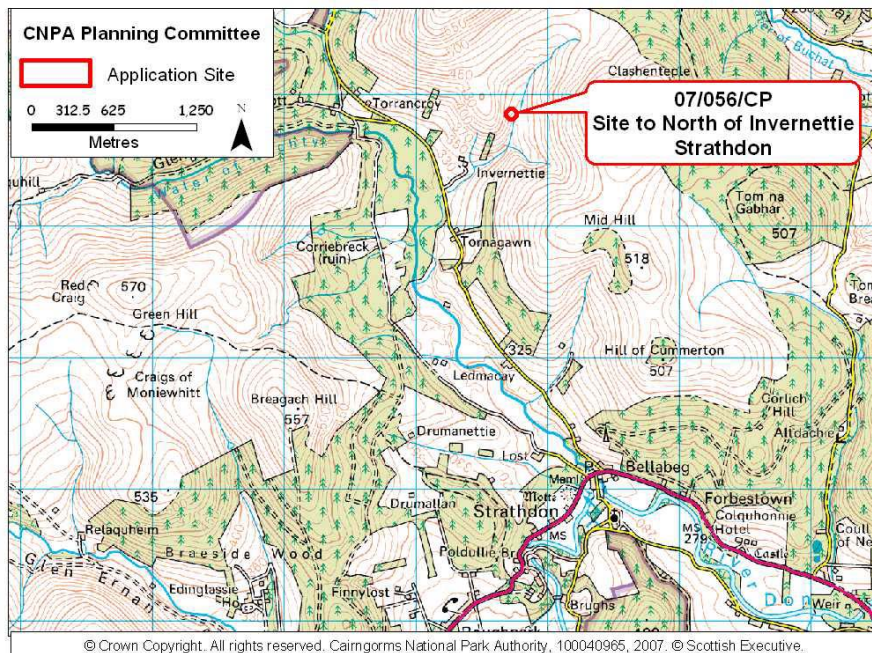


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Retrospective planning permission is being sought for the retention of a Lunch Hut to the site north of Invernettie in Strathdon. The development is located adjacent to Cline Burn and lies to the east of Tomhearn (see Fig 2).



Fig. 2: Photo taken in a northern direction showing the lunch hut in relation to the existing path and surrounding area.

2. The Lunch Hut is constructed of corrugated steel and vertical timber cladding. It sits on wooden stilts in a grass land and heathermoor land surrounding, which is designated as an Area of Landscape Significance within the Aberdeenshire Local Plan (see Fig 3).



Fig. 3: Photo taken from existing path showing Lunch Hut and the remnants of a residential dwelling to the left.

3. The Committee will remember a previously approved retrospective planning application from Candacraig Estate for a Lunch Hut on a site to the North West of Rhinstock, Glenbuchat, Strathdon. Although the Lunch Hut was approved, the applicant was made aware of the severity of their actions for not submitting a planning application to the relevant Local Authority, prior to development.

DEVELOPMENT PLAN CONTEXT

4. The **Aberdeen and Aberdeenshire Structure Plan 2001-2016, Policy 19 (Wildlife, Landscape and Land Resources)** concludes that development which would have an adverse effect on regional/local designations, including Areas of Landscape Significance, will only be permitted where it can be demonstrated that any damaging impact is considered acceptable overall or there is a public interest which outweighs the conservation interest.
5. In the **Finalised Aberdeenshire Local Plan** there are a number of relevant planning policies. The Lunch Hut lies within an **Area of Landscape Significance (Policy ENV5B)**. Development within such an area will not be permitted where its scale, location or design will detract from the quality or character of the landscape, either in part or as a whole. In all cases the highest standards of design, in terms of location, scale, siting, aesthetics and landscaping will be required.
6. **Policy ENV19 Archaeological Sites and Ancient Monuments** ascertains that development which would have an adverse effect on archaeological sites of either national or local importance, will be refused unless: there are imperative reasons of overriding public interest; and there is no alternative site for the development.
7. When development is approved, **Policy ENV19** states satisfactory steps must be taken to mitigate adverse impacts, at the developer's expense. Similarly, when development is approved and the preservation of the site in its original location is not possible, the excavation and recording of the site will be required in advance of development.
8. **Policy ENV21 Vehicle Hill Tracks** states development involving vehicle hill tracks will be refused unless it can be integrated satisfactorily into the landscape and minimise detrimental impact, such as soil erosion, on the environment including habitats and watercourses.

9. Other policies include **EMP\10 Sports, Leisure and Recreation** where participation sports and recreational activity facilities requiring unimpeded access to remote open countryside will be approved in principle, if they respect the character and amenity of the surrounding area. **GEN\2 The Layout, Siting and Design of New Development** states that new development will be approved in principle if, it respects existing natural and built features on or about the site which are worthy of retention and the characteristics of landscape in which it will be situated. **GEN\5 Landscaping Standards** advises that development will be approved, in principle, if the provision of landscaping and proposals for its subsequent maintenance conform to the requirements in Appendix 5.
10. The recently approved **Cairngorms National Park Plan 2007** highlights the importance of the '**Economy and Employment**' within the Park as well as '**Enjoying and Understanding the Park**'. Under **Strategic Objective (a)** the plan encourages the 'creation of conditions conducive to business growth and investment that are consistent with the special qualities of the Park and its strategic location'. The Plan also details the strategic objectives for the '**Enjoyment and Understanding of the Park**' includes the promotion and management of outdoor access, recreation and visitor services, all of which are seen as an integral part of developing a sustainable approach to tourism, in line with the European Charter for Sustainable Tourism. **Strategic Objective (f)** under '**Sustainable Tourism**' states the importance of 'developing and managing a wide range of opportunities for visitors to experience and enjoy the special qualities, distinctiveness and natural and cultural heritage of the Park'.

CONSULTATIONS

11. **Scottish Natural Heritage (SNH)** does not object in principle on landscape grounds. However, **SNH** recommends that the location for this type of structure is chosen so that the hut is related to suitable landscape features, or 'enclosing' landform. This is so that it does not appear to be 'on its own' without any 'context'. It is also recommended that a condition is attached to any planning consent requesting that the external materials chosen to build the structure are unobtrusive and appropriate.
12. Due to the close proximity of Cline Burn to the Lunch Hut, **SNH** has indicated the requirement of an otter survey to be undertaken, should the development be within 10 meters of the Burn.

13. **Natural Heritage Group (NHG)** identified a number of mature trees within the vicinity of the Hut, which help to 'fix' the structure by offering some screening and associating it with other large features within the landscape. From the main foot path, however, the Hut still has significant visual presence as it situated in the middle of a significant gap between the trees.
14. **NHG** has recommended relocating the Hut within the derelict building. The Hut would benefit from partial screening from the walls and the trees which back onto the old building. However, **NHG** has stated that any relocating of the Hut should only be considered following advice from an archaeologist.
15. Finally the track leading to the site has been considerably reengineered to accommodate construction traffic, which has led to unsympathetic excavation and deposition of materials. Thus, **NHG** recommends that a condition is attached requiring remedial work to the track.
16. **Aberdeenshire Council Archaeology Department (AAD)** identified the remains of a rectangular croft and enclosure, immediately adjacent to the Lunch Hut, which appears on the 1867 1st edition OS map. The Hut would not normally be allowed to be built within such close proximity of this archaeological site. However, the **AAD** has acknowledged that the application is retrospective in nature. Therefore, the exemption of the rule could be applied as any further work to move the hut may damage the archaeological remains.
17. Should there be no other suitable alternatives offered, and the movement of the Hut to within the ruined walls was deemed acceptable, the **AAD** has stated that an archaeological evaluation would be required prior to the Hut being moved.
18. **Economic and Social Development Group (ESD)** outlined two factors which were used to assess the impact of the development. Firstly, the monetary worth of shooting to the local economy and secondly, the visual effect on the landscape as regards to visitor enjoyment of the area and hence any impact on tourism business income. In view of the size of the hut it is felt that there is no detrimental effect on the landscape in relation to visitor enjoyment. Therefore, due to the importance of shooting to the local economy and the additional infrastructure which is beneficial to this activity, **ESD** approve of the retention of the Lunch Hut.

REPRESENTATIONS

19. Although no objections have been made, background information was sent by the applicant and is attached as an appendix to the report.

APPRAISAL

20. The applicants, Candacraig Estate, have provided information on the background of the Lunch Hut and the importance of the building in relation to traditional outdoor sporting on the Estate and the general health and safety of estate management. The importance of traditional sports to the local economy has also been supported by the CNPA's **Economic and Social Development Group**.
21. There are no specific policies in relation to traditional outdoor sports and sporting estate management within the relevant Development Plans and the Cairngorms National Park Plan 2007. The development at its current scale and use of materials complies with all the relevant policies, as detailed in paragraphs 4 – 10 of the report. However, key issues relating to this proposal involve the consideration of the Hut against key cultural heritage implications, siting of the proposal and landscape impact.
22. The Hut lies in an Area of Landscape Significance. Under **Policy ENV5B** a development within such an area will not be permitted where its scale, location or design will detract from the quality or character of the landscape. Although the scale and design of the Hut is acceptable, issues in relation to siting have been outlined below.
23. A site visit conducted on 1 May 2007 discovered the remains of a derelict residential dwelling adjacent to the Lunch Hut. CNPA's **NHG** advise that the Hut be relocated in the boundary of the remains in order to provide improved coverage from the path and surrounding area. Further investigation by **ADD** dated the remains as far back as 1867. In such instances, siting of development would be critical and not normally be allowed within close proximity of an archaeological site. However, as the Hut has already been established prior to planning consent, **ADD** has advised that the Hut not be moved as this could cause further damage to the archaeological remains. Moving the Hut to within the ruined building's walls would also contravene the 'preservation in situ' of **Policy ENV19**. Therefore, in order to protect the site from further destruction, and adherence to policy, a condition has been attached outlining the need for the retention of the derelict remains.
24. **SNH** highlighted the need for an otter survey to be carried out if the Hut is within 10 meters of Cline Burn. Further investigation, in relation to **SNH** response for the necessity of an otter survey, found that the Hut is in excess of 50 meters from Cline Burn, therefore an otter survey is not required.

25. In addition, the development of the Hut has raised issues in relation to landscaping. **SNH** has no objection to the Hut on landscaping grounds and only recommends that the external materials chosen are appropriate to the local surrounding. However, CNPA's **NHG** highlighted the unsympathetic excavation and severe deterioration of the path, which may have been caused by construction traffic to the site and continued vehicle use over an extended period of time. Therefore, in accordance with **Policy ENV\21**, a condition requiring remedial work to the path, including seeding plan and resetting of track margins and continued maintenance has also been attached.
26. In conclusion, the Lunch Hut will not have a significant impact on the landscape of the area and will help to sustain the use of the area for traditional outdoor sports. The Lunch Hut also complies with all the relevant Development Plan policies and strategic objectives as stated in the Cairngorms National Park Plan 2007. It is recognised, however, that there are potential complications in relation to the archaeological importance of the site and sensitive landscaping issues. As the Hut has already been established, relocation or removal of the Hut would have a significant negative impact on the archaeological remains on site and may cause further damage to the existing track. If at some point in the future the Hut needs to be relocated again, **AAD** have required that an archaeological evaluation to be carried out prior to relocation or removal. In terms of the path, the condition at the end of the report will aid rejuvenation of the landscape and help to blend the track with the natural surroundings.
27. Thus, the Lunch Hut at Invernettie is recommended for approval subject to conditions at the end of the report.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

28. Further impact on the natural heritage of the area would occur if the Hut was to be relocated or removed completely. Both options would have an impact on the archaeological remains adjacent to the hut and result in additional deterioration of the path leading up to the site. However, mitigation measures through the use of conditions would considerably reduce the decline of both.
29. In terms of cultural heritage, traditional outdoor sporting activities are an important part of the cultural heritage of the area and the retention of the Hut would encourage further growth of outdoor sports in the area.

Promote Sustainable Use of Natural Resources

30. The Hut is built using reclaimed corrugated steel and timber cladding from structures which were originally placed elsewhere on Candacraig Estate.

Promote Understanding and Enjoyment of the Area

31. Improvement of or additional infrastructure in relation to traditional outdoor sports are beneficial in retaining and promoting this activity, thereby, improving visitor enjoyment and understanding of the Park.

Promote Sustainable Economic and Social Development of the Area

32. Outdoor sporting activities and other land management aspects of the estate are an important part of the local economy. The Hut, therefore, would encourage wider use of outdoor sporting opportunities. This in turn should continue to improve the local economy and also help to create a safer working and recreational environment for all.

RECOMMENDATION

33. That Members of the Committee support a recommendation to:
GRANT Retrospective Planning Permission for the erection of the Lunch Hut on Candacraig Estate at the site to the north of Invernettie, Strathdon, subject to the following condition:
 1. **Within 6 months of the date of this decision notice plans shall be submitted for the seeding of the immediate area surrounding the Lunch Hut and the resetting of the existing track margins for the approval of the Cairngorms National Park Authority acting as Planning Authority. Seeding shall take place in the first planting season following the approval of the seeding plan. Further to this, the area surrounding the Hut and the existing track shall be regularly maintained.**

Developer Advice Note

Please be aware of the historic importance in retaining the archaeological remains of the residential dwelling adjacent to the Lunch Hut. If further advice is required, please contact; Aberdeenshire Council Archaeology Department, Woodhill House, Westburn Road, Aberdeen, AB16 5JB.

Iram Mohammed 24 May 2007
planning@cairngorms.co.uk

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.