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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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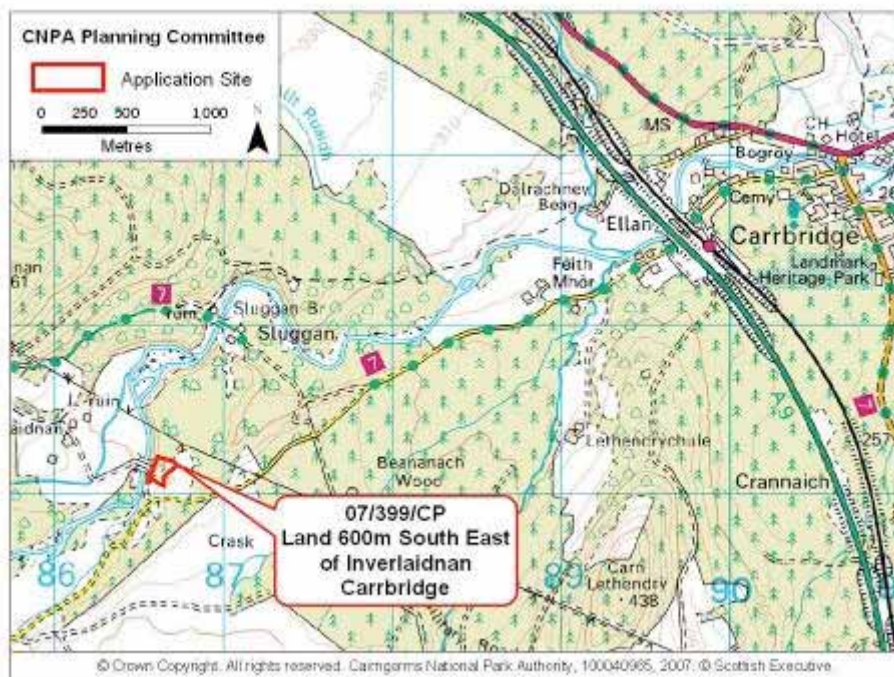
**DEVELOPMENT PROPOSED: FULL PLANNING PERMISSION FOR THE ERECTION OF THREE LETTING CHALETs ON LAND 600 METRES SOUTH EAST OF INVERLAIDNAN, CARRBRIDGE.**

**REFERENCE: 07/399/CP**

**APPLICANT: REIDHAVEN ESTATE, C/O PAUL DEVLIN ARCHITECT, ABERDEEN**

**DATE CALLED-IN: 19 OCTOBER 2007**

**RECOMMENDATION: APPROVE, WITH CONDITIONS**



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. Full planning permission is being sought in this application for the erection of three chalets for holiday letting purposes. The subject site is located in a rural location on the north western periphery of the Cairngorms National Park. The site is accessed along a predominantly single track minor road which leads from Carrbridge, which is the nearest settlement, approximately 4.3 kilometres to the east.<sup>1</sup> The public road network terminates at Dalnahaitnach, 1.7 kilometres to the south west of the site. Access into the main area of the proposed site is via an existing rough track, which leads further eastwards past the site and links with the Sustrans Route.<sup>2</sup> The identified site boundary encompasses the main area of the site and the 122 metre stretch of access track from the public road.
2. The proposed site extends to approximately 4 acres<sup>3</sup> and is primarily a grassy area, contained by significant clumps of juniper scrub on the periphery. There are also some Scots pine and birch trees scattered around the site, some of which form the backdrop on the western site boundary. Land to the north and east of the site is more elevated, resulting in views down into the proposed site on the approaches from those areas, particularly the public road to the east and also the track to the north. In contrast, land to the west is significantly lower, dropping down towards the River Dulnain, before rising again further west in the vicinity of the group of structures at Inverlaidnan Farm, including a two storey farmhouse, two semi detached farm cottages and also a number of farm outbuildings. The proposed site is on land which is listed on the Ancient Woodland Inventory as Ancient Semi-Natural Woodland. It is also within Kinveachy Forest Site of Special Scientific Interest (SSSI),<sup>4</sup> Kinveachy Forest Special Area of Conservation (SAC)<sup>5</sup> and Kinveachy Forest Special Protected Area (SPA).



Fig. 2: Views towards the site, approaching from the public road to the east.

<sup>1</sup> 4.3 km refers to the distance from the proposed site to the centre of Carrbridge.

<sup>2</sup> Sustrans Route 7 has been identified as a candidate core path.

<sup>3</sup> Approximately 1.63 hectares.

<sup>4</sup> Interests of the SSSI include a wide range of breeding birds, including golden eagle, osprey, merlin, peregrine, crested tit, Scottish crossbill, capercallie, black grouse and golden plover.

<sup>5</sup> The Caledonian Pinewood is the primary reason for selection of this site as an SAC.

3. The nature of the design concept has evolved and altered considerably in the course of this application. At the outset, the proposal was for three A frame, timber clad<sup>6</sup> chalets, each being of identical design, with low sided walls and a steeply pitched roof forming the dominant feature, further emphasised by the overhanging eaves feature on the gabled front elevation. The front elevation of each of the units also incorporated a large double height projecting glazed area, from where access was proposed to a decked area. Entrance doors were also proposed on the rear and one of the side elevations. Internally, ground floor accommodation was proposed to consist of a large open plan kitchen, living and dining area, as well as a bedroom and bathroom. First floor accommodation was intended to contain a master bedroom and en suite, as well as a large open loft area.

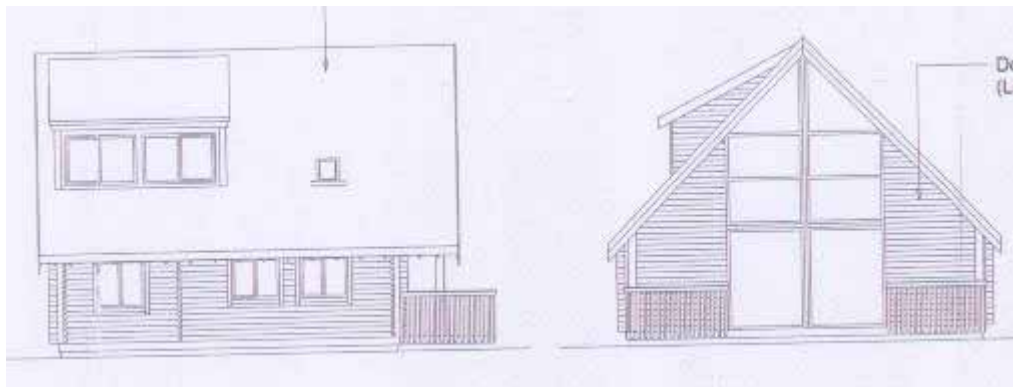


Fig. 3: Originally proposed chalet design

4. Further to concerns raised by the CNPA regarding the landscape and visual impact, as well as concerns regarding the potential impact on the natural heritage of the area, the applicants responded with design modifications and a significant re-arrangement to the site layout. The amended plans which have recently been submitted are significantly different from the original design concept and are essentially for three traditional cottages, sited to take account of the natural landforms and to ensure the retention of existing trees and other vegetation on the site.



Fig. 4: 3D image Chalet no. 1

<sup>6</sup> The use of Douglas fir logs was proposed.

5. Chalet / cottage no. 1 is a simple rectangular form, with two small projecting pitched roof extensions on the front elevation, one of which is in the form of a traditional timber clad entrance porch. The unit would accommodate three bedrooms, bathroom, kitchen and separate living and dining rooms. The unit is proposed in a natural hollow in the south west of the site, in an area where existing juniper growth has the potential to provide a significant level of screening.
6. Chalet / cottage no. 2 is an L shape structure which is proposed in the central position on the site. The primary elongated element of the structure would accommodate an open plan living / dining and kitchen area, as well as the main bedroom and en suite facilities, while the second element of the L shape would accommodate the two remaining bedrooms and a disabled bathroom. The entrance vestibule would also be positioned in this wing.



Fig. 5: 3D image Chalet no. 2



Fig. 6: 3D image Chalet no. 3

7. The third chalet follows a similar form to chalet no. 2, being a basic L shape. Again, the living accommodation is contained in the main section of the L, and a storage area and disabled bathroom are also contained in this element, along with the entrance vestibule which is accommodated in a traditionally designed pitched roof timber clad porch. The smaller wing of the L shape accommodates the three bedrooms, of which one is en suite. Chalet no. 3 is the most northerly of the three units. Supporting information refers to chalet no's 2 and 3 being designed to reflect the simple composition of a steading.



8. The same external finish is proposed on all three units, with the exterior walls consisting of a combination of white wet harl and locally sourced larch cladding. Profiled metal sheeting in a slate grey colour is proposed as the roof finish. It has also been indicated that bat boxes can be provided in the eaves, or elsewhere, if considered appropriate and required.

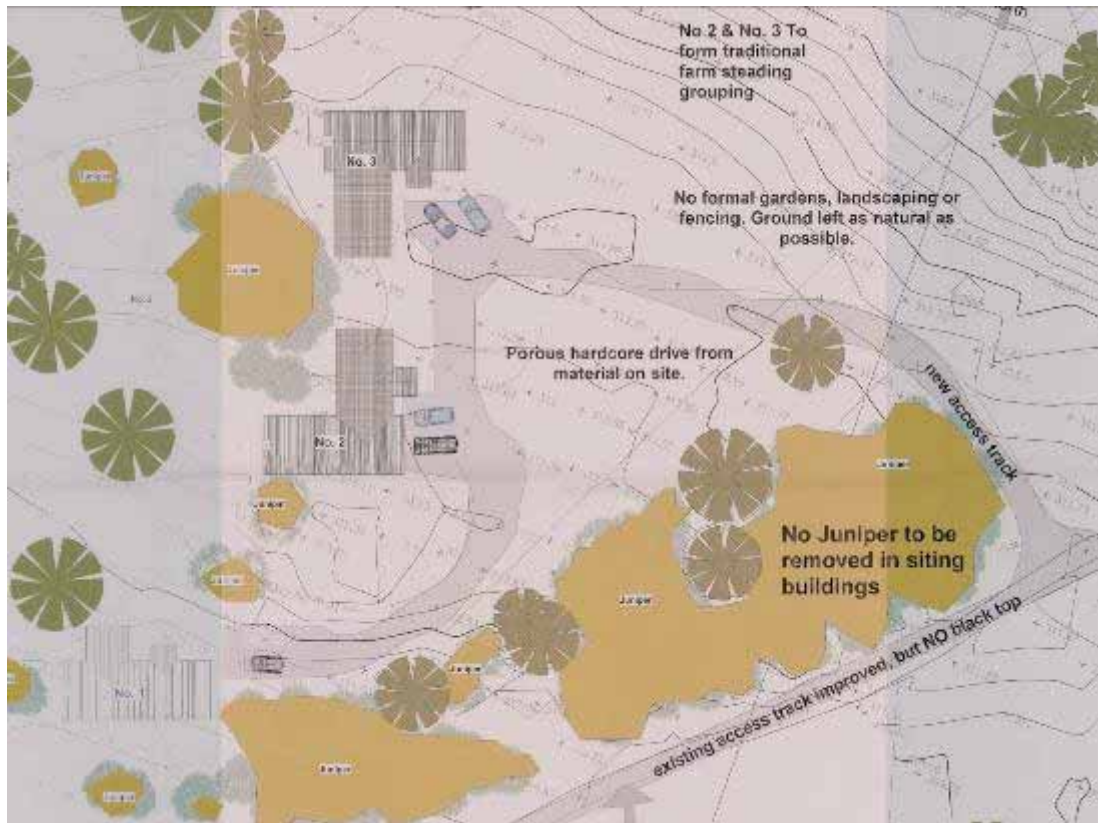


Fig. 7: proposed site layout plan

9. The existing grassed access track which leads from the public road to the site would have limited improvements, with the intention being to retain its rural qualities. The upgrading works would involve limited new surface dressing and would not result in a black top finish. The creation of a new section of access track off this into the site would be necessary in order to serve the three proposed units. The 'informal rural track' is shown on the site layout plan leading to car parking provision in the vicinity of each unit. The route has been chosen to avoid impacting on trees and juniper clumps and is mainly over level firm ground.

### Proposal justification

10. Supporting details have been provided to justify the development proposal. Information states that the proposal is for a "small, carefully sited, low impact development" which is intended to provide the applicants, Reidhaven Estate, with a broader economic base and greater diversification opportunities, in order to support and enhance existing employment. The proposed development has specifically been described in the application as 'letting chalets' and clarification has been provided that the units would be retained by the Estate and "run as a commercial concern on short-term holiday lets

basis." It has also been confirmed that the applicants are willing to accept the imposition of restrictions on the use of the units. Reference is made to the proposed development project providing an opportunity to promote green tourism through an emphasis on outdoor activities, with wildlife watching and hill walking being among the activities mentioned.

11. The supporting statement makes reference to the site features, suggesting that it is a site "well suited to a small development blending in with the natural features and naturally landscaped." Reference is also made to care being taken to site the buildings, parking and approach to have minimal impact on existing landscape and flora. The chalets have been sited to take advantage of screening from juniper clusters in the vicinity as well as Scots Pine. The concept also involves the siting of the chalets "as simply and naturally as possible, with no formal curtilage, fencing or grassed area."
12. The applicants accept that the proposed site is within an area which is the subject of several natural heritage designations. In defence of the proposal in such an area reference has been made to a Deer Management agreement which dates from 2005. In recognition of its obligations under the Natural Regulations, the Estate agreed terms with Scottish Natural Heritage, the Forestry Commission and the Deer Commission for a joint approach to Deer Management within Kinveachy Forest Site of Special Scientific Interest (SSSI). The Estate agreed to reduce deer numbers to a level which would improve the Caledonian Pine habitat and other features of interest. It was recognised that "in fulfilling this objective the Estate would lose vital income from its traditional deer management business in terms of stalking income and from venison sales." As a result the Estate are seeking to develop alternative income streams and in doing so "capture some of the positive aspects of the Kinveachy Designations to give the new business plan its unique selling point."
13. The applicants contend that the site was chosen to avoid any damage to features of interest within the designated area and also highlight that it has the benefit of being readily accessible from a public road and is close to a mains electricity supply. Consideration was given to various other potential sites in the vicinity but they were discounted due to difficulties arising from access requirements,<sup>7</sup> their potential prominence in the surrounding area and the limited opportunities available for landscaping. It was also considered that there were likely to be difficulties associated with the availability of electricity and water supplies.
14. The recently submitted revised site layout plan and design concept has been accompanied by more detailed information, including survey levels, topographic features, and identification of tree positions and vegetation on the site and the surrounding ground. Points which have been highlighted in the submission documents in support of the proposal include the retention of

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<sup>7</sup> The alternative sites considered would require access to be taken from a private road and across two bridges, which would require significant upgrading.

all trees and major groupings of juniper and the positioning of the chalets to sit within the existing natural screening and topography.

## DEVELOPMENT PLAN CONTEXT

### National policy

15. In the national context, **Scottish Planning Policy**<sup>8</sup> is the statement of the Scottish Government's policy on nationally important land use planning matters. **Scottish Planning Policy** supersedes previous Scottish Planning Policy documents and National Planning Policy Guidance. Under the heading of Core Principles, a number of broad principles which the Scottish Government believe should underpin the modernised planning system are outlined 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.
16. Para. 33 of **Scottish Planning Policy** 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.
17. 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." Paragraph 38 provides guidance when deciding on the location of new development. Decisions on location should for example reduce the need to travel and prioritise sustainable travel and transport opportunities; take account of the capacity of existing infrastructure; and promote rural development and regeneration.
18. In a section entitled Rural Development (paragraphs 92 - 96), it is emphasised that the planning system has a significant role to play in supporting sustainable economic growth in rural areas. The overall aim should be to "enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality."

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<sup>8</sup> February 2010

19. **Scottish Planning Policy** includes a detailed section on 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. It is noted in para. 127 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."

#### **Highland Structure Plan 2001**

20. **Section 2.7** of the Highland Structure Plan discusses the economy and tourism in particular, noting that tourism is a vital element of the Highland economy. The identity of the Highlands includes "its built heritage, rich wildlife, scenic beauty, history and culture" which are described as the foundations on which tourism and recreation activities are based. The Structure Plan strategy aims to build on the Highland identity and to "take a proactive approach to the wise use of the natural environment as a primary resource" for tourism.
21. The Structure Plan notes that tourism makes major demands on infrastructure and facilities and also notes that there is scope for improvement in the quality and level of provision. **Policy T2 on Tourism Development** confirms Highland Council's support for high quality tourism development proposals, particularly those which extend the season, provide wet weather opportunities, spread economic benefits more widely and provide opportunities for the sustainable enjoyment and interpretation of the area's heritage.
22. On the specific topic of tourist accommodation, section 2.7.8 refers to a growth trend in recent years in the self-catering sector. In anticipation of further applications for chalet and other self contained accommodation, the Structure Plan advises that they must be designed for minimal impact on services, road infrastructure and the environment. **Policy T3 on Self catering tourist accommodation** expressly states that permission will only be granted for tourist accommodation proposals on the basis that the development will not be used for permanent residential accommodation.
23. The **Highland Structure Plan** includes a detailed section on the environment and topics such as nature conservation and landscape are discussed. Para. 2.13.1 notes that the abundance of natural habitats and species is a key element of Highland's identity and constitutes one of the region's main strengths. The **Structure Plan** details the hierarchy of protection of nature conservation interests, but also notes that such interests are not confined only to designated sites. **Policy N1 on Nature Conservation** requires new developments to minimise their impact on the nature conservation resource and enhance it wherever possible.
24. **Section 2.14** of the Plan discusses Landscape where it is declared that "no other attribute of Highland defines more the intrinsic character and nature of the area than its landscape." The Plan notes that associated with such



landscapes are the communities that live in harmony with them and the wildlife that is adapted to their conditions. It is advised that the protection and enhancement of landscape and scenery must be positively addressed. **Policy L4 on 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."

#### **Badenoch and Strathspey Local Plan (1997)**

25. On the general subject of Tourism and Recreation, section 2.2.9 of the **Local Plan** notes that activities of this nature will continue to make a vital contribution to the economy, but also emphasises that the priority is to ensure that "broadening the range and quality of facilities and accommodation is balanced with protecting the areas exceptional scenic and heritage resources." The plan suggests within communities and on their edges that tourist accommodation, recreation and leisure facilities of a scale appropriate to the community concerned will be promoted.
26. Section 2.2.10 of the Plan, entitled **Tourism**, states that the "Council will encourage the development of tourist accommodation and facilities at suitable sites within or immediately adjoining communities" and that "priority will be given to expansion of existing facilities." This section of the Plan also requires that that tourism proposals should "either associate well with the prevailing pattern of building, or be well absorbed visually by landform and trees.
27. Under the general heading of **Environment** the Local Plan includes a section on **Woodland and Trees** (section 2.5.4) in which it is stated that the "Council will protect existing trees and established woodland areas including small groups or individual granny pines which are important landscape, wildlife and amenity features of the countryside." It also clarifies that this includes significant areas of ancient and semi-natural woodlands incorporating important areas of remnant native forest as well as exotic specimens.
28. The landscape conservation policy is detailed in section 2.5.10, which advises that it is the policy to conserve areas of landscape importance including waterside land, open areas and scenic views. It is also advised that development proposals will be considered carefully in respect of their impacts on conservation and the environment.

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

29. 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.

30. 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." Strategic objectives for sustainable tourism include : -
- raising awareness of the Park as a premier, year round, rural tourism destination;
  - recognising its outstanding natural heritage and its National Park status;
  - improving and maintaining the quality of the experience of the Park for all visitors, communities and those working in the tourism industry;
  - maintaining a high quality environment by encouraging sound environmental management by all those involved in tourism in the Park;
  - developing a wide range of opportunities for visitors to experience and enjoy the special qualities distinctiveness and natural and cultural heritage of the Park; and
  - encouraging an optimum flow and spread of visitors across the Park and minimising the social and environmental impact including traffic generated by visitors and conflicts between different forms of recreation.
31. Many of the strategic objectives detailed in relation to outdoor access and recreation are also of relevance in the context of the current development proposal. Objectives include encouraging people of all ages and abilities to enjoy and experience the outdoor environment; promoting high standards of responsible enjoyment of the Park so that its special qualities are understood and appreciated and safeguarded for now and future generations to enjoy; and developing a high standard of responsible management of outdoor access based on a common understanding of the needs of access managers and users.

## CONSULTATIONS

32. **Scottish Natural Heritage (SNH)** has assessed the proposal and has no objection to the development. It is noted in the consultation response that **SNH** consideration of the proposal is confined only to assessing the potential impact on designated sites and European Protected Species, in accordance

with the casework procedural agreement between the **CNPA** and **SNH**. In terms of the natural heritage interests affected, reference is made to European interests and it is noted that the proposed site lies within the Kinveachy Forest Special Area of Conservation (SAC) which is designated for Caledonian pine wood and bog woodland habitats. It is also within the Kinveachy Forest Special Protection Area (SPA), which is designated for breeding populations of capercallie and Scottish crossbill. **SNH** considers it unlikely that the proposal will have a significant effect on any qualifying interests of the SAC or SPA, either directly or indirectly, and consequently an appropriate assessment is not required. The scale and location of the proposal is not likely to adversely affect the conservation objectives of the SAC or SPA. Notwithstanding this conclusion, it is noted however that the provision of any services located off site may involve some additional digging of trenches, which could result in localised temporary impacts. **SNH** offer to provide advice on limiting the impacts once the location of such services has been confirmed.

33. In terms of national interests, **SNH** note that the proposal lies within Kinveachy Forest Site of Special Scientific Interest (SSSI) which is designated for its pine woodland, and assemblages of breeding birds. Similar to the European designations in the area, it is not considered that the national interests for which the SSSI are designated would not be adversely affected by the scale and location of the proposal.
34. The consultation response from the **Scottish Environmental Protection Agency (SEPA)** deals with foul drainage and surface water drainage. On the subject of foul drainage **SEPA** advise that the main issue of concern in relation to private systems is the protection of surface waters and groundwater, and advice is given on the minimum distances to be complied with.<sup>9</sup> In terms of surface water drainage **SEPA** advise that surface water drainage measures for small-scale residential applications could comprise of simple devices such as separate land soakaways if the soil conditions are appropriate, or a filter trench prior to discharge if not.
35. The **Archaeology Section** of Highland Council have assessed the proposal and advise that the remains of a small structure and associated enclosure are evident on the 1870 Ordnance Survey map. The structure survives on site in the form of a low turf-covered footing. In the interests of ensuring that the remains are investigated and recorded it is recommended that a condition is attached requiring the undertaking a programme of archaeological work for the preservation and recording of any archaeological features. The response from the Archaeology Section includes a detailed specification for the required programme of works.

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<sup>9</sup> In the interests of protecting surface water the following minimum distances must be adhered to – 10 metres from soakaway to watercourse, including ditches and field drains, and 50 metres from soakaway to well or abstraction. For groundwater protection a minimum distance of 1 metre from the bottom of distribution pipes of soakaway to the seasonally highest water table is required.

36. The **Area Roads and Community Works** division of Highland Council note in the consultation response that the development would be served by a minor public road, which is described as being of relatively poor quality. A detailed set of conditions are recommended to be attached in the event of the granting of planning permission. Conditions include a requirement to upgrade and formalise the access at its junction with the public road, the provision of a passing place at an agreed location between the public road and the point of access to the site, the achievement of required visibility splays at each side of the access and the provision of parking and manoeuvring space for at least 2 vehicles for each chalet. It is also recommended that a registered agreement is established to ensure that the chalets shall be used for holiday purposes only.



Fig. 8: Track and public rd. junction



Fig. 9: Existing track leading to site

37. The **Forestry Officer** at Highland Council noted in his original response that the proposed site is the subject of a number of designations. Concern was initially expressed regarding the position of the A frame chalets on the site and their impact on existing vegetation.
38. As detailed earlier in the report, the design of the proposed units has now been significantly altered. One of the parameters previously stipulated by the Forestry Officer was the necessity to position the chalets, access, parking areas and services in order to facilitate the retention of trees. The position of the units within the proposed site has been revised to minimise the impact on existing vegetation. The recently received consultation response from the Forestry Officer notes that the revised proposals include confirmation that "no trees or juniper are to be removed in the siting of the buildings." Following consideration of the amended proposals the Forestry Officer has no objection to the development proposal, subject to a number of conditions being applied in the event of the granting of planning permission. Conditions refer to the installation of tree protection fencing; a prohibition on the uprooting, lopping, topping, felling and damaging of trees; and a requirement for the submission of a landscaping plan for agreement in advance of the commencement of works.
39. The CNPA's **Sustainable Tourism Officer** comments in respect of the proposal that although Carrbridge has existing self catering accommodation, there is likely to be a demand for more. It is however commented that the proposed chalet location may be "a bit off the beaten track" and not accessible by public transport. In addition given that the proposed location is

some distance from the village of Carrbridge the Sustainable Tourism Officer questions whether or not the proposed development would be less likely to have an economic spin-off on businesses in the village.

40. In detailed responses from the CNPA's **Heritage and Land Management Group** (HLM) the proposal has been assessed in terms of landscape and ecology. In terms of the landscape aspect of the development proposal, the landscape officer has considered the design of the proposed units, as well as the actual landscape and visual impact. Significant concern was expressed in relation to the originally proposed A frame chalets, which were noted as being typically alpine, strongly triangular in form and not reflective of the vernacular of the area – all attributes which would emphasise the buildings when set into the landscape. It was also noted that the proposed structures were quite high, at approximately 7.5 metres and this combined with their distinctive design would exacerbate the visual impact. The main visual receptors in the area were noted as being users of the nearby road, users of the Sustrans Route 7<sup>10</sup> and users of the track leading to the site. The landscape officer noted that the roof line of the A frame units would be “at or just slightly below the eye line of viewers from the aforementioned track as it comes from higher ground to the north.
41. It was considered by the landscape officer that the originally proposed A frame designs, together with infrastructure required for access and servicing would “change the character of the landscape resource.” Notwithstanding the presence of pylons in the area, reference was made to the overall character of the area being “quite natural with a harmonious balance of undulating landform, natural rock outcrops, a ground cover of heather, coarse grasses and blueberry, with emerging birch, pine and juniper scrub.” The proposed placing of the A frame units was described as adding a discordant feature that would impair the integrity of the landscape.
42. A further response was received on the amended proposals, in which it was noted that the amended designs are proposed in a cluster, sited in and around an open grassy clearing, with the buildings being part harled and part timber clad, with profile sheet roofing. It was also noted that the applicant aims to reduce the visual impact from the public road through the careful siting and retention of trees, and that formal gardens would be avoided. The landscape officer noted that the amended building design “is more in keeping with the wider area” and also acknowledged that positive changes had been made in the amended proposal. Notwithstanding this, **HLM** continue to have concerns regarding the landscape impact, and summarise that the impacts on landscape character arise from (a) “the introduction of a number of buildings and hard surfaced into a landscape where the absence of any obvious built form is central to its character”; and (b) the “introduction of a level of activity, both vehicular and human, in an area of landscape where in general people are transitory and there to appreciate the natural beauty of the place.” Concern was also expressed that the development would weaken

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<sup>10</sup> At its closest point the Sustrans Route 7 is located approximately 800 metres to the north east of the proposed site.



the landscape edge to the settlement of Carrbridge,<sup>11</sup> which is currently contained in a westwardly direction by the railway embankment.

43. In terms of the ecology of the site it is noted in the consultation response that the proposed site is a relatively flat, grassy area of low sward. Within the grasses there are elements of *Calluna* and *Vaccinium*, but they are particularly prominent on the fringes of the site. Reference is also made to the significant patches of juniper scrub, as well as some mature and regenerating Scots pine and birch. It is commented that the botanical features of the site are typical of Caledonian pine forest habitats, which are a special feature of the Cairngorms National Park, as well as being qualifying features of both Kinveachy SSSI and SAC. The ecology officer considers that the proposed development does not appear to be of assistance in conserving or enhancing the ecological value of the site. However, it is recommended in the event of consideration being given to the granting of planning permission that several ecological enhancement measures are required through planning conditions. Enhancement measures include the provision of bat roosts, as well as the planting of local-origin native species, including aspen, which has a high biodiversity value. It is also suggested that the exact footprint of the development should be delineated on the ground and agreed with the CNPA acting as Planning Authority, in order to ensure that trees and shrubs in the vicinity are protected from unnecessary damage.

## REPRESENTATIONS

44. One letter of representation has been received in respect of the development proposal. Mr. Colin Riddell of Edinburgh has written to object to the proposal on the grounds that it would "create development in what is currently a unique area where people have come for many decades to enjoy the wonderful backdrop of the Monadhliath Mountains and the peaceful unspoilt scenery." The letter of representation also refers to Inverlaidnan farm track being frequently used by walkers and cyclists and the author considers that the track should remain undeveloped, in its current form for the enjoyment of future generations.

## APPRAISAL

45. There are a number of issues to take into account in determining whether or not the proposed development is appropriate. It is necessary to consider relevant planning policies from national level to **Highland Council's Structure Plan** and the **Badenoch and Strathspey Local Plan**, take into account the impact of the development on the aims of the Cairngorms National Park, examine siting and design issues, and also take into account the case advanced for the development on behalf of the applicants.

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<sup>11</sup> The proposed site is located approximately 3.3 kilometres from the railway embankment referred to.

46. Paragraphs 20 - 28 of this report detail the **Structure Plan** and **Local Plan** policies applicable to the site. Each of the Plans include general policies which are supportive of the tourism industry and the Structure Plan in particular recognises that there has been a growth trend in recent years in the self catering tourist accommodation sector. The **Structure Plan**, requires developments of self catering tourist accommodation to be designed for minimal impact on services, road infrastructure and the environment and also requires all new development to minimise the impact on the nature conservation resource and enhance it wherever possible. The **Badenoch and Strathspey Local Plan** also recognises the vital contribution of tourism to the economy, but also emphasises the development in this sector should be balanced with protecting the areas exceptional scenic and heritage resources.
47. The development of the three units on the site is acceptable in the context of their specifically proposed use as holiday accommodation for short term occupation. Conditions can be imposed to regulate and restrict the use of the units to the purpose applied for, thereby ensuring that they would remain available for this purpose, which would be of benefit to the economic development of the area. The imposition of conditions to regulate the use is an approach which is consistent with Highland Council **Structure Plan** policy regarding the provision of self catering tourist accommodation. The applicants have indicated their willingness to accept the imposition of conditions.
48. The proposed rural location of the self catering units would also accord with many of the strategic objectives for sustainable tourism, as outlined in the Cairngorms National Park Plan. The provision of appropriately designed and sited self catering accommodation in this location could be considered to assist in improving and maintaining the quality of the experience of visitors to the national park, particularly those utilising the accommodation resource. It would also present an opportunity for visitors to the facility to experience at first hand the special qualities and distinctiveness of the natural heritage of the area.
49. The design of the proposed self catering units has altered significantly in the course of this application, with the design concept shifting from the originally proposed A frame timber chalets, more commonly associated with Alpine countries, to the currently proposed cluster arrangement of traditionally designed cottages. The combination of materials used (harl, locally sourced larch cladding, and profile sheeting) is reflective of materials commonly found on buildings in the area, and design features such as traditional timber clad pitched roof porches also echo elements of vernacular architecture. The height of the buildings have also been substantially reduced from the 7.5 metre ridge height of the A frame chalets, to a ridge height of 5 metres on the cottages.
50. In conjunction with the redesign of the proposed properties, the siting has also been reconsidered in the context of minimising the overall landscape and visual impact and ensuring the protection and retention of existing natural

vegetation on the site. The positions of each of the units has been revised to ensure that they are within the open grassy area of the site, taking account of naturally occurring changes in ground levels, and also positioned to take advantage of the screening benefits offered by existing vegetation, particular extensive clumps of juniper. In recognition of the rural nature of the location in which the units are proposed, the submitted details also confirm that the site area surrounding the units would remain in its natural state, devoid of boundary treatments or the creation of formal garden areas.

51. The overall approach to development on the site is intended to result in the creation of a low key cluster of buildings, positioned to respect and avail of the benefits of the natural topography and existing vegetation, and avoiding an excessively engineered approach which would be alien to the rural landscape. For the latter reason, the access track leading into the site is proposed to “be improved, but no black top.” This approach is somewhat at variance with the standards specified by the Roads section in their consultation response. However, as the extent of improved access track would only serve the three proposed units, it falls under the threshold for adoption and would not therefore necessitate a highly engineered approach, which would be more appropriate in a less rural environment.
52. Details have been provided in earlier sections of this report on the various natural heritage designations affecting the site and the measures that are being put forward in this application to bring about an enhancement of the natural heritage value of the site. Despite the heavily designated nature of the site **Scottish Natural Heritage** has no objection to the development proposal and do not consider that it would have any adverse effect on the sites designated for European or National Interests. Highland Council's Forestry Officer is satisfied that the amended proposals, including amended design and siting, address previously expressed concerns. The amended site layout plan accurately demonstrates the extent of existing vegetation on the site and shows that the proposed units would be sited to ensure the retention of all vegetation on the site. Details have also been provided to verify that Construction Exclusion Zones would be established by the erection of protective barriers around existing vegetation. In addition to the retention of existing vegetation, extensive areas of new planting are also proposed, with the mix of planting (rowan, cherry and birch) being appropriate to the rural setting.

## IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

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

53. The proposed development is within an area which is the subject of several European and National natural heritage designations, which would not be affected by the development.
54. The construction of new buildings in this rural landscape would alter it from its present state. However in the course of this application the units have

been significantly redesigned and their positions on site amended to minimise the visual and landscape impact.

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

55. Some of the building products are proposed to be sourced locally and the development may therefore be considered to accord with this aim.

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

56. The proposed development would provide an accommodation opportunity for visitors wishing to experience a more remote area of the National Park. The proposals do not hinder existing access opportunities in the vicinity of the site.

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

57. The proposed development would provide increased accommodation options in this western area of the national park. The nature of the accommodation has the potential to encourage increased visitor numbers to the area throughout the year, including during traditionally quieter periods.
58. The proposed tourist accommodation development would also be a type of diversification, providing an alternative income stream for the Estate on which the development is proposed. The generation of alternative income is intended to partially compensate for a reduction in income arising from the Estate's commitment to reduce deer numbers, in the interests of improving the natural heritage interests of the area.

## **RECOMMENDATION**

59. **That Members of the Committee support a recommendation to grant full planning permission for the erection of three holiday letting chalets on land 600 metres south east of Inverlaidnan, Carrbridge, subject to the following conditions : -**

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

**Reason:** To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. The proposed units shall only be used as short term tourist accommodation and shall be retained and operated as a single commercial entity. The lodges shall not be sold separately or be used by a tenant, lessee, owner or occupier as their only or principal dwellinghouse. No single period of occupation shall

exceed two months in any calendar year unless otherwise agreed in writing by the Cairngorms National Park Authority acting as planning authority. Occupation shall be restricted to use by persons requiring to stay in the area for recreational purposes.

**Reason:** In accordance with the application detail and to ensure that in accordance with the social and economic development aim of the Cairngorm National Park the units are used for commercial purposes in connection with the operation of a tourist facility.

3. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Cairngorms National Park Authority acting as planning authority before any work commences on site.

**Reason:** In the interests of visual amenity and to ensure that the new buildings assimilate into the surrounding landscape.

4. Prior to the commencement of the development of the units, elevation drawings shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority to show the incorporation of bat roosting opportunities in each of the proposed designs. A minimum of one bat box shall be incorporated into the design of each of the lodges. The development shall be constructed in accordance with the agreed design thereafter.

**Reason:** In the interests of conserving and enhancing the natural heritage of the area.

5. Pedestrian access in the vicinity of the site shall remain unobstructed during the course of construction and following the completion of works.

**Reason:** In the interests of general amenity and in order to facilitate the enjoyment of the area by the general public.

6. Prior to the commencement of development, a programme of archaeological work for the preservation and recording of any archaeological features affected by the proposed development, including a timetable for investigation, all in accordance with the attached specification, shall be submitted to and require the approval in writing of the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Archaeology Section of Highland Council. All arrangements thereby approved shall be implemented by the developer at his expense in accordance with the approved timetable for investigation.

**Reason:** In order to preserve the archaeological and historical interest of the site.

7. Prior to any other works starting in connection with the proposed development, detailed specifications for the surfacing of the upgraded access from the junction of the public road to the principle area of the identified site (which shall be in keeping with the rural setting) shall be submitted for the



written agreement of the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Roads Authority and shall be undertaken in full thereafter.

**Reason:** In the interests of traffic safety and to ensure that the extent of upgrading works are appropriate to the rural setting.

8. Prior to any other works starting in connection with the proposed development, the following works shall be completed and approved by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Roads Authority : -

- (i) the access shall be generally upgraded and formalised at its junction with the public road, in accordance with the requirements of condition no. 7 of this permission. A passing place or similar construction shall be provided at an agreed location between the public road and the point of access to the site;
- (ii) the gradient of the access shall not exceed 5% for the first 6 metres and thereafter shall not exceed 10%;
- (iii) visibility splays shall be provided and maintained on each side of each access. These splays are the triangles of ground bounded by the first 2.5 metres along the centreline of the access road (the X dimension) and the nearside edge of the main road (the y dimension) measured, as far as possible, 70 metres in each direction from the intersection of the access road with the main road;
- (iv) within the visibility splays nothing shall obscure visibility between a driver's eye height of 1.0 metres positioned at the X dimension and an object height of 1.0 metre anywhere along the Y dimension.

**Reason:** To ensure that all vehicles may enter and leave the site safely at all times.

9. Parking and manoeuvring space for at least 2 no. vehicles shall be provided alongside each letting unit.

**Reason:** To ensure that all vehicles may enter and leave the site safely at all times.

10. No water shall discharge on to the public road and the applicant shall be responsible for the provision of any measures necessary to prevent road water entering the site.

**Reason:** In the interests of public safety and traffic safety.

11. Details of the septic tank and soakaway shall be submitted to and agreed in writing with the Cairngorms National Park Authority acting as Planning Authority, prior to any work commencing on site. Thereafter the approved scheme shall be implemented prior to the first occupation of any of the letting units being occupied, and shall be maintained in accordance with the approved details.

**Reason:** In order to ensure a satisfactory drainage solution for the development.

12. Prior to the commencement of development a detailed plan showing the location of all service trenches necessary to serve the development shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in conjunction with Scottish Natural Heritage. All service trenches shall be developed in accordance with the agreed details thereafter.

**Reason:** In order to ensure the protection of the natural heritage interests of the area.

13. Prior to the commencement of development, a detailed landscaping plan shall be submitted for the agreement and written approval of the CNPA acting as Planning Authority. The landscaping shall be implemented and maintained in accordance with the approved plan. The plan shall include details of the siting, numbers, species (which shall be appropriate to the rural setting) and heights (at the time of planting) of all trees, shrubs and hedges to be planted shall ensure:-

(a) Completion of the scheme during the planting season next following the completion of the development, or such other date as may be agreed in writing with the CNPA acting as Planning Authority.

(b) The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the CNPA acting as Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species suited to the climate of the area, within the next planting season.

**Reason:** In the interests of visual amenity and enhancing the natural heritage of the area.

14. No trees shall be uprooted, lopped, topped, felled or damaged without the prior written consent of the Cairngorms National Park Authority acting as Planning Authority, in conjunction with Highland Council's Forestry Section.

**Reason:** In the interests of conserving and enhancing the natural heritage of the area and to ensure the retention of important landscape features.

15. Tree protection fencing shall be installed in accordance with the proposals shown on the site layout plan (revised site plan – traditional scheme, dwg. no. 10 rev c). The location of the fencing shall be agreed with the Cairngorms National Park Authority acting as Planning Authority, in conjunction with Highland Council's Forestry Section, in advance of any development activity on the site. The tree protection fencing shall be maintained in the agreed positions for the duration of construction activities on the site.

**Reason:** In the interests of protecting existing trees and vegetation on the site.

16. All public services for the development, including electrical, cable television and telephone cables, shall be located underground throughout the site. All such work shall be carried out prior to road surfacing and junction boxes shall be provided by the developer.

**Reason:** In the interests of visual amenity.

17. All garden areas and open space shall be maintained in an open format. No fences, walls, or other forms of boundary treatment shall be erected on the site without the prior approval of the Cairngorms National Park Authority acting as Planning Authority.

**Reason:** In order to reflect and maintain the rural character of the area.

**Advice notes:**

1. Consideration should be given to the provision of woodcrete bat boxes in trees around the site in order to create enhanced bat roosting opportunities.
2. Prior to any works of excavation or surfacing starting within 2 metres of the public road edge, a road opening permit shall be obtained from the Roads Authority.
3. In conjunction with condition no. 11 of this permission, please note in the interests of protecting surface water the following minimum distances must be adhered to – 10 metres from soakaway to watercourse, including ditches and field drains, and 50 metres from soakaway to well or abstraction. For groundwater protection a minimum distance of 1 metre from the bottom of distribution pipes of soakaway to the seasonally highest water table is required.

**Mary Grier**  
[planning@cairngorms.co.uk](mailto:planning@cairngorms.co.uk)  
**22 March 2010**

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