
CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Upgrade agricultural access track (retrospective) at Land 570M NW of Fernisdale, Glentruim, Newtonmore

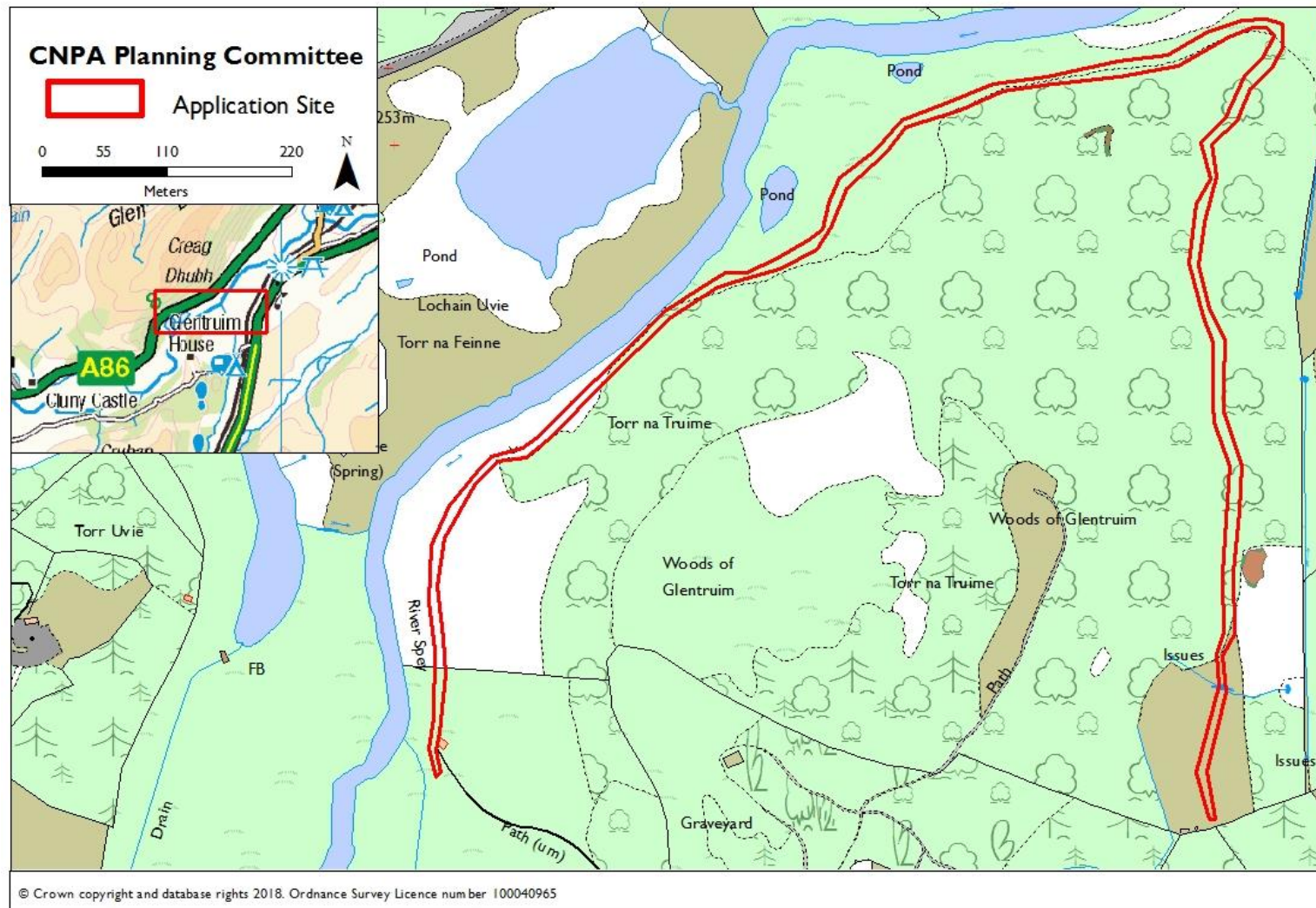
REFERENCE: 2018/0210/DET

APPLICANT: Mr George Campbell

DATE CALLED-IN: 5 June 2018

RECOMMENDATION: Approve Subject To Conditions

CASE OFFICER: Colin Bradley Graduate Planner



SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The application is located within the private estate of Glentruim, approximately 4.5 km south-west of Newtonmore. The estate is bound by the A9 trunk-road, mainline railway and River Truim to the East and by the River Spey to the West.
2. The route of the track goes from close proximity to the Glentruim Lodge, passing through the Woods of Glentruim, which are identified as Ancient Woodland of Semi Natural Origin and alongside the River Spey which is a Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI).

Proposal

3. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P9W6K0SI0CA00>

Title	Drawing Number	Date on Plan*	Date Received
Location Plan			11 June 2018
Location Plan	442/0055		11 June 2018
Glentruim Mains track Photo Visual Information			11 June 2018
Glentruim Mains track Photo Visual Information			11 June 2018
Glentruim Mains Agricultural Track Outline Specifications			11 June 2018
Clarification on Land Raising Photograph Schedule			06 July 2018
Photographic Schedule to HC Forestry Officer			28 June 2018

*Where no specific day of month has been provided on the plan, the system defaults to the 1st of the month.

4. This application seeks retrospective permission for the installation of 1,800m of access track, with a width of 2.8m, to assist with agricultural operations for the Glentruim estate. The road has been designed to withstand a load of 44 tonnes and have a maximum gradient not exceeding 12.5%.
5. Plans are shown in **Appendix I**.

History

6. The route of the track has been a driven route through the estate in the past but there was no evidence of a constructed track on aerial photography dated 2013. However an aerial photograph dated 2017 clearly shows the new track and is shown in **Appendix 2**. The applicant states that the track was installed on the 30th September 2016.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014	
Strategic Policy	Cairngorms National Park Partnership Plan 2017 - 2022	
Local Plan Policy	Cairngorms National Park Local Development Plan (2015) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	
POLICY 3	SUSTAINABLE DESIGN	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	
POLICY 11	DEVELOPER CONTRIBUTIONS	

7. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at: <http://cairngorms.co.uk/uploads/documents/Park%20Authority/Planning/LDPI5.pdf>

Planning Guidance

8. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	New Housing Development Non-Statutory Guidance	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	
Policy 3	Sustainable Design Non-Statutory Guidance	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	
Policy 8	Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	

Policy 11	Developer Contributions Supplementary Guidance	
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9. Further advice on tracks is contained within the Cairngorms Planning Advice Note; Planning Permission and Permitted Development Rights for Agricultural and Forestry Tracks.

CONSULTATIONS

Summary of the Main Issues raised by Consultees

10. **SEPA** queried whether any land-raising has taken place in the construction of the track. The applicant has since confirmed that has been no land raising in the construction of the track. In addition, the track lies outside the 1:200 year flood area, shown in **Appendix 2**.
11. **Scottish Natural Heritage** confirmed that the track passes through part of the River Spey SAC designation and has resulted change in habitats within the SAC (from woodland and grassland to track) but has not had an effect of its qualifying features or any riparian habitats. SNH's assessment of the impacts of the track are that the construction of the track therefore had a significant effect on the SAC but no impact on the integrity of the site because there are no lasting impacts on any of the four qualifying species for which the River Spey SAC was designated. SNH do not consider any mitigation is required to reduce the impact of the track on the SAC.
12. **CNPA Landscape Officer** advises that approximately half the track is within the woodland and therefore hidden from view however approximately half the track is partly visible from the A86 trunk-road which runs to the west of the River Spey. Nevertheless, the impact of the track, when viewed from the A86 trunk-road is considered to be minimal as it will appear as barely a visible line within the landscape.
13. Despite the track being a new feature in the landscape, thereby affecting the special landscape qualities of the area, the significance of the impacts are considered to be low due to the use of local materials, the engineered form including re-turfed drainage ditches and lack of evidence of tree damage or root disturbance.
14. **CNPA Ecology Officer** also notes that the construction of the track provides sufficient well-designed drainage to prevent large volumes of silty run off from entering the watercourse.
15. **Highland Council Forestry Officer** has been consulted however there has been no response to date from the officer.
16. **Newtonmore Community Council** has been consulted however there has been no response to date.

REPRESENTATIONS

11. There have been no letters of representation with regards to this application.

APPRAISAL

Principle

12. The principle of development is established in this application by the fact that the purpose of the track is to assist the management of the farming unit and provide managed vehicle access between farmland areas. The proposal could have been made as a prior notification for an agricultural private way but as the development has already been undertaken, a planning application is required to authorise the development.

Landscape and Visual Impacts

13. Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015 presumes against development that does not conserve and enhance the landscape character and special qualities of the Park. The track constructed is considered to be well-designed and its route carefully chosen to follow contours in the landscape and overall, to have minimal impacts on the landscape character and the special qualities of the National Park. The proposal complies with Policy 5: Landscape of the Cairngorms National Park Local Development Plan.

Other Environmental Impacts

14. Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015 protects designated sites and protected species and conserves biodiversity. Although the track affects the River Spey SAC, SNH have concluded that it has no effect on the integrity of the site. The track runs through grassland and woodland but minimises habitat loss through its vegetated drainage ditches and has avoided significant impact on trees in the woodland areas. The effects on these habitats are not considered to be significant. The proposal complies with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan.

CONCLUSION

15. The application seeks retrospective planning permission for the upgrading of an access track to assist with agricultural operations. The track itself is well-designed and constructed in a way that follows best practice guidance and has little impact on natural heritage, landscape character or the special qualities of the National Park. The route of the track avoids the functional flood plain and although it passes through part of the River Spey SAC, it does not affect any riparian habitats or affect the integrity of the site. The quality of the works means that no conditions are considered necessary to make the track acceptable.

RECOMMENDATION

That Members of the Committee support a recommendation to grant FULL PLANNING PERMISSION for the Upgrade agricultural access track (retrospective) at Land 570M NW of Fernisdale, Glentruim, Newtonmore.

Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.

Conditions

None.

Informatives

None.

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.