



## SITE DESCRIPTION AND PROPOSAL

1. Full planning permission is sought by Scottish Water for the redevelopment and upgrade of their existing waste water treatment works which is sited adjacent to the railway line and the Highland Folk Museum on the eastern edge of Newtonmore. Access to the site is by an unclassified surfaced road leading southwards from the A86 which also serves the Highland Folk Museum. The works compound is fully enclosed by secure fencing and sits at a level above the railway line which runs along the south boundary. Beyond the railway line is the golf course. The compound sits within a mature pine woodland. Indeed, there are many trees within the compound itself. The Highland Folk Museum land surrounds the site with a steep slope rising to the north side. Within the woodlands there are a number of footpath routes promoted under the Wildcat Trails.



**Fig. 2. Existing treatment works viewed from north-west side**

2. The Newtonmore WWTWs is a gravity biological filter works and current treatment comprises primary settlement tanks, trickling filters and humus tanks, supplemented by storm flow screening and sludge storage. Discharge is to the River Spey.
3. The upgrade of the works includes new inlet works; an oxidation ditch; a motor control centre building (11.8m l x 7.3m w x 4.7m h) with slated pitched roof and untreated larch wall cladding; two circular (7m diam.) final settlement tanks; a sludge thickening unit; and amendments to the access road and hardstanding areas within the compound. In addition,

the existing sludge holding tanks will be retained with the existing primary settlement tanks converted into storm tanks. The existing humus pumping station will be modified to become the new storm return pumping station. This will involve some new handrails and platforms. Various other underground works within the compound are classed as "Permitted Development" and as such do not require planning permission. However, for ease they are included in the application submissions.



**Fig. 3. Existing Treatment Works viewed from north-west side**

4. Following discussions with the applicants and clarification of the impacts on the existing mature trees within the compound, some amendments have been made to the positioning of the motor control building and the alignment and size of the access road and turning head. However, 103 trees will still require to be removed to allow the works. This equates to approximately 48% of the tree cover within the compound. A landscaping and tree planting plan has been submitted. This includes three main areas of planting of native trees and shrubs including silver birch, scots pine, rowan, mountain ash, hawthorn, holly and guelder rose. The areas are on the slopes of the sludge holding tanks, in the area of existing trees that will remain on the north east side, and outwith the boundaries of the site on the north side. This area is within the control of the Highland Folk Museum but the applicants have reached agreement with them for this planting.



**Fig. 4. Treatment works from outside compound on north east side**

5. The applicants have advised that the project drivers are the Urban Waste Water Treatment Directive, the Capital Maintenance Programme, and a requirement to remove a development constraint. As well as improving the quality of the treatment discharge, the works will therefore also allow for expansion and additional capacity, equating to approximately 120 houses.



**Fig. 5. Access road looking towards A86**

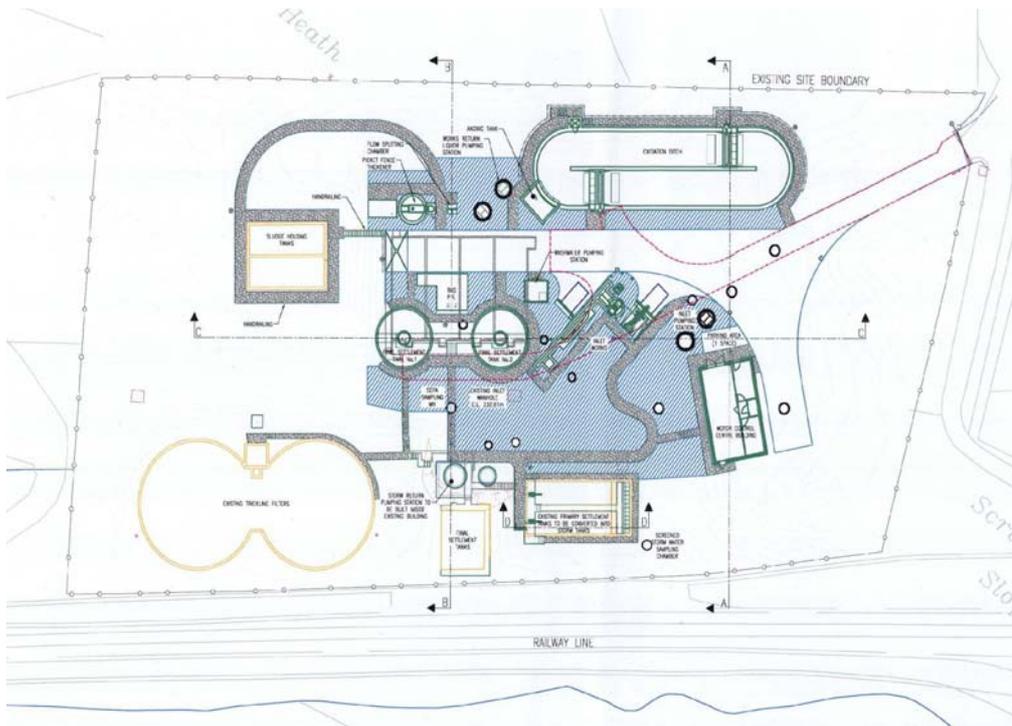


Fig. 6. Site Layout Plan

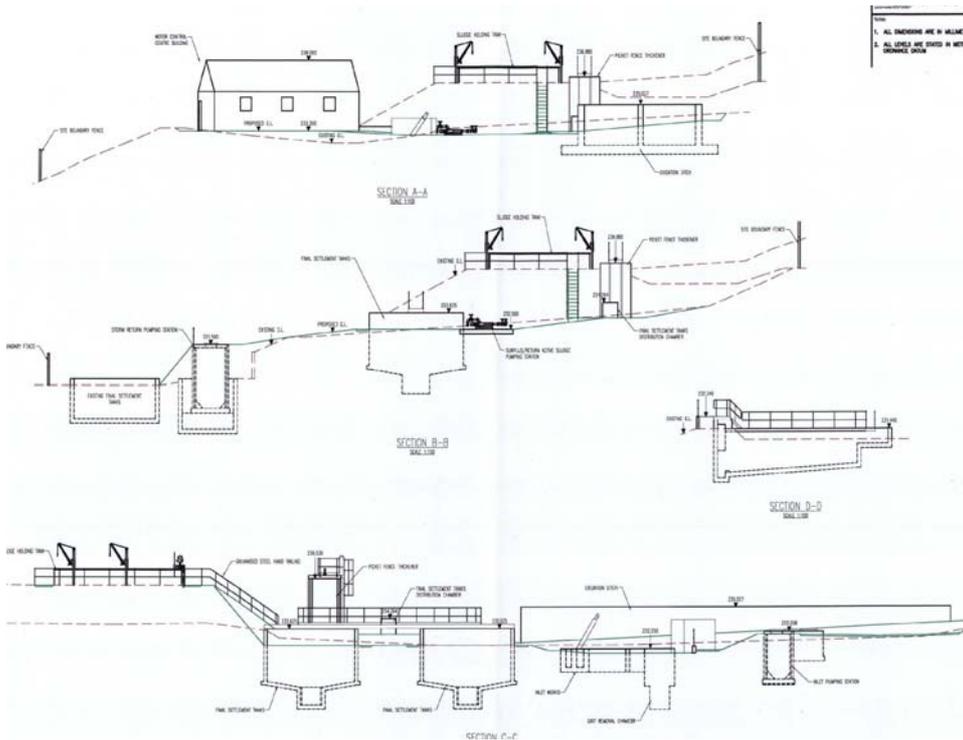


Fig. 7. Site Sections/Elevations

## DEVELOPMENT PLAN CONTEXT

### Cairngorms National Park Plan 2007

6. Strategic objectives for the **Landscape, Built, and Historic Environment** include; maintaining and enhancing the distinctive landscapes across the Park; and ensuring development complements and enhances the landscape character of the Park. Strategic objectives for **Sustainable Use of Resources**, include; all management and development in the Park should seek to make the most sustainable use of natural resources, including water and energy. Strategic objectives for **Water**, include; maintain or where necessary enhance the existing high water quality and physical condition of waterbodies in the Park; Strategic objectives for **Sustainable Communities**, include; make proactive provision to focus settlement growth in the main settlements and plan for growth to meet community needs in other settlements.

### Highland Structure Plan 2001

7. In the **Highland Structure Plan 2001, Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things, are compatible with service provision; contribute to the social and economic development of the community; impact on resources such as habitats, species, landscape and freshwater systems. **Policy L4 (Landscape Character)** seeks to maintain and enhance present landscape character. In principle, the structure plan highlights the importance of a satisfactory infrastructure system to promote economic development.

### Badenoch and Strathspey Local Plan 1997

8. The site of the treatment works is “white land” in the Local Plan. Under **Policy 8.4.1. (Drainage)** there is a presumption against permanent development within 90 metres of the site. It states that land for expansion exists within the existing site. **Policy 8.5.3 (Walks)** advises that the established network of footpaths in and around Newtonmore will be safeguarded. **General Policy 2.5.4. (Woodland and Trees)** seeks to protect existing trees and established woodland areas which are important landscape, wildlife and amenity features of the countryside.

## CONSULTATIONS

9. **SEPA** have no comments to make other than the fact that they are currently considering an application for a variation of the existing licence for discharge from the WWTWs.
10. **Highland Council's Contaminated Land Officer** has no comments.
11. **The CNPA's Access Officer** advises that the access road to the site is shared by recreational users accessing the Wild Cat Trail and riverside walks, and those visiting the Highland Folk Museum. Vehicle use is limited to the Folk Museum's bus transport operation which crosses the access road and Scottish Water's own vehicles. The access road also features in the Draft Core Paths Plan. It is therefore a significant route for residents and visitors alike. However, they do not anticipate that the close proximity of the development site will have a major impact on the visitor experience because there is an existing waste water facility in situ, and there is no development expansion beyond the site compound. Screening trees between the access and the onsite structures as proposed will further lessen the visual impact. However, during the construction phase there will certainly be increased traffic on the route and this will have to be handled with due regard to the needs of recreational users. There is an expectation that any damage done to the road by heavy plant will trigger a programme of reinstatement.
12. **The CNPA's Natural Heritage Group** have advised that the site lies approximately 150m north of the River Spey SAC. There should be no impacts on this designation from the discharges from the works during construction and thereafter. The plans also indicate that there would be considerable modification to the tree cover on the site. This is likely to have a natural heritage impact, but particularly in terms of landscape impact. Any tree removal along the eastern side of the site adjacent to the popular walking route will increase the visibility of the site to receptors. The initial submissions did not show accurately the extent of woodland cover which would be affected by the development. They therefore suggested a tree survey so that a proper assessment could be made of the impact and an analysis completed of possible mitigation.
13. Further discussions and a meeting on site with the **NHG**, have taken place. This has resulted in the submission of a tree survey and mitigation landscaping plan. The **NHG** have advised that they accept that there are significant functional reasons for the proposed layout and that the opportunities for reorganising the site layout to significantly reduce tree felling, is extremely limited. The applicants have put forward some amendments which will reduce the overall numbers but there are areas of tree removal that are unavoidable, particularly in the central area of the site. There is also limited scope, within the compound itself, for significant replanting. The **NHG** accept that the amendments have been made and acknowledge the compensatory

planting both within and outwith the compound. They advise therefore that that they do not object to the proposal. They do however feel that some additional amendments to some of the detailed landscaping plans are required.

14. No response has been received from the **Newtonmore Community Council**.

## REPRESENTATIONS

15. The application was advertised on 9 May 2007. No representations have been received.

## APPRAISAL

16. This application raises issues in relation to the principle and the need for infrastructure in the context of the future development of Newtonmore; the impacts on natural heritage and the landscape; and the impacts on recreation in the area.

### Principle and Need

17. From a land use policy point of view, there is no argument about the existing land use of the site. It is, and has been, the site of the Newtonmore Waste Water Treatment Works for some time. There is no need to look for an alternative site at present, because there is adequate space within the existing site to expand. Indeed, I have been informed by the applicants that any future expansion, over and above what is currently proposed, should also be able to be provided within the existing site boundaries.
18. The need for the development is twofold. To improve the quality and efficiency of the treatment works and its discharge, and to remove the development constraint in the area which it serves. In respect of the additional capacity to be provided, it has been confirmed that an approximate additional 120 housing units will be released on completion. While the CNP Deposit Local Plan does not carry material weight at present, clearly, it will do in the future. Newtonmore has been indicatively provided with the potential for upto 150 houses over the next 10 years. This includes already consented developments as well as new. I have been advised that within the 120 capacity there would be built-in flexibility. Clearly, in the interests of promoting the economic and social development of the area, "freeing up" the current development constraint caused by the waste water treatment situation, and allowing for the strategic future planned growth of Newtonmore is welcomed.

## Impacts on Natural Heritage and Landscape

19. There are no natural heritage designations on the actual site. The nearest designation is the River Spey Special Area of Conservation which is located some 150m away. The railway line and the golf course are located between the site and the designation. I therefore see no direct impacts on designated sites. The works will require the granting of a further CAR licence from SEPA for the discharge to the River Spey. This process is underway and this is the appropriate control mechanism in this respect.
20. There has been a concern about the impact of the development on mature trees on the site. Only indicative information was provided at the outset by the applicants. Following discussions, a site visit with our Natural Heritage Group, and the submission of more accurate information on positions and numbers of existing trees, those trees affected by the development, and proposed mitigation measures in the form of replanting, it has been found that some 103 or so trees will still require removal. This equates to 48% of the total tree cover within the site. Of these though, the majority of the important trees on the eastern side will remain. There are engineering and topographical reasons for this and it has been confirmed from the discussions with the applicants, that there is little scope to make substantial changes to the scheme. Indeed, because of the operational and functional requirements, a changed layout may not necessarily result in any significant reduction in tree removal, in any case. It must also be remembered that no planning permission is required for the removal of the trees and they are not the subject of a Tree Preservation Order. The trees could therefore be removed at any time, and even without any proposals to carry out the upgrade. The applicants have co-operated in this respect and delayed any tree removal. They have also made some amendments to the position of the control building and the alignment and width of the access road and turning head, in order to provide some additional space for tree protection zones. In addition, they have confirmed that the construction compound (10 month period envisaged) will be positioned on adjacent land (with the agreement of the Highland Folk Museum) ie. outwith the treed compound.
21. There will be an area in the centre of the site which will become more open in character. However, the visual and landscape impact of this will not be so significant when the wider treed context in the area is considered and new replacement planting is provided. This includes tree planting on the north slope immediately outwith the compound which will help provide a backdrop when viewed from the golf course/railway side and provide screening from the public routes through the woodland area to the north. It has also been confirmed that a bat specialist will be on site during the felling operations, as requested by SNH in their direct consultation with the applicants.

22. Undoubtedly, it is unfortunate that so many trees will be removed. However, this needs to be considered against the social and economic benefits that this upgrade will accrue. Subject to the adequate tree protection during construction and the implementation of the replacement planting programme, I do not feel that the tree removal, is a material consideration of such weight to merit resisting the proposal.

### **Impact on Recreation in the Area**

23. As previously mentioned, the immediate area is a popular recreational area for walkers and visitors to the Highland Folk Museum. The main issue is whether or not the development will have permanent detrimental impacts on the quality of the recreational experience in the area. The actual physical impact of the proposed structures within the compound will not cause any significant concerns in this regard. The main concern is the loss of tree cover and the potential change in character that this will create. However, as discussed above, the mitigation planting will help provide screening and a longer term landscape context.
24. There is no doubt that there will be impacts during construction. However, this is not permanent and subject to ensuring that the access road is not affected and adequate on-site management procedures for retaining safe public access are carried out, I am satisfied that this issue can be addressed.

### **Conclusion**

25. This development will allow for the planned growth of Newtonmore. There will be some immediate impacts in relation to tree loss on the site, and during construction. However, it must be acknowledged that this is an existing operational treatment works and that mitigation measures will be put in place. My recommendation is one of approval.

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

26. The tree loss will have an immediate negative impact on this aim. However, there are functional and practical reasons which must be considered and mitigation proposals in the form of replanting within and outwith the compound will help reinstate the woodland context.

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

27. The use of timber cladding on the motor control building is positive.

### **Promote Understanding and Enjoyment**

28. The development will have some immediate adverse impacts on the quality of the recreational experience for users of the public walks in the area and the Highland Folk Museum. However, no objections have been received, and short and long term mitigation can be provided by adequate on-site management during construction, and by the implementation of the replanting programme.

### **Promote Sustainable Economic and Social Development**

29. The development will release a current development constraint in Newtonmore. This is positive in terms of the future social and economic development of the area.

### **RECOMMENDATION**

30. **The Members of the Committee;**

**Grant Full Planning Permission for the Redevelopment and Augmentation of Waste Water Treatment Works, Newtonmore Waste Water Treatment Works, Newtonmore, subject to the following conditions;**

1. The development to which this permission relates must be begun within five years from the date of this permission.
2. That no development shall commence on this site until the trees marked for retention on the approved landscape proposals planting plan (drawing no. 5000062404-WW-DRA-00001050-03), have been protected to the satisfaction of the CNPA acting as Planning Authority, and in accordance with BS5837:2005, Trees in Relation to Construction.
3. That unless otherwise agreed in writing with the CNPA acting as Planning Authority, from the date at which this planning permission is granted, only those trees which have been identified for removal in the approved tree felling plan, (drawing no. 5000062404-WW-DRA-00001050-03 - refer to Condition No. 2 above), shall be felled.
4. The development shall be landscaped and maintained in accordance with the approved scheme (subject to the submission of some amendments for the further written approval of the CNPA acting as Planning Authority) as follows:-
  - (a) Completion of the scheme during the first planting season following the completion of the development, or such other date as may be approved 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 five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
5. That a bat specialist shall be present at the time of the tree felling operation. If evidence of bat activity is found, tree felling shall cease until such time as appropriate mitigation measures have been carried out, following consultation with SNH.
6. That prior to the commencement of any tree felling operations on site, a survey for the existence of squirrel dreys shall be carried out and submitted for the further written approval of the CNPA acting as Planning Authority. If evidence of squirrel dreys are found, tree felling shall cease, until such time as appropriate mitigation measures have been carried out, following consultation with SNH and the CNPA's Natural Heritage Group.
7. That prior to the commencement of works on site, a detailed method statement indicating the on-site constructional and operational management procedures for the continued protection, and reinstatement of all public access/recreational routes in the vicinity and affected by the development, during and after construction, shall be provided for the further written approval of the CNPA acting as Planning Authority.
8. That unless otherwise agreed in writing with the CNPA acting as Planning Authority, the contractor's temporary construction compound, associated with this development, shall not be located within the boundaries of the existing waste water treatment works.

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**11 September 2007**

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