

**THE HIGHLAND COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**  
**14 January 2014**

Agenda Item	5.6
Report No	PLN/007/14

**13/04359/FUL : RSPB on behalf of the Peatlands Partnership**  
**Dubh Lochan Trail Forsinard**

**Report by Area Planning Manager**

**SUMMARY**

**Description :** Erection of new observatory building and formation of new path

**Recommendation - GRANT**

**Ward :** 01 - North, West And Central Sutherland

**Development category :** Local Development

**Pre-determination hearing :** None

**Reason referred to Committee :** More than 5 representations from separate addresses as per the scheme of delegation.

**1. PROPOSED DEVELOPMENT**

- 1.1 The application is in detail for the erection of a new observatory structure on the peat bog at Forsinard. The developer intends that the new structure will provide visitors with views across the Dubh Lochan bogs pools and the Flows landscape. The applicants supporting statement has advised that the proposed observatory structure will be on the edge of a bog pool system forming part of the Dubh Lochan Trail in an area of non-SSSI peatland but within the Flows National Nature Reserve, which forms part of the wider RSPB Forsinard Flows Nature Reserve. The location is adjacent to the existing Dubh Lochans Trail, a one mile way marked route on flagstones across the peatland. The trail starts on the A897, just to the south of the Forsinard Flows Visitor Centre and Forsinard train station.
- 1.2 The observatory will provide a destination feature which will encourage more people to visit Forsinard and to undertake the way marked trail. It will also provide shelter for visitors (including school groups) so that they can have a more enjoyable and safe experience, whilst allowing and encouraging people to spend longer contemplating the bog and discovering more of its special qualities. This is particularly important given the exposed nature of the landscape.

- 1.3 A new path is proposed to provide least restrictive access linking the observatory to the A897. The proposed path would start further north than the existing trail, reducing the time for which people would need to be on the single track A897. The existing flagstone trail is not suitable for all abilities as the flagstones are not sufficiently wide, there are gaps between the flagstones and they are not always even.
- 1.4 There are currently no other opportunities within the Flow Country for people to directly experience the peatlands via a similarly accessible path. The observatory base is to be raised above the surrounding peat bog and ramped access to the ground floor will ensure that those who cannot access the top floor will benefit from this slightly elevated viewing level and the shelter this provides.
- 1.5 A site visit with a mini video camera mounted onto a pole of differing heights helped explore the views from alternative vantage points for the structure. The images below illustrate this process with the image on the right a still image from the video clip taken at just below 7m, which it was agreed was the optimum height to provide elevated views of the pools, without the structure being too high within the landscape. This has resulted in the viewing deck level being designed at around 5.5m above ground level.
- 1.6 The site looks out over the Caithness and Sutherland peatlands SAC, SPA and Ramsar site, and is within the Flows National Nature Reserve, which was primarily centred on Forsinard because of the ability to get the public out onto the Flows via the existing trail . The observatory site is located within an area of blanket bog habitat and, as such, all efforts will be made to both minimise disruption to the ecosystem and avoid any long-term damage to the vegetation and local habitat.
- 1.7 The observatory is to be a predominantly timber structure, glazed on the lower floor and with an open viewing deck above. Curved toughened glass is to be used around the ground floor to provide views of the Dubh Lochan bog pools in three directions (North, South & West) from a slightly raised base of 0.5m above external ground level. The stair is located on the blank East side, which faces back towards the road and away from the pools.
- 1.8 Scottish Larch is to be used to clad the structure as hit and miss battens on sheathing boards onto a timber structure built off a piled foundation. Cross laminated timber is to be used to provide the decking base allowing curved cantilevered sections to create the organic shape. Caithness stone to be used for the new path adjacent to the Observatory and as the finish to the ground floor. Non-slip "Gripdeck" Scottish Larch boarding is to be used for stair and flooring to the upper levels , with dark grey single ply rubber membrane installed beneath the upper decking as waterproofing. Dark grey zinc is to be used for capping the parapet walls of the viewing deck and also for roofing above the stair.
- 1.9 The new pathway will add to the existing Caithness flagstone path, with more flagstone and areas of timber boardwalk, with a figure of eight footpath route being created.

- 1.10 Informal pre-application discussions have been held with the developer prior to the submission of a planning application.
- 1.11 There is an existing access footpath onto the Flows which is to be added to as part of this proposal. There is no vehicle access onto the Flows.
- 1.12 The application has been accompanied by a detailed Design Statement and photomontage.

1.13 **Variations:** None

## **2. SITE DESCRIPTION**

2.1 The application site is located to the west of the A897 and to the east of the railway. This area is a National Nature Reserve. To the west of the railway line the land is covered by the Ben Griams SSSI, SPA, SAC and RAMSAR site, all identified for their constituent parts of the Caithness and Sutherland Peatlands interests.

## **3. PLANNING HISTORY**

3.1 There is no relevant recent planning history to the site.

## **4. PUBLIC PARTICIPATION**

4.1 Advertised : Neighbours, expiry 20.12.2013

Representation deadline : 20.12.2013

Timeous representations : 6

Late representations : 0

4.2 Material considerations raised are summarised as follows:

- Structure inappropriate for the area
- Scale of building and materials
- Ruin the vista
- Impact on peat bog
- Increased traffic, lack of parking
- Footpath extension impact on residential amenity
- Forsinard residents opposed to development

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

## **5. CONSULTATIONS**

5.1 **SNH** : The proposal is for the formation of a new observatory building and new path located on the Dubh Lochan Trail at Forsinard. The proposal is for a 7 metre high observatory made out of wood and glass and placed on piles to suspend it above the peatland surface. The new observatory will be connected by a new access path made out of Caithness flagstone and boardwalk placed on plastic wood runners. Works would be carried using ultra-low ground pressure vehicles

and a helicopter to minimise the impact on sensitive habitats. SNH supports this development and considers that it will make a positive contribution to the enjoyment for the Flow country.

The proposal lies approximately 0.4km from the Ben Griams Site of Special Scientific Interest (SSSI), which is a component part of Caithness and Sutherland Peatlands Special Area of Conservation (SAC) and Special Protection Area (SPA) & Ramsar site designated for their range of upland habitats, species and birds.

The proposal is separated from the designation by the Inverness to Thurso/Wick railway line. Consequently, there is no hydrological connection between the SAC and proposal thereby ensuring that the qualifying habitat interests will not be affected.

The observatory and path are designed to reduce its impact on birds and the works are scheduled to take place out with the bird breeding season. Therefore, in our view, it is unlikely that the proposal will have a significant effect on any qualifying interests of the SPA either directly or indirectly. An appropriate assessment is therefore not required.

The proposal is located approximately 3.5km from the SLA and given the flat terrain would be visible from it. The proposal, however, has been designed to be sympathetic to the landscape and we were consulted during the design development. Its elevated viewing platform provides an opportunity to appreciate the landscape of the Flows and SLA. Therefore, in our view, this is a welcome development.

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **6.1 Highland Wide Local Development Plan 2012**

28	Sustainable Design
29	Design Quality and Place Making
36	Development in the Wider Countryside
42	Previously used land
43	Tourism
57	Natural, Built and Cultural Heritage
64	Flood Risk
65	Waste Water Treatment
66	Surface Water Drainage

### **6.2 Sutherland Local Plan**

## **7. OTHER MATERIAL CONSIDERATIONS**

### **7.1 Draft Development Plan**

Not applicable

### **7.2 Highland Council Supplementary Planning Policy Guidance**

**Not applicable**

### **7.3 Scottish Government Planning Policy and Guidance**

Not applicable

## **8. PLANNING APPRAISAL**

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### **8.3 Development Plan Policy Assessment**

8.1 The application is in detail for a new observatory building and formation of a new footpath, augmenting the existing footpath and trail from the A897 to the south of Forsinard.

8.2 The intention of the new building and footpath is to augment and add to the existing visitor experience, aiding the interpretation of the Flows by providing a raised platform for viewing the relatively flat immediate landscape from. The building will also provide shelter during periods of inclement weather.

8.3 The building will introduce a new vertical feature into a locally flat horizontal landscape, interrupted in the distance by the Griams massif around 3km to the west. The building is oval in plan, with an overall footprint of around 6m x 5m, and reaches 7.8m in height. Whilst this new man-made feature will be a significant visual intervention in the landscape, it is not considered that it will have a significantly detrimental impact on the natural and visual heritage interests of the area therefore it is considered that the development accords with development plan policy.

8.4 The Agent has indicated that the existing car parking provision at the Visitor Centre in Forsinard will accommodate the new development parking requirements. Furthermore, the developer has advised that the intention is to route the new path back to the village, rather than directly back to the road, in order to avoid any car parking along the roadside itself. Visitors will therefore be encouraged to park in the forecourt to the Visitor Centre, view the displays within the building and then head out on foot along the new path to visit the bog pools and observatory.

## 8.4 Material Considerations

Representations set out in section 4.2 relate to the following:

- Structure inappropriate for the area, ruin the vista, scale of building, materials – Planning Comment – the development will have an impact on the landscape, introducing a significant vertical structure into an open area of land. The materials are considered to be acceptable.
- Impact on peat bog – Planning Comment –SNH have indicated that the development is acceptable.
- Increased traffic – Planning Comment – The road is the A897 and whilst single track, it is considered that it can accommodate additional traffic. Parking is to be within Forsinard, including at the visitor centre. The developer has indicated that they will encourage users of the path to park at the station or at the proposed new field centre (13/04401/FUL).
- Footpath extension impact on residential amenity – Planning Comment – The footpath extension reaches the main road close to the house Na Coarann, which is around 60m to the southwest of the level crossing in the centre of Forsinard.
- Forsinard residents opposed to development

## 8.5 Other Considerations – not material

## 8.6 Matters to be secured by Section 75 Agreement

None

## 9. CONCLUSION

9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

The development of a purpose built visitor centre is considered to accord with the Development Plan policies for the area. It will provide a purpose designed building for interpretive purposes allowing for the study and greater appreciation of the landscape, flora and fauna of the Forsinard Flows.

## 10. RECOMMENDATION

**Action required before decision issued** n

**Subject to the above**, it is recommended the application be **Approved** subject to the standard notes to the applicant.

## **REASON FOR DECISION**

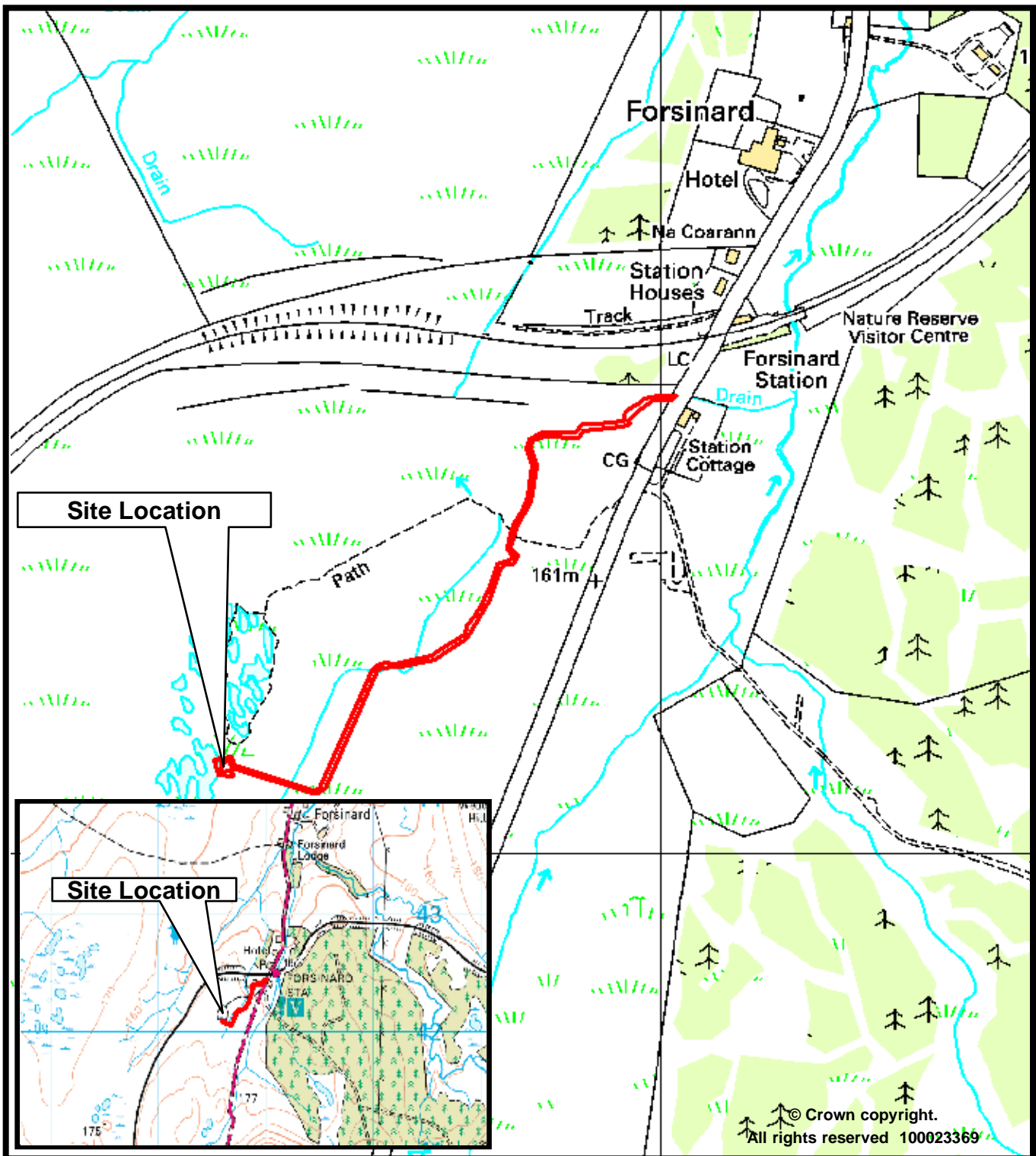
The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

Signature: Dafydd Jones  
Designation: Area Planning Manager North  
Author: Bob Robertson – Principal Planner  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Elevations (04), Site Layout Plan (01), Location Plans (02)

## Appendix – Letters of Representation

Name	Address	Date Received	For/Against
Maureen and Stuart Cross	Forsinain Steading Forsinain KW13 6YT	9.12.2013	A
Andrew Mackay & Susan Sutherland	Na Coarann Forsinard KW13 6YT	16.12.2013	A
John & Kim Leonard	Forsinard Hotel Forsinard KW13 6YT	16.12.2013	A
John & Paul Atherton	The Firs Forsinard KW13 6YT	18.12.2013	A
Jeff & Linda Bower	Station Cottage Forsinard KW13 6YT	18.12.2013	A
John Campbell-Smith	1 Forsinard KW13 7YT	18.12.2013	A





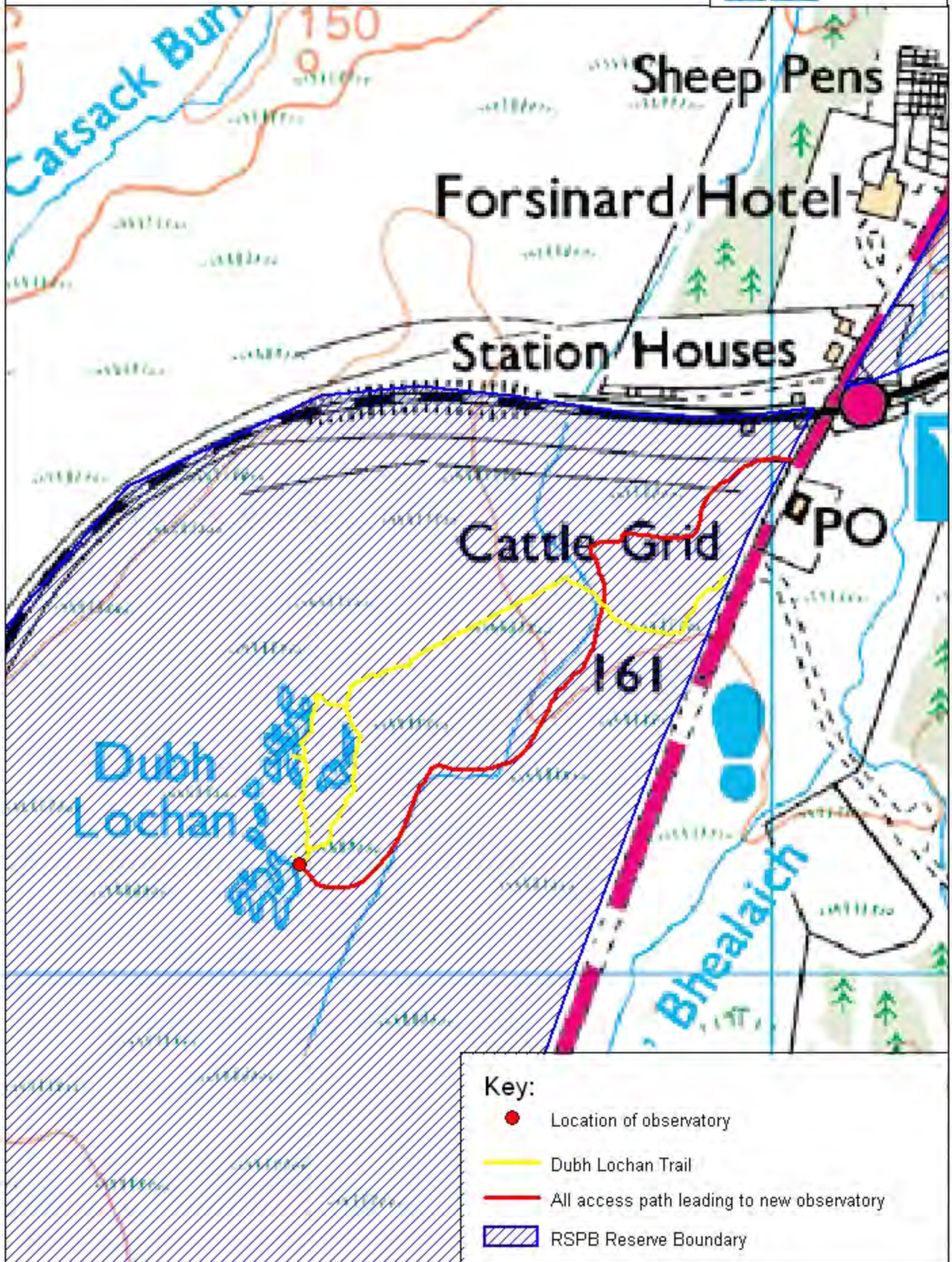
**The Highland Council**  
Comhairle na Gàidhealtachd

Planning & Development Service

**13/04359/FUL**  
Erection of new observatory building and formation of new path at Dubh Lochan Trail, Forsinard.

Date: 17/12/2013

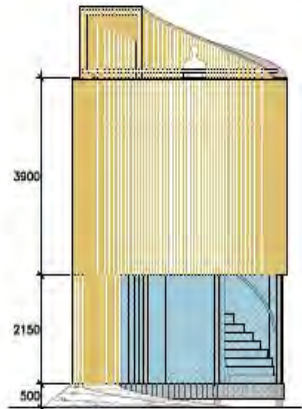




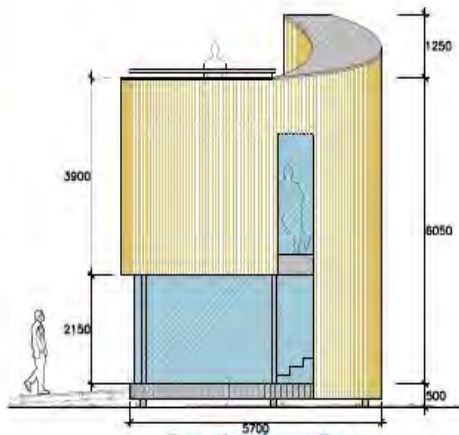
# The Forsnard Flows Observatory

for The Peatlands Partnership - Planning Application

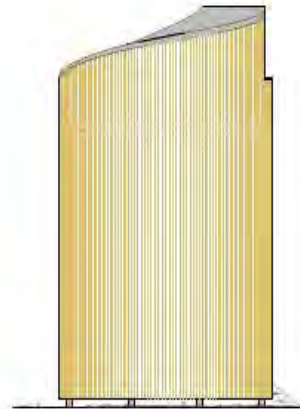
THE PEATLANDS PARTNERSHIP  
**ICOSIS LTD**  
 ARCHITECTS



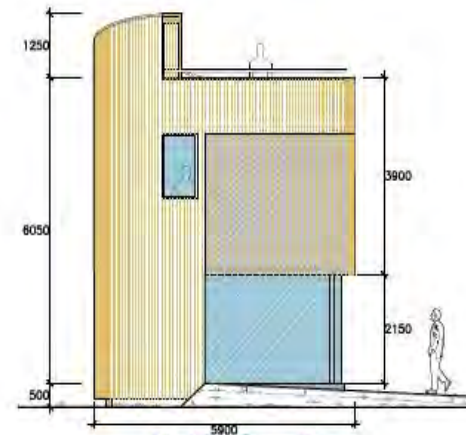
West elevation



South elevation



West elevation



North elevation

only every 2nd hit & miss batten is to be installed above the entrance to allow views out across the Dubh Lochan pools to the NW from the mezzanine landing

**Notes on Materials**

Cairnness stone to be used for the new path adjacent to the Observatory and as the finish to the ground floor.

Floor to ceiling curved toughened 'Omikux' glass to be used around the ground floor to provide views of the Dubh Lochans in 3 directions (North, South & West) from a raised base (0.5m)

Scottish Larch is to be used to clad the structure as hit & miss battens on sheathing boards onto a timber structure built of a piled foundation

Cross laminated timber is to be used to provide the decking base allowing curved cantilevered sections to create the organic shape.

Scottish Oak is to be used as a handrail around the perimeter of the viewing deck and also as handrails for each stair.

Non-slip 'Gripdeck' Scottish Larch boarding is to be used for stair and upper decking. Dark grey single ply rubber membrane is to be used beneath upper decking as waterproofing.

Dark grey zinc is to be used for capping the parapet walls of the viewing deck and also for roofing above the stair.



Section

## Planning Application

		no.	date	revision and issue	
<b>ICOSIS ARCHITECTS</b> 28 Albert Street, Edinburgh, EH7 5LG tel: 0131 555 2442 fax: 0131 555 3443 mail@icosis.co.uk		drawing title			
		Elevations & Section Planning Application			
		reference 235/Master Set			
client	scale (at A3)	drawn	chk	date	
The Peatlands Partnership	1:100	EU		2019	
job title	job no.	drawing no.		revision	
Forsnard Flows Observatory, Highland	235	04			