
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT PROPOSED: FULL PLANNING PERMISSION FOR CONSTRUCTION OF ROAD AND FORMATION OF 7 NO. SERVICED PLOTS, LAND TO WEST OF RATHEN, CATLODGE, LAGGAN

REFERENCE: 07/242/CP

APPLICANT: HIGHLAND SMALL COMMUNITIES HOUSING TRUST, 5 ARDROSS TERRACE, INVERNESS

DATE CALLED-IN: 29 JUNE 2007

RECOMMENDATION: GRANT, SUBJECT TO CONDITIONS

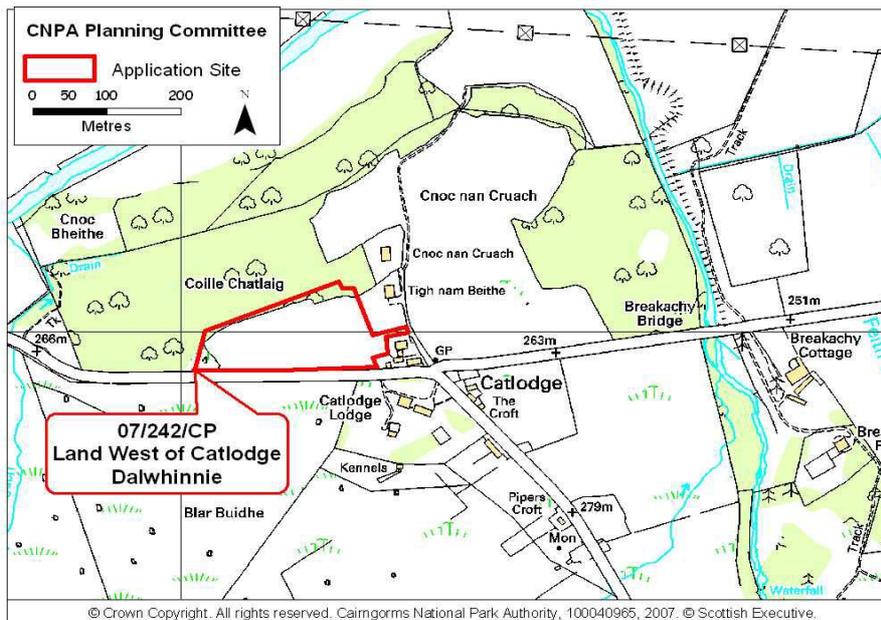


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

Background

1. Members of the Committee will recall that a previous application for this development, on a different site at Catlodge, was submitted in August 2006. This application, which was called-in by the CNPA, was for the construction of an access road and 7 no. serviced house plots, on a site to the east side of the group of existing houses at the locality. This application raised concerns, in particular trunk road safety, visual and landscape impacts, and adverse impacts on the character of the settlement and area. It was to be considered for refusal but following discussions with the applicants, they decided to withdraw the application and resubmit their proposals on an alternative site at Catlodge. This is the site and application to which this report refers.
2. Also of note, is the existence of two previous applications for a single house, on a site to the north west of the existing housing group at Catlodge. This site lies in a Restricted Countryside Area (RCA) in the Badenoch and Strathspey Local Plan, where a land management justification is required for houses. These previous applications were refused by Highland Council and the CNPA respectively, primarily on the basis of failure to comply with the RCA policy.

Site and Application

3. Catlodge is situated approximately 3km to the south east of Laggan on the A889 Trunk Road to Dalwhinnie. The current proposal lies on a site to the west of the existing houses at Catlodge in an area of agricultural land. The site is bounded to its south side by the A889 and by an area of woodland, which is designated as Ancient Woodland, to the north and west. To the east side of the site, there is a group of existing houses of mixed type and age. These houses are grouped around the sharp bend that constitutes the junction of the A889 and the Glentruim Road. Several of the houses enjoy easterly views because they are sited in a row running in a north/south direction from the junction. Catlodge is located in an elevated position in the landscape, and the existing grouping of houses and buildings can be seen from lower levels in the Strath, particularly to the north east.
4. The application is being made by the Highland Small Communities Housing Trust on behalf of the Laggan Community Association. A supporting statement has been submitted and is copied with this report. This details the background to, and the aims of, the application, as well as informing the policy situation, and infrastructure requirements. In addition the application is supported by a statement on the feasibility of other sites, in the Laggan area for this development. This is also copied for your information.



Fig. 2. Site looking west (A889 to the left of picture)

5. The application constitutes an access road directly off the A889 which will serve 7 serviced house plots. It is presented as 4 no. Rural Home Ownership Grant plots (RHOG) and 3 no. open market plots. The latter being justified to help off-set the high site development costs. The RHOG plots will be the subject of the Rural Housing Burden imposed by the HSCHT. This will retain the plots within the affordable market in perpetuity.

6. The site is restricted to the west side of the field with an area of ground retained for pasture between the proposed east development boundary and the rear west boundaries of the existing houses. The original submission showed the 7 plots, with house positions, served directly off the new access in a fairly formal layout. Limited landscaping was shown on the east development site boundary. Following discussions, amendments, within the original submitted site boundaries, were received. These show the introduction of tree planting areas between the plots which are arranged in a less formal layout around the access road. The actual house positions are removed from the plan and the developable areas within the plots are reduced. In addition, a more significant area of tree planting is shown along the east development boundary, and along the south A889 boundary between the site and the existing houses. The properties will be served by a private water supply, and individual private waste water treatment plants within each plot. An indicative Sustainable Design Statement has also been submitted.



Fig.3. Site looking west from the existing houses at Catlodge

Fig. 4. Site looking east towards existing houses at Catlodge



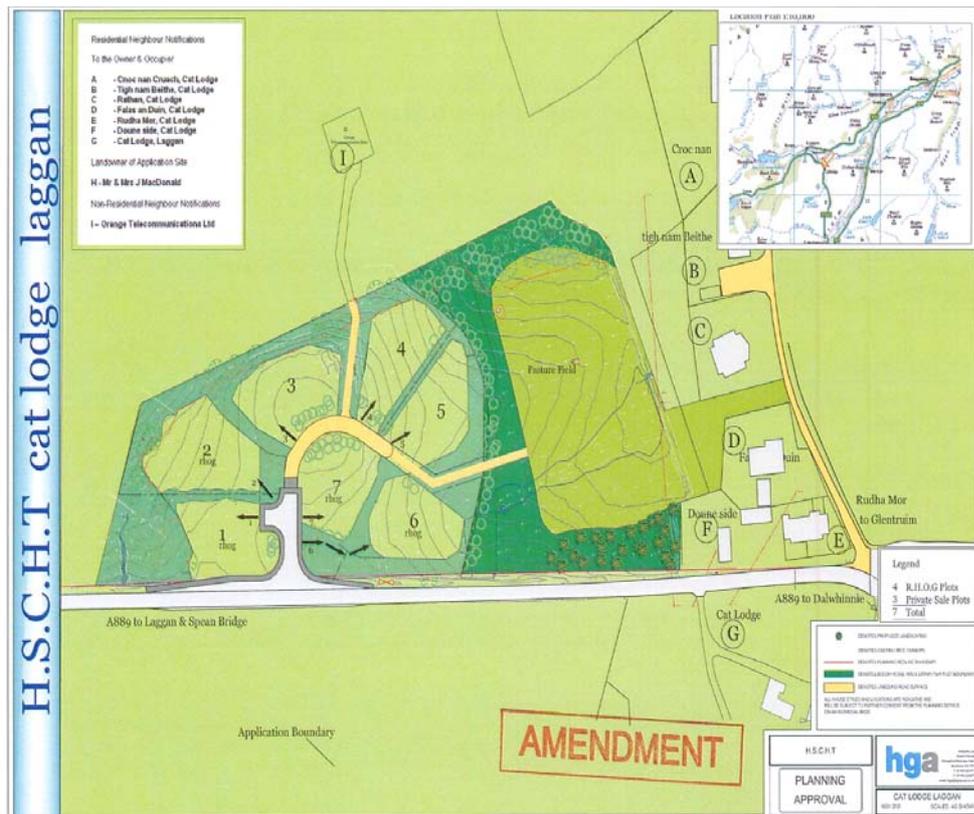


Fig. 5. Amended Site Layout

DEVELOPMENT PLAN CONTEXT

Cairngorms National Park Plan 2007

7. Strategic objectives for **Landscape, Built and Historic Environment**, include; ensuring development complements and enhances the landscape character of the Park; and new development in settlements and surrounding areas complementing and enhancing the character, pattern and local identity of the built and historic environment. Strategic objectives for **Sustainable Communities**, include; making proactive provision to focus settlement growth in the main settlements and plan for growth to meet community needs in other settlements; strengthening the capacity of local communities and encouraging community development building on existing networks, expertise and experience. Strategic objectives for **Housing** include; increasing the accessibility of rented and owned housing to meet the needs of communities throughout the Park; promoting effective co-ordination and co-operation between all public and private organisations involved in housing provision in the Park and the communities living there; improving the physical quality, energy efficiency and sustainable design of housing in all tenures throughout the Park; and ensuring there is effective land and investment for market and affordable housing to meet the economic and social needs of communities throughout the Park.

National Policy and Guidance

8. **SPP3 (Planning for Housing)** advances policy in respect of small scale rural housing developments including clusters and groups in close proximity to settlements and generally dictates a message that there is considerable scope for allowing more housing developments of this nature.
9. **SPP15 (Planning for Rural Development)** states that *“Rural Scotland needs to become more confident and forward looking both accepting change and benefiting from it, providing for people who want to continue to live and work there and welcoming newcomers.....The intention is to have vigorous and prosperous rural communities, ranging from small towns and villages to dispersed settlements. The countryside should be able to absorb more people content to live and able to work there.”* It also states that *“In rural areas, innovative and flexible approaches will be required to deliver affordable houses in suitable numbers.”*
10. **PAN72 (Housing in the Countryside)** sets out key design principles which need to be taken into account when determining planning applications for housing in the countryside. The purpose is to create more opportunities for good quality rural housing which respects Scottish landscapes and building traditions. It covers matters such as landscape, layout, access, scale, materials, and detailing.
11. **PAN74 (Affordable Housing)** sets out how the planning system can support the Scottish Government’s commitment to increase the supply of affordable housing.

Highland Structure Plan 2001

12. **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; are accessible by public transport, cycling and walking as well as by car; maximise energy efficiency in terms of location, layout and design; impact on habitats, species, landscape etc; demonstrate sensitive siting and high quality design; promote varied, lively and well-used environments; and contribute to the economic and social development of the community.
13. **Structure Plan Housing Strategies** aim to steer demand for housing development to appropriate locations within settlements. However, exceptions may be made for social housing providers in meeting demonstrated local affordable housing needs that cannot be met within settlements. **Policies H4 & H5 (Affordable Housing)** seek to promote the provision of affordable housing through partnership working and developer contributions. **Recommendation H6 (Affordable Housing in Rural Areas)** recommends general support for more radical measures for securing affordable housing in more rural areas. These

include, amongst other things, continued support for new methods and vehicles such as the Highlands Small Communities Housing Trust and Local Housing Partnerships; identifying opportunities to make use of surplus Council sites and buildings, as well as that of other agencies; and encouraging landowners to make land available for affordable housing. **Policy H8 (Access Arrangements for New and Existing Development)** advises that development proposals that involve new or improved access to serve more than 4 houses shall be served by a road constructed to adoptive standards. **Policy L4 (Landscape Character)** requires regard to be had to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.

Badenoch and Strathspey Local Plan 1997

14. The site lies within a **Fragile Countryside Area (Policy 2.1.2.2.)**. This encourages new housing and associated building in areas which are continuing to experience depopulation, or require further development to maintain their viability. This will apply in the south-west extremities of the area, where only in cases where severe road safety, servicing, heritage or amenity constraints exist will proposals be resisted. Close attention to the principles of good siting and design will nevertheless be required. Opportunities exist in particular, for sites which relate well to the established settlement pattern.

CONSULTATIONS

15. **Highland Council's Archaeology Unit** have advised that the application lies within a wider area where significant archaeological remains are recorded. The application therefore covers an area where there is high potential for the survival of buried archaeological remains. They suggest the imposition of a planning condition which requires a programme of archaeological work prior to the commencement of development of any of the site.
16. **SEPA** do not raise any objections. They do advise that outwith settlement envelopes served by a public sewer, their interest is primarily the protection of surface waters. For private waste water treatment proposals, distances to watercourses, ditches, field drains, groundwater sources and wells need to be met. Surface water drainage to private soakaways is acceptable.
17. **Transport Scotland Trunk Roads Network Management Directorate** raise no objections, subject to specific planning conditions relating to the design and layout of the new access at its junction with the A889, including the provision of visibility splays.
18. **Highland Council's Area Roads Manager** raises no objections, subject to conditions relating to the construction of the new access to

the first four houses being to adoptable standard, and the remaining access being constructed to a certain level and subject to a private management and maintenance agreement. Street lighting shall be provided to the satisfaction of the Area Roads Manager, and suitable bin collection points shall be identified. Parking space shall be provided in each plot. On the amended layout, he recommends the provision of a turning facility for larger service vehicles towards the end of the unadopted road.

19. **The CNPA's Housing Policy Officer** has advised that the proposal has been discussed at the Badenoch and Strathspey Housing Forum and that it supports the HSCHT provision of the RHOG plots. Highland Council's waiting list indicates 12 waiting (highest demand is 3 bedroom properties - 6). Albyn Housing Society's waiting list indicates 50 applicants for 2 bed, 13 applicants for 3 bed, 3 applicants for 4 bed, and 1 applicant for 5 bed. properties. Advice is provided on RHOGs. This is a means tested grant mechanism from Communities Scotland which takes into account the cost of building the house (including land costs) and what the applicant can raise with a mortgage. Given the high cost of building a property and low incomes in the area, the HSCHT would have to have a good number of people interested in building with an appropriate mortgage before the project could work. The HSCHT have indicated that they have people interested. The plots would be subject to a pre-emption clause which would guarantee at the time of any re-sale that they would remain affordable for the next generation of local people with a housing need. The Park Plan has an action which states "use the full range of low cost home ownership mechanisms to increase the level of affordable housing that remains affordable in perpetuity". This application is seen as supporting this and support from the **CNPA's Housing Policy Officer** is therefore provided.
20. **The CNPA's Natural Heritage Group** has stated that this site is located on a relatively flat promontory of the ridge that runs from the top of An Dun down towards the floor of Strath Spey. This promontory is approximately 275m above sea level and 25 above the main level of the strath. At the base of the ridge lies distinctive broadleaf woodland which consists of largely birch, but with elements of aspen (ASNW). The hamlet of Catlodge includes the lodge itself on the opposite side of the main road to the proposal, and a collection of houses that lie north-south along a track parallel to the proposed housing. There are 6 or 7 houses on this side of the main road of varying design, mostly modern but those nearer the road are older.
21. The proposed site is a relatively flat area of rough grazing and wet grassland to the west of Catlodge. There are two distinct variations in the topography worth noting as these potentially have an effect upon the layout of the site. The first is the raised 'hump' under plots 2 and 3. This raised area is high enough to make any houses here much more visually intrusive as they would project beyond the general canopy level

of the surrounding trees. The second feature is the wet land which is lower than the remaining site. It is fed run-off from the hillside beyond the main road via a piped culvert under the road. The area is wet with extensive juncus rush, which likely offers cover for breeding wading birds. Both features are of significance and should be retained as they contribute to the character of the area. The field itself is otherwise unremarkable however surrounding it on the northern and western sides are the remains of stane dyking and fine birch woodlands containing some aspen. These features are of cultural and natural heritage value and must be kept out of the curtilage of any plots to prevent damage to them.

22. The **NHG** raised some concerns about the original submission. These related to the suburban, formal style of the plot layout; the position of the development being too far west; the impact of the houses, particularly on the raised area of the site and the adjacent stone dyke and trees; the impact on wet ground; the detached relationship to existing development at Catlodge; the prominent relationship with the main road which is a tourist route; and the need for ecological enhancement.
23. Following the submission of the amended plan, the **NHG** have stated that there are improvements, including the less formal layout and a better frontage to the road. However, some further important improvements could be made. The plot boundaries still encompass the edge of the existing woodland and the stone dyke to the north; Plot 7 is still close to the wet land area; and the general landscape proposals are generally not acceptable in detail.

REPRESENTATIONS

24. The application has been advertised by Highland Council as a potential Departure from the Development Plan. 8 letters of objection have been received. In summary the issues raised, include:
 - *Concerns about road safety – the access is onto the busy A889 trunk road – considered one of the most dangerous roads in the UK – blind summit – close to the “Catlodge bend” – previous refusal for a house on road safety grounds.*
 - *Concerns about the draining quality of the site.*
 - *Concerns about the impact of inadequate drainage on the existing wells in the area which supply private water for the existing houses*
 - *Concerns about the impact of any new private water supply on existing private supplies and the water table.*
 - *The development, with pavements and street lighting, will look totally out of place and increase the size of Catlodge by a high percentage.*
 - *Affordable housing should not be used as a tactic for commercial gain.*

- *Alternative sites are available – the needs of the wider community should not be fulfilled to the devastation of an existing historical community which carries heritage value.*
 - *Concerns about visual and landscape impact on one of the main entrance points to the National Park and from elsewhere across the Strath.*
 - *Market/holiday houses should not be used to subsidise high development costs – affordable housing can be achieved without the need for market houses eg. Milehouse. – no justification for the market houses.*
 - *Proposals seem to contravene the aims of the National Park.*
 - *Not the right site for affordable housing – no shops, school or surgery – would need to use the car – no footpath links to Laggan.*
 - *Concerns that the “Laggan Folk” would not be guaranteed the plots.*
 - *Concerns about the impact on the Category B Listed Catlodge Lodge.*
 - *Concerns about misleading and inaccurate information in the supporting statement – some information out of date.*
 - *Proposal does not comply with Fragile Countryside Area policy.*
 - *Existing “new” houses at Catlodge have been built over a period of 19 years.*
 - *Concern about the site boundary including the area to remain as pasture.*
 - *Existing Local Plan is out of date.*
 - *Concerns about the procedures followed for registering and fee payment.*
25. In addition to the supporting statements, the applicants have submitted a letter in reply to the objections. Two letters have also been received in support of the application. One of these is from the Laggan Community Association. These letters emphasise the need for affordable housing in the area for local families.

APPRAISAL

26. Firstly, it is appropriate to mention that prior to the CNPA’s involvement in this development, work had been carried out by the applicants, in conjunction with the Community Association, and following discussions with Highland Council, for using the site to the east of Catlodge. This resulted in the first application which has now been withdrawn, following trunk road safety and landscape impact objections. As a follow on from this, we directed the applicants to the proposed site where it was felt that there may have been more scope to overcome these fundamental concerns. This did not in any way indicate acceptance at that stage of the proposal.

Principle and Policy

27. The site, like the previous one to the east of Catlodge, lies within the Fragile Countryside Policy area of the Local Plan. Fragile countryside at this location extends to the south west, north and east of Catlodge

and the policy encourages new housing in principle. This is to promote further development in order to retain population and to maintain the viability of the area. There is therefore no argument that the principle of housing development on this site, is, in principle, acceptable in policy terms.

28. The development consists of a mix of open market and affordable plots, with the emphasis being on the affordable element. The HSCHT are promoting the development, on the behalf of the Community Association and are offering the affordable plots under the Rural Home Ownership Grant scheme (RHOG). Once developed there will be the imposition of the Rural Housing Burden in the title of the plot, which ensures that the affordability discount secured on the much cheaper than normal plot price at the outset, will be passed on to subsequent purchasers. Any person wishing to purchase one of the RHOG plots will be required to accept this burden. The HSCHT have confirmed that the people who wish to purchase one of the RHOG plots, do all currently live and work locally. The land is being released by the landowner at very low cost and apart from the Fragile Countryside Policy designation, this has been one of the main reasons why this site has been attractive to the HSCHT. Alternative sites, elsewhere in the Laggan area, have been considered by the HSCHT, but the Catlodge option was favoured by the Community Association.
29. While its location is detached from Laggan where there are some local services and community facilities, the site is associated with an existing grouping of houses. Nevertheless, there is no argument that the development of house plots here will lead to additional car travel to essential local services. However, this fact has already been accepted by the existence of extant land use policy (Fragile Countryside) that encourages housing development in the area because of the wider issues of depopulation and the need to sustain the community.
30. National and Structure Plan planning policy seeks to encourage more innovative methods of delivering affordable housing in countryside areas. Indeed, it also recognises that in order to sustain rural communities, there is considerable more scope for the countryside to accommodate people who wish to live there, and that ad-hoc clusters and groups of houses could help provide this. It is also the case, that strategic objectives and priorities for action in the National Park Plan, give considerable weight to pursuing mechanisms for delivering affordable housing.
31. I am therefore content that there is a sufficient level of justification for supporting the principle of housing development in this location, in particular the affordable plots. However, this is not to say that I have had some reservations about the provision of the open market houses in this instance. Nevertheless, it is acknowledged that the private sector and landowners have a significant part to play in the delivery of affordable housing, and I acknowledge that there may be on site costs,

(which will be escalating) that need to be off-set. The most persuasive argument though, is the Fragile Countryside Policy, which does not discriminate against the principle of market houses in this location.

32. While accepting the principle, the next question that arises, is whether the scale, type and nature of the development proposed can meet other requirements, such as siting, design, layout, impact on the surrounding area, road safety, and servicing and infrastructure provision.

Siting, Design and Layout, and Impact on Surrounding Area

33. Fragile Countryside Policy, while supporting the principle of housing, also requires sites to be well related to the established settlement pattern and be well sited and designed. There has been considerable concern from local people in Catlodge that the scale, form and type of development proposed is inappropriate in the context of what exists at the location and that it has a considerable impact on the surrounding countryside. This view has been shared, to a certain extent, by the CNPA's Natural Heritage Group, especially when the original proposal on the site to the east of Catlodge was proposed. This previous site was considered to be very prominent in the landscape and the layout was considered to accentuate the existence of the existing houses in what is a fairly open elevated position when viewed from the north east and the south. After some consideration, the current site is considered to be better than the previous one in this respect. Being enclosed by some woodland to the north and west, by the A889 and rising hillside to the south, and the existing houses to the east, it carries a degree of containment.
34. Within the site, my preference was to locate the development to the east side, in a position and layout which had a closer relationship with the existing houses. However, the wet ground conditions, the existence of existing private water wells, and the need to meet the stipulations for the location and geometry of the access onto the trunk road, all provided unresolvable constraints. The development is therefore now detached from the existing houses by the area of pasture. It therefore represents primarily a separate enclave of development in a countryside area. It is accepted that the general settlement character of the area tends to be sporadic but groups of buildings and houses are not unknown in the locality. Indeed, Catlodge has evolved as that itself.
35. It is understandable that concerns have been made about the scale and number of houses proposed in relation to what exists at present. However, the amended layout has allowed for a more informal layout than that originally submitted, with an informal road layout. The inclusion of tree planting between the plots but also extending on the east and south boundaries, provides not only a setting, and screening for the development, but a natural linkage to the existing houses. I feel

that the solution finally derived, provides a reasonable and acceptable balance between retaining the character and identity of the existing Catlodge group, limiting adverse impacts on the wider landscape, and also maintaining a degree of linkage to the existing buildings.

36. The CNPA's Natural Heritage Group are generally content with the amended proposals but remain concerned about some detailed aspects, relating to impact on the trees and stone dyke near the north boundary, the details of landscaping proposals, and the impact on the fringes of the wet ground to the east side frontage.
37. The application is submitted as a full application for the construction of the road and serviced plots only. Applicants would then submit individual applications for their own houses. From a planning point of view, my concern about this is that there would be no effective control and therefore consistency, over detailed siting and design matters. In this locality, and taking account of the nature of the development, I consider that it is imperative that there is a consistent approach to these matters. I am content that conditions can deal with some of these matters, and some of the outstanding concerns raised by the NHG. **However, I also consider that a Detailed Design Brief, covering all matters relating to the siting and sustainable design of the houses, engineering operations for site levelling, finishing materials, landscaping, boundary enclosures, road and parking surfacing, lighting etc. is required. All further applications for houses will be required to meet the terms of the agreed Brief. I propose this as a condition and that it is submitted for approval prior to any works commencing on site.**
38. The applicants have submitted, with their amended plans, an indicative sustainability statement which provides some information on techniques to be incorporated in the detailed design and layout. This partially meets the requirements of the required Design Brief and is generally welcomed. However, much more detail is required.
39. To conclude on this matter, with the amendments to the layout, and the requirement for the Design Brief, and taking account of the site constraints, I am satisfied that a sustainable and acceptable development can be achieved, which will not unacceptably impact on the character of the area.

Access, Road Safety, and Servicing and Infrastructure Provision

40. Considerable concern has been raised by representees in relation to the technical issues of access, drainage and water provision. The Trunk Roads Authority objected to the previous site to the east, on the basis of road safety. They also objected in 2004, to the creation of a new access along this stretch of road, to serve one house to the north of the current site. However, they have revised their position and they

now accept the proposed access arrangement, provided it is designed to meet certain conditions. These conditions can be met.

41. Another matter of note is a preliminary proposal by Transport Scotland for the creation of a new walking and cycling route between Laggan and Catlodge. Indicative drawings submitted by the applicants, show a route along the A889 between its junction with the A86 and terminating at Catlodge. While this is not a definite proposal or one which directly affects the outcome of the current application, if it does happen, then a link to Laggan will be created. It would also provide a physical link between the proposed development and the existing houses at Catlodge and improve pedestrian safety at the location.
42. In relation to drainage, trial pits and percolation tests were carried out. The percolation value was found to be greater than 100 seconds per mm. It is therefore proposed, as confirmed by the requirements of the Scottish Building Standards 2007 Domestic Handbook, to use a proprietary filtration system of soakaways for each plot taking the form of a "Bord Na Mona Puraflow" peat filter system. SEPA have not raised any objections to these proposals and distances to watercourse and private wells can be achieved. Such a system is considered to be significantly better in performance standard than a conventional septic tank and provides a high quality of discharge. The final approval of such a system would be for Building Standards. I cannot raise a planning objection on these grounds.
43. Finally, in relation to water provision, it is proposed to have a new borehole. A full investigative test has not been carried out at present due to costs. However, initial appraisals from experts who have worked in the area, state that an adequate supply would be available. The concern from neighbours is that a new borehole supply would affect their existing supplies. This is a legitimate concern. However, guidance from Highland Council advises that planning permission may be granted subject to a planning condition that the applicant is required to provide a detailed investigation for the proposed private supply prior to works commencing. Taking account of this guidance, and bearing in mind the costs involved, I do not see it as reasonable to insist on this prior to determination. A condition would suffice.

Conclusion

44. The provision of this housing proposal at Catlodge has taken some time to eventually reach the stage where a recommendation can be made. There remains concern from neighbours about the proposal. However, I am content that there is sufficient justification for the development in this instance in terms of overall community support and need, planning policy, and the aims, priorities and objectives of the National Park, I am also satisfied that technical concerns can be or have been addressed.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

45. The revised layout, the proposed conditions and the need for a Design Brief, all ensure that the proposal will not have any significant negative implications for this aim.

Promote Sustainable Use of Natural Resources

46. The location of the development will result in additional car travel for the occupants of the proposed houses. It is hoped through the Design Brief to ensure that sustainable design and energy efficiency measures are promoted in the development.

Promote Understanding and Enjoyment

47. The proposal has no implications for this aim.

Promote Sustainable Economic and Social Development

48. The development will result in the construction of four houses for the affordable market. They will remain in the affordable sector in perpetuity. This area of the National Park has suffered from depopulation and housing costs are generally high. The proposal will afford the opportunity for some local people to have a house, at an affordable rate, in an area where they live and work at present. The proposal is considered to be generally positive in terms of this aim.

RECOMMENDATION

49. **That the Committee agree to:**

Grant Full Planning Permission for the Construction of Road and the Formation of 7 No. Serviced Plots, at Site to West of Rathen, Catlodge, Laggan, 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 four of the serviced plots hereby approved, shall comprise, in perpetuity, affordable housing units, as defined in the Highland Structure Plan 2001 and Planning Advice Note 74 (Affordable Housing) and shall be delivered by an approved affordable housing organisation through the imposition of the Rural Housing Burden or any such other mechanism that may be agreed in writing with the CNPA acting as Planning Authority.

3. That prior to the commencement of any works on site relating to the development hereby approved (other than further site investigation works), a detailed Design Brief shall be submitted for the further written approval of the CNPA acting as Planning Authority. The required Design Brief shall include full details of all matters relating to the siting, positioning and sustainable design of the houses, the design of domestic outbuildings, engineering operations for dealing with existing site levels, points of access to the plots, finishing materials, strategic landscaping and tree planting areas, boundary enclosures, road and parking area surfacing, external lighting and communal bin storage.
4. That unless otherwise agreed by the Planning Authority, all development on the site (including the individual houses) shall conform with the approved Design Brief required by Condition No. 3 above.
5. That unless otherwise agreed in writing with the CNPA acting as Planning Authority, all new buildings (including houses and domestic outbuildings) shall be constructed within the plot boundaries indicated on the approved site layout drawing (HGA drawing no. 1601:202). For the avoidance of doubt, no development shall take place in the areas of proposed tree planting and landscaping shown on this drawing.
6. Notwithstanding the details shown on the landscape plan (HGA drawing no. 1601:205), a revised landscape and tree planting plan shall be submitted for the further written approval of the CNPA acting as Planning Authority. The revised scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, and shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted, and shall ensure:-
 - (a) Completion of the scheme during the planting season next following the completion of the development hereby approved (the road and the serviced house plot formation). Unless otherwise agreed in writing with the CNPA acting as Planning Authority, no individual house shall be built until the approved landscaping scheme has been implemented.
7. That unless otherwise agreed in writing with the CNPA acting as Planning Authority, all tree planting and landscape areas, approved under the terms of Condition No. 6 above, shall be the subject of a private agreement for the on-going management and maintenance of these areas, in perpetuity. Details of this agreement shall be submitted for the further written approval of the CNPA acting as Planning Authority, prior to the construction of any individual house.

8. That from the date at which this planning permission is granted, no trees on the site shall be uprooted or damaged. Trees on the site shall only be felled, lopped or topped with the prior written approval of the CNPA acting as Planning Authority.
9. That no development shall commence on this site until all existing trees on the site or trees overhanging the site, have been protected to the satisfaction of the CNPA acting as Planning Authority, and in accordance with BS5837:2005, Trees in Relation to Construction.
10. That the existing remains of the stone dyke near the north and west boundaries of the site, shall remain intact and shall not be disturbed during any construction works or thereafter.
11. That unless otherwise agreed in writing with the CNPA acting as Planning Authority, foul drainage systems serving the approved house plots, shall consist of a peat filtration system, or other approved proprietary filtration system.
12. That prior to the commencement of any works on site in relation to the development hereby approved, the applicant is required to demonstrate, by site investigations, and the submission of subsequent written documentation, all carried out by a competent person, that an adequate (quality and quantity) private water supply, that does not impact on other nearby private supplies, can be provided to serve the development. No development shall take place on site until the written approval of the required documentation, has been given by the CNPA, acting as Planning Authority, following consultation with Highland Council.
13. That 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 further written approval of the CNPA acting as Planning Authority, following consultation with Highland Council. All arrangements thereby approved shall be implemented by the developer at their expense, in accordance with the approved timetable for investigation.
14. That no other development on the site shall be carried out until the new access has been formed and appropriate visibility splays have been provided on each side of the new access with its junction with the A889 Trunk Road. These splays shall be no less than 4.5 metres (set back distance measured along the centre line of the new access) by 215 metres (the Y dimension).

In the vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2 metres positioned at the set back dimension to an object height of between 0.26 metres and 1.05 metres anywhere along the y dimension. The Y dimension to the right in this instance can be reduced to a minimum of 170 metres due to the road alignment reducing vehicle speeds.

15. That the proposed access shall join the A889 Trunk Road at a new junction which shall be constructed to a standard as detailed in the department of Transport advice note TA 41/95 (Vehicle Access to All-Purpose Trunk Roads) (as amended in Scotland), complying with Layout 3. The junction shall be constructed in accordance with the general arrangement shown on the approved drawings, including localised widening. Prior to the commencement of any works relating to the construction of the new access, detailed plans shall be submitted for the further written approval of the CNPA acting as Planning Authority, following consultation with the Trunk Roads Network Management Directorate.
16. The gradient of the new access road shall not exceed 1 in 40 metres for a distance of 10 metres from the nearside edge of the A889 Trunk Road carriageway, and the first 10 metres shall be surfaced in a bituminous surface. Measures shall be adopted to ensure that all surface water drainage from the site does not discharge onto the A889 Trunk Road.
17. That on completion of the new access and prior to the commencement of any other works on site, the existing field access shall be closed off permanently.
18. That the new access road serving the first four house plots shall be designed and constructed to a generally adoptable standard, satisfying the requirements for an Access and Cul-de-Sac, as detailed in Highland Council's Road Guidelines for New Developments.
19. For the avoidance of doubt, given the nature and rural location of the road required by Condition No. 18, it will not be considered for adoption. Prior to the commencement of works on any of the individual house plots, a private management and maintenance agreement for the entire length of the access road, shall be submitted for the further written approval of the CNPA acting as Planning Authority, following consultation with Highland Council's Area Roads Manager. Thereafter, the agreement shall be implemented in perpetuity.

20. That construction of the remaining length of the access road, beyond the first four house plots, shall consist of a minimum of 350mm thick Type 1 sub base on a sound formation.

21. That parking and manoeuvring space for at least two cars shall be provided within the curtilage of each house plot, such that all vehicles can enter and leave each plot independently.

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