
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: MARY GRIER, PLANNING OFFICER (DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: OUTLINE PERMISSION FOR THE ERECTION OF A DWELLING HOUSE ON LAND 370 METRES TO THE NORTH EAST OF THE OLD SCHOOLHOUSE, DUTHIL, CARRBRIDGE.

REFERENCE: 06/388/CP

APPLICANT: MR. JAMES YULE, C/O A.W.LAING LTD., 110 HIGH STREET, GRANTOWN ON SPEY, PH26 3EL

DATE CALLED-IN: 6TH OCTOBER 2006

RECOMMENDATION : GRANT WITH CONDITIONS

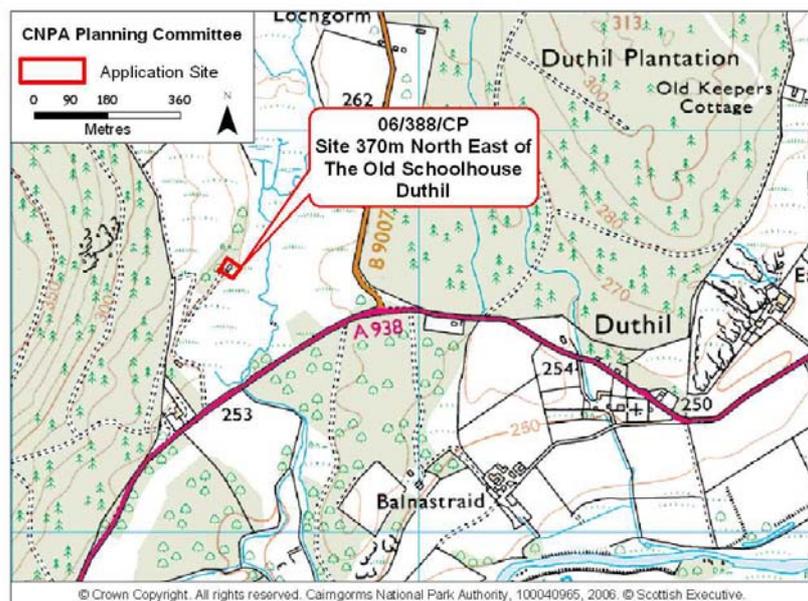


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Outline permission is sought in this application for the erection of a dwelling house on land which is located approximately 370 metres to the north east of the Old Schoolhouse near Duthil, Carrbridge. The proposed site occupies an area of approximately 1,600 square metres (0.39 acres) and is set back 260 metres from the public road to the south (A938 Carrbridge to Dulnain Bridge) and is approximately 300 metres to the west of the B9007 Ferness Road.
2. The remains of a storm damaged implement shed are in existence on the proposed site, with a significant stand of deciduous trees forming the immediate backdrop, which then assimilates into Tolquhonie Wood, which together with Tom a Thomaidh Mor hill forms the prominent landscape features to the west and north west of the site. The land to the front (south) of the identified site area is generally flat and slightly lower lying and is in use for agricultural purposes. In the initial stages of this application access was proposed to be taken from the existing compacted earth and grass farm track off the A938, which serves an existing farm building and farm lands, and continues in towards the subject site. Modifications to the access arrangement have since been proposed in order to take account of traffic safety concerns raised in a consultation response, of which further details will be provided later in this report. Indicative access arrangement drawings have been submitted to show that approximately the first 95 metres of the existing access off the public road would be closed and a new access would be created off the existing farm track, to extend southwards for approximately 90 metres to terminate eastwards of the existing access, at a point where improved visibility could be achieved.



Fig. 1 : Proposed site, with remains of damaged implement shed



Fig. 2 : Existing farm track access off the A939 (Carrbridge – Dulnain Bridge)

3. As this is an application for outline permission, no specific details have been provided regarding the design or materials of the proposed dwelling house, although reference has been made to the applicants aspiration to build a “modest dwelling house...adopting a traditional design using local sustainable material where possible.” Foul drainage is proposed to be disposed of via a new septic tank, draining to a soakaway pit or percolated pipe system.
4. The applicant, James Yule, is seeking permission to build a dwelling house for his own habitation at the proposed location. Mr. Yule currently resides with his parents in the family home. The subject site is part of the family farm in which he is involved in operating, together with his parents. Details submitted in support of the application refer to the Yule family having farmed in this location since 1955 and the farm area currently covers 2,984 hectares. Of this, 2,303 hectares consists of rough hill grazing, while the remainder is made up of woodland and arable land. It is also stated that “seasonal grazing occupies an additional 1,130 hectares. The farm sustains a flock of 1,000 ewes and 42 cattle, and the arable land is used to grow hay, barley and turnips.
5. Of the 2,984 hectares making up the farming unit, 56 hectares are owned by the Yule family, whilst the remainder is rented. 1,894 hectares is leased from Cawdor Estates, with a lease agreement in place until 2020. The remaining 1,034 hectares is leased from Seafeld Estates, on a three year rolling contract. The contract has recently been renewed and is due to expire in 2009. A contract of this rolling nature has been in place with Seafeld Estates since 1960 and there is no indication that the situation is likely to alter in the coming years. The additional 1,130 hectares used for seasonal grazing is leased on a one year rolling contract from Lochindorb Estate (1,011 hectares) and Seafeld Estates (119 hectares).

6. Background information provided in support of the proposal indicates that the applicant is currently serving a trade apprenticeship, but nonetheless is solely responsible for all arable operations on the family farm, where he completes his farming duties in the evenings and at weekends. In addition he also assists his parents with the farm animals. His input is described as being “necessary for the future sustainability of the farm.” (Documents of supporting information are attached to the rear of this report). The applicant has provided details of the approximate amount of working hours which he contributes to the operation for the farm on an annual basis. It is conceded in the submission that the hours vary throughout the year, depending on the nature of the activity at that time. January and February are detailed as being quieter times on the farm, where the applicant is only required to work for a limited number of hours over some weekends feeding animals. The four month period from March to June is described as being the busiest time of the year when Mr. Yule is required to undertake numerous tasks, as detailed in table 1 below, with several of the tasks occurring in connection with the annual ploughing of 50 acres of the land.

Activity	Hours		Activity	Hours
Ploughing	60		Rolling black ground	25
Disking	40		Mucking out court	20
Levelling	40		Spreading manure	10
Stone lifting	10		Drilling	25
Sowing	35		Rolling grass	60

Table 1 : Indicative labour hours between March – June annually

7. The applicants main farming duties during July and August relate to hay and silage, with 100 acres of the farm devoted to this use. It has been estimated that 220 hours are spent on the various component activities, including mowing, turning, baling and topping. The applicant performs less farming duties between September and December. Reference is made to combining grain and baling straw in the early part of this period, with duties later in the year including the annual repair of farm machinery and equipment. In addition to the applicants’ specific duties on the family farm, the submission also states that he regularly assists with livestock work on the farm, with the hours of work varying depending on the requirements of the applicants parents and their ability to sustain their current working practice, where each works 12 hour days, 7 days a week.

DEVELOPMENT PLAN CONTEXT

National Policy

7. At national level, **Scottish Planning Policy 3 (Planning for Housing) (February 2003)** considers design in new housing developments to be an important issue when planning for housing development in both urban and rural areas. **Planning Advice Note 44 (Fitting New Housing Development into the Landscape) (March 1994)** states that “In seeking to protect and enhance the quality of the environment, developers should aim for a high standard of design and landscaping in new housing development.” Particular emphasis is given to the shape, layout and form of the development and its impact on the surrounding area; the choice of materials, with colours and textures that complement development in the locality; well designed proposals that respect both the local environment and the landscape setting; and the visual impact of new development as seen from major roads and rail routes.
8. **Planning Advice Note 67 (Housing Quality) (February 2003)** emphasises the essential role the planning process can play in ensuring that the design of new housing reflects a full understanding of its context in terms of both its physical location and market conditions; the design of new housing reinforces local and Scottish identity; and new housing is integrated into the movement and settlement patterns of the wider area. It refers in the main to more urban housing developments but it nonetheless emphasises the importance of general issues such as landscape and visual impact, topography, building height, relationship with adjacent development, and views into and out of a site.
9. **Planning Advice Note 72** is the new advice from central government on **Housing in the Countryside, (February 2005)** and on design it states “High quality design must be integral to new development and local area differences must be respected”. Furthermore it states “In some areas, such as National Parks, National Scenic Areas and Conservation Areas, there may be a case for more prescription and a preference for traditional design, but it is also important to encourage the best of contemporary designs. There is considerable scope for creative and innovative solutions whilst relating a new home to the established character of the area. The overall aim should be to ensure that new housing is carefully located, worthy of its setting, and is the result of an imaginative, responsive and sensitive design process.”
10. **Highland Structure Plan 2001**
Policy H3 of the Structure Plan states that housing will generally be within existing and planned new settlements. New housing will not be permitted unless it can be demonstrated that it is required for the management of land and related family purposes. **Policy L4 Landscape Character**, states that the Council will in the consideration

of development proposals have regard to the desirability of maintaining and enhancing present landscape character. **Policy G2 Design for Sustainability**, lists a number of criteria on which proposed developments will be assessed. These include service provision (water and sewerage, drainage, roads, schools, electricity); accessibility by public transport, cycling, walking and car; energy efficiency in terms of location, layout and design (including the utilisation of renewable energy sources) and impacts on resources such as habitats, species, landscape, cultural heritage and scenery.

Highland Council Housing in the Countryside Development Plan Policy Guideline (2006)

11. *Highland Council produced a new Planning Development Policy Guideline Housing in the Countryside in March 2006 which sets out policy within and outwith the hinterland of towns. The CNPA was not consulted and has not adopted these guidelines. This document sets out the Council's approach to housing in the countryside, of which there are two strands – (a) housing in the open countryside but within the hinterland of towns; and (b) housing in the countryside in the wider rural area.*



Fig. 3 : Housing in the Countryside Policy Application within the Hinterland of Towns

12. In relation to housing in the countryside within the hinterland of towns, the guidance describes open countryside as all land outside the boundaries of defined settlements and not closely related to any listed housing group. New housing within open countryside will be exceptional and will only be permitted, in accordance with national guidance and the approved Structure Plan policy, where it complies with one of a number of requirements. The requirements are –
 - a. Land management or family purposes related to the management of the land (retired farmers and their spouses), with a case being made on the basis of agriculture activities or croft land management;
 - b. Provision of housing by a social housing provider to meet a demonstrable local affordable housing need;
 - c. Provision of housing associated with an existing or new rural business;
 - d. The replacement of an existing dwelling which does not meet the requirements for modern living and where the costs of upgrading are not justified on economic or environmental grounds (subject to the existing dwelling being demolished);
 - e. The conversion or reuse of traditional buildings or the redevelopment of derelict land;
 - f. Part of a comprehensively planned new settlement which meets the criteria set out in (Structure Plan) Policy H2 new settlements.

13. In terms of any proposal for new housing in the countryside associated with land management activities the guidelines require demonstration that a sequential approach has been followed in identifying the need for a dwelling house. This means that applicants must be able to demonstrate that there is no potential to use existing accommodation in the area; there are no existing permissions (not time expired) for dwellings that have not been taken up or developed; there is no evidence of houses or plots having been previously sold off from the farm holding; and there is no land on the farm holding that has been identified within an existing settlement. New housing will only be regarded as essential where it is related to material planning considerations and meets the criteria specified. The personal preferences or financial circumstances of any individuals involved are not material planning matters.

14. In terms of a land management case being made on the basis of agricultural activity the 2006 Development Plan Policy Guidelines require that applicants provide an independent statement of the level of need related to the management of land. The Guidelines state that the “Council reserves the right to validate any consultant’s report and the applicant will be charged for this validation. Justification will be judged against both a functional test (scale and nature of enterprise) and a financial test (viability of enterprise).”

15. The policy on housing in the countryside as applied in the “Wider Rural Area” is significantly different to that within the “Hinterland” area. In the case of the wider rural area the Guidelines advise that the development of new housing of an appropriate location, scale, design and materials may be acceptable, particularly where it supports communities experiencing difficulty in maintaining population and services. Nonetheless it notes that the settlements identified within the relevant Local Plan are the preferred locations for most development. Outwith such settlements, the guidelines state that housing development will be assessed against the relevant Local Plan policies, and also the extent to which it :
- Supports the viability of the wider rural community;
 - Demonstrates appropriate siting and high quality design and materials;
 - Takes into account locally important croft land;
 - Is in keeping, in terms of scale and location, with the existing settlement pattern; and
 - Complies with the other criteria of Highland Structure Plan Policy G2 Design for Sustainability.

Highland Council Development Plan Policy Guidelines – April 2003

16. Highland Council’s **Development Plan Policy Guidelines** which date from April 2003 provided detailed guidance on the interpretation of specific policies contained in the 1997 Local Plan, in light of the subsequently approved Structure Plan of 2001. This document states that new housing in the open countryside will be exceptional, and will only be permitted (in accordance with National guidance and the approved Structure Plan policy) where, amongst other specific circumstances, it is required for the management of land, or it is required for family purposes related to the management of land (retired farmers and their spouses). In relation to land management criteria the **Development Plan Policy Guidelines** stress that “new housing will only be regarded as essential where it is related to material planning considerations” and that the “personal preferences or financial circumstances of any individuals involved are not material planning matters.” It further details the fact that any proposal for new housing in the countryside associated with land management activities “must demonstrate that a sequential approach to identification of the need for that house has been followed”, and this should involve consideration of alternatives such as the potential to use existing accommodation in the area or the renovation or replacement of an existing dwelling house.

Badenoch and Strathspey Local Plan (1997)

17. The Landward ‘Housing in the Countryside’ strategy of the **Badenoch and Strathspey Local Plan (1997)** identifies the proposed site as being within a Restricted Countryside Area. Section 2.1.2.3 of the Local Plan reconfirms the sentiments of the Structure Plan policy stating that a “strong presumption will be maintained against the development of houses” in such areas. Exceptions will only be made

where a “house is essential for the management of land, related family and occupational reasons.” It further stresses that adherence to the principles of good siting and design will be required.

CONSULTATIONS

18. The **Area Roads and Community Works** division of Highland Council have assessed the proposal and in an initial response raised concerns regarding the originally proposed access arrangements. The response detailed the limited visibility at the existing junction of the access track and the public road, particularly in a westerly direction due to the vertical alignment of the main road. Concern was expressed that an intensification of vehicle manoeuvres at this junction would result in increased interference with the safety and free flow of traffic on the main road where it noted that vehicle speeds are generally high. On the basis of such concerns the conclusion of the response indicated that it was not possible to recommend approval of the application.
19. The applicants agent engaged in dialogue with a representative of the **Area Roads and Community Works** division of Highland Council to discuss potential solutions to the difficulties associated with the existing access arrangement. In response to those discussions, an amended consultation response was received from Highland Council on 28 November 2006. The response stated that given the nature of the A938 road at the location the preference of the Area Roads and Community Works division is for the existing access to be closed off and a new access to be created off the B9007 Ferness road to serve the farmland and the proposed new dwelling house.
20. However, it was conceded in the consultation response that in the event the development does not proceed the applicant would have the “right to continue to use the existing unsatisfactory A938 access for agricultural purposes.” Taking this into account, the consultation response suggests in the event that Members are minded to grant planning permission for a house with direct access onto the A938, it is recommended that the existing access is positively closed off and that a new access is formed further east, where a greater level of visibility can be achieved at the junction. It is further detailed that any new access in this location would be required to incorporate a service bay or have gates set back a suitable distance from the road edge, in order to ensure that any vehicles requiring access could cause minimum interference with traffic flow on the main road.
21. **Carrbridge Community Council** was consulted on the proposal, but to date no response has been received.

REPRESENTATIONS

22. No representations have been received in respect of the proposed development.

APPRAISAL

23. The proposed development is essentially for a dwelling house in a restricted countryside area. The key issue to assess in this application is the principle of a dwelling house on this site in relation to development policies. The assessment will also reflect on other issues such as general siting, visual impact, amenity, road access and the precedent that such development may set.

Principle

24. In terms of planning policies the site is located in a Restricted Countryside Area as defined in the **Badenoch and Strathspey Local Plan (1997)**, where there is a strong presumption against individual new houses, unless it can be demonstrated that it is required for the management of land and related family purposes. As detailed in paragraphs 4 – 6 of this report, the applicant, although having a 'day time' occupation as an apprentice for a local joiners and building contractors, is also heavily involved in operating the family farm with his parents. He is solely responsible for arable operations on the farm, and is also required to provide frequent assistance to his parents in their operation of other elements of the 2,560 hectare family farm. The three members of the Yule family are the only workers on the farm. On the basis of information provided which indicates that the applicants parents both work 12 hours days, 7 days per week on the farm, calculations indicate that their working hours equate to approximately 4,368 per person per annum. This is significantly higher than the average annual labour hours for agricultural workers, which have in the past been estimated by the Scottish Agricultural College to be approximately 2,200 hours.
25. Having regard to the size of the farming unit, the diversity of agricultural practices undertaken on it, and the above average labour hours expended by the applicants parents on the family farm, I consider that the land management case setting out the applicants role on the farm is sufficient to justify consideration being given to a new dwelling house on the family landholding. Despite the fact that the majority of the applicants work on the farm occurs in the evenings and at weekends, his contribution to the functioning of the overall agricultural enterprise is essential. It should also be noted that the requirements to provide a land management justification for a dwelling house in the countryside, as detailed in the Structure Plan, Local Plan and Development Plan Policy guidelines, do not specifically require an applicants' sole or full time occupation to be within the farming enterprise. Evidence of an applicant being essential for the proper functioning of a land

management enterprise is simply required.¹ In addition information has been provided by the agent which also indicates that, other than the family home in which is parents reside, there is no other accommodation or structures capable of being renovated or converted to form habitable accommodation, on the farm, which would provide the applicant with the opportunity to provide himself with a residence.

General siting and visual amenity

26. In terms of the siting of the proposed dwelling house, it is proposed to be positioned at the location of an existing derelict shed. Whilst it is some distance from the nearest public roads, the location is nonetheless clearly visible from both the A938 to the south and the B9007 to the east. As this is an application for outline permission only, the extent of detail provided in relation to the site is limited to an identification of the site boundaries. Despite the lack of detailed siting and design information, it is my view that a dwelling house of an appropriate scale and design would not be injurious to the visual amenity of the area and indeed a case could be made to suggest that a development of the nature proposed would represent a significant visual enhancement on the existing derelict structure on the site. As detailed in earlier sections of this report the proposed site whilst having an open outlook from the south and east, has the benefit of an extensive wooded area existing immediately to the rear, with land further to the north and northwest rising towards higher wooded ground which would provide an effective natural backdrop to any development on the subject site.

Road access

27. The access arrangements initially proposed initial proposal involved use of the existing farm track off the A938, which is currently used on a regular basis for farming operations. As detailed in paragraph 18 of this report, that proposed access arrangement elicited a negative response from the Area Roads and Community Works division of Highland Council. Of the two potential options available to resolve the access difficulties, the preferred option from a technical roads point of view is the closure to all traffic of the existing access off the A938 and the creation of a new access of the B9007 Ferness road. I have been advised by the agent involved in this application that the applicant is reluctant to consider this option, for a variety of reasons, including the practicalities of access off the A938 being more convenient to access the existing farm shed on the land and the fact that it would create a division of the farmland.

¹ Examples given in the Development Plan Policy Guidelines (2003) in relation to establishing whether or not an applicant is essential for the proper functioning of the enterprise, include that the worker would be required to be on hand day and night where animals or agricultural practices require essential care at short notice to deal quickly with emergencies that could cause serious loss of crops or products.

28. My main concern in relation to a new access off the Ferness road is in relation to the potential adverse visual impact of a new access track. The area over which the 280 metres of new track would extend is open and exposed grassland, lacking in landscape features which could provide any assistance in assimilating such a development into this type of landscape. An extensive section of new access road would undoubtedly form a prominent and somewhat alien feature in this landscape. In addition, aside from the aesthetics of the proposal, the route would also necessitate construction of a crossing of the Duthil Burn which runs on a north south axis through the land. The burn which flows into the River Dulnain is one of the tributaries forming part of the River Spey SAC, which is designated for its populations of Atlantic salmon, sea lamprey, freshwater pearl mussel and otter. The creation of a new vehicular crossing of the burn could potentially have implications on the features which gave rise to the designated status. Having regard to the potential impact on the natural heritage interests of the area, as well as the indisputable landscape and visual impact which the required engineering solution would give rise to, I do not consider that it is the most appropriate option by which to access the proposed site.
29. The second option detailed in the amended roads consultation response would facilitate the continued use of the majority of the existing established farm track, with the exception of the most southerly aspect, as it approaches the A938. In order to create a junction with the public road in a position which would allow for the achievement of adequate visibility for all traffic, a relatively minor deviation would have to be created off the existing track, in order to allow for the new section of access track to alight at a safer location, further east of the current junction. The land on which the diversion of the access track would occur is all within the ownership of the applicants family. The agent has confirmed that the applicant is willing to comply with the requirement to divert the existing farm track and close the existing junction entirely. This solution adequately addresses traffic safety concerns and in fact represents a significant improvement on the existing situation, as it would result in the creation of a safer entrance at which to execute manoeuvres with farm machinery as well as facilitating access to the proposed dwelling house. In addition, as well as enabling the continued use of the majority of the existing track the necessary diversion would be created in a relatively inconspicuous location, with the existing southern land boundary providing some screening from the public road, all of which indicates that the impact of such an access route would be significantly less than the creation of a new 280 metre access drive off the Ferness Road.

Conclusion

30. The details submitted in the course of this application demonstrate that the proposed dwelling house is required by the applicant as a place of permanent residence and the case has been presented to justify such a house in this countryside location on the basis that the applicant is essential to the land management of the family farming enterprise, with the 2,560 hectare landholding being operated collectively by the applicant and his parents. The proposal is therefore in accordance with Structure Plan and Local Plan policy on housing in the countryside. As a satisfactory case has been advanced in respect of the dwelling house being required for land management purposes, I do not consider that the development could be viewed as setting a precedent for housing in the countryside. In order to ensure that the proposed dwelling house on the site remains in use by persons involved in the land management of the farm on which the site is located, and in the interests of consistency with previous permissions granted for dwelling houses in the countryside on the basis of land management justification, I recommend, in the event of consideration being given to the granting of planning permission that it is subject to the completion of a Section 75 legal restricting the occupancy of both the existing dwelling house i.e. the Yule family home, and the new dwelling house to the applicant or any person employed (or last employed) in land based management activity on the landholding and restricting the sale of the existing and proposed dwelling houses except as one overall unit in conjunction with the 56 hectare landholding currently owned by the Yule family. On this point I wish to draw Members attention to a letter from the agent in support of the application (dated 5 December 2006 and attached to the rear of the report). At the conclusion of the correspondence reference is made to the fact that Mr. Yule (the applicant) and his parents are aware that "they might have to enter into an occupancy agreement for both the existing farmhouse and the new dwelling." However, it is also stated that they would rather avoid this if possible. It is my view that a Section 75 legal agreement relating to both the existing and proposed dwelling house is necessary, in order to ensure that an adequate supply of accommodation is retained on the landholding to accommodate the workers required to operate the farm i.e. in accordance with the land management case out forward which details the applicant as being one of the three workers on the farm, with the others being his parents.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

31. There are no natural heritage designations affecting the actual proposed site, and having regard to the relatively unobtrusive location proposed it is not considered that a new dwelling house at this location would have an adverse impact on the conservation and enhancement of the natural and cultural heritage of the area.

Promote Sustainable Use of Natural Resources

32. No details of the proposed new building have been provided and it is not therefore possible to assess compliance with this aim.

Promote Understanding and Enjoyment of the Area

33. It is not considered that the development would have the potential to interfere with the promotion of the understanding and enjoyment of the area by the general public and it could be argued that a replacement of the existing derelict shed on the site with an appropriately designed, high quality dwelling house would represent a significant visual enhancement of the immediate location.

Promote Sustainable Economic and Social Development of the Area

34. A case has been put forward for the proposed dwelling house on the basis of family purposes related to the management of land and as such could be considered to promote a form of social development in the area. In addition, the motives behind the applicants wish to develop a new dwelling house i.e. to facilitate a move from his parents house into his own independent dwelling house, could be regarded as an indication of continuing commitment to the area and in particular to the operation of the family farm which could therefore be considered to assist in ensuring the on-going economic development of agricultural activities in this area.

RECOMMENDATION

That Members of the Committee support a recommendation to:

Grant Outline Planning Permission for a New Dwellinghouse on a site 370 metres north east of the Old Schoolhouse, Duthil, Carrbridge, subject to completion of a S75 Legal Agreement which restricts the occupancy of both the existing dwelling house i.e. the Yule family home, and the new dwelling house to the applicant or any person employed (or last employed) in land based management activity on the landholding and restricting the sale of the existing and proposed dwelling houses except as one overall unit in conjunction with the 56 hectare landholding currently owned by the Yule family, and also subject to the following planning conditions:-

1. A formal planning application and detailed plans indicating all matters relating to the siting, design and external appearance of all buildings, means of access thereto, means of enclosure and landscaping proposals (including proposals for the retention of existing mature trees in the vicinity of the subject site) shall be submitted for the prior approval of the Planning Authority within 3 years of the date of this consent and the development must be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all the foregoing Reserved Matters.
2. The proposed dwelling house shall be designed in accordance with the traditional vernacular architecture of the area and shall be a maximum of 1 ½ storeys in design, and shall incorporate the use of external materials that visually compliment existing properties in the vicinity.
3. A formal planning application for approval of reserved matters shall include detailed proposals for the diversion of the existing access track as it approaches the A938 public road, to create a new access further east of the existing junction at a point where increased visibility can be achieved.
4. Prior to the coming into use of the new access, the existing access off the A939 public road shall be permanently and effectively closed off by the erection of a fence and appropriate landscaping matching the existing roadside boundary.
5. The new access at its junction with the public road shall incorporate a service bay or shall have gates set back a suitable distance from the road edge in order to ensure that interference caused by any vehicle requiring access with the traffic flow on the main road would be minimised.

6. Construction of the access shall consist of a minimum of 40mm thick Close Graded Wearing Course on 60mm Dense Basecourse on a minimum thickness of 350mm Type 1 sub base, all on a sound formation, for a distance of at least 6 metres from the nearside edge of the public road. Thereafter the access shall be at least 3.0 metres wide and construction shall consist of at least 350mm Type 1 sub base on a sound formation.
7. The gradient of the access shall not exceed 5% for the first 5 metres and thereafter shall not exceed 10%.
8. Visibility splays shall be provided and maintained on each side of the access. These splays are the triangles of ground bounded by the first 3.0 metres along the centreline of the access road (the x dimension) and the nearside edge of the main road (the y dimension) measured 180 metres in each direction from the intersection of the access road with the main road.
9. 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 metres anywhere along the y dimension.
10. Parking and manoeuvring space for at least 2 no. vehicles shall be provided within the curtilage of the property such that each vehicle may enter and leave the site independently in forward gear.

Advice note : Prior to any work of excavation or surfacing starting within 2 metres of the public road edge a road opening permit must be obtained from the Roads Authority.

Mary Grier
planning@cairngorms.co.uk

11th November 2006

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.