

CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Demolition of derelict farmhouse and erection of single dwelling house at Dalfaber Farm, Dalfaber Drive Aviemore Highland

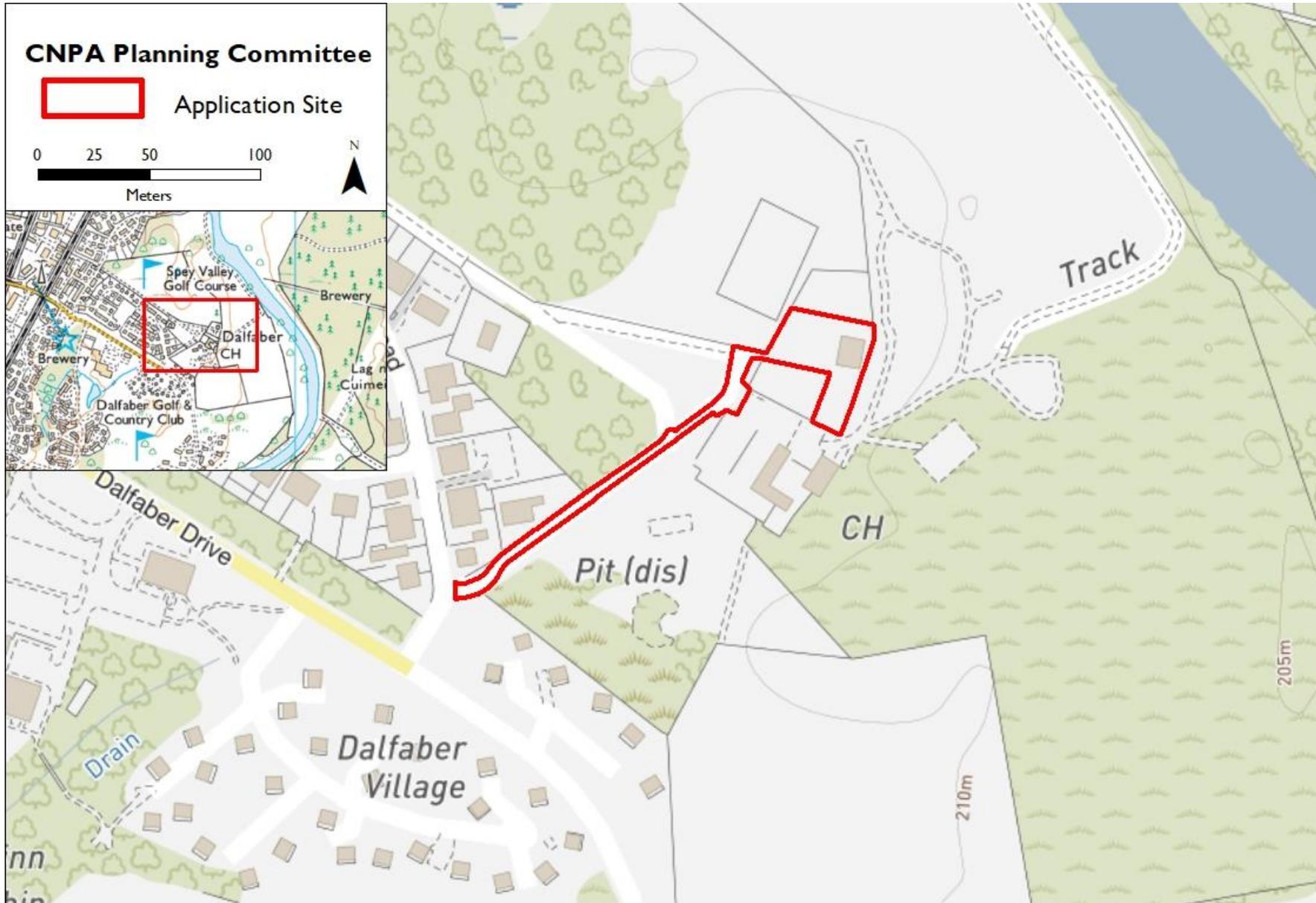
REFERENCE: 2021/0390/DET

APPLICANT: Central Demolition

DATE CALLED-IN: 6 December 2021

RECOMMENDATION: Approve subject to conditions

CASE OFFICER: Alan Atkins - Planning Officer



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SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

- The application site sits adjacent to the Spey Valley Golf Club at Dalfaber, Aviemore. It is bounded by golf course land to the east and by open land and woodland between the site and existing housing of Aviemore to the west and holiday accommodation of Dalfaber resort to the south. The character of these areas varies from detached properties set within individual plots to the north with higher density semi-detached properties, holiday lodges and 'four-plex' units to the south. The application site is currently occupied by a derelict, two storey farmhouse. The farmhouse is situated within its original garden area, which now consists of grasses, broom and gorse and scattered trees. There is a consented housing development located to the west of the application site that incorporates planning permission for the renovation of the farmhouse.

Proposal

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

<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R3G0EISIOCI00>

Title	Drawing Number	Date on Plan*	Date Received
PLANS			
Plan- Location Plan	4749-01-000	01/09/21	06/12/21
Plan - Block Plan	4794-02-001 REVISION A	01/09/21	06/12/21
Plan - Block Plan - Site Context.	4794-02-002 REVISION A	01/09/21	06/12/21
Plan- Site Layout Plan – As Existing	4749-02-000	01/09/21	06/12/21
Plan - Site Layout Plan - As Proposed.	4794-02-003 REVISION A	01/09/21	06/12/21
Plan - Site Layout Plan - Boundary Treatments.	4794-02-004	01/09/21	06/12/21
Plan - Floor Elevation Plan	4749-03-	01/09/21	06/12/21

	001		
Plan - Floor Elevation Plan.	4749-03-02	01/09/21	06/12/21
SUPPORTING DOCUMENTATION			
Other- Supporting Statement		01/12/21	06/12/21
Other- Structural Inspection Report		01/12/21	06/12/21
Other- Tree Survey Schedule		04/03/22	17/03/21
Other- Tree Survey Report		04/03/22	17/03/22
Other- Tree Planting Plan	121/03/ Revision 1	13/03/2022	17/03/22
Other- Tree Protection Plan	121/02/ Revision 1	13/03/2022	17/03/2022
Other- Tree Constraints Plan	121/01/ Revision 1	10/03/2022	17/03/2022
Other- Revised Protected Species Report		18/07/22	21/07/22

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

3. Plans of the proposals are included in **Appendix I**.
4. Following the conclusions of a structural inspection report, the applicant proposes to demolish a derelict farmhouse and erect a large single dwelling house. The farmhouse has been derelict for more than 10 years and has been previously subjected to fire. The new house will be a two storey, three bedroom detached property, with garden ground to the rear and driveway to the front. The new house has been designed with contemporary elements, with a palette of materials including natural stone panels, timber cladding, smooth render and a metal pitched roof. There are two pitched roof dormers windows proposed for the front elevation, and one for the rear. There has been ample private, garden ground provided, including 1.8m high screen fencing.

History

5. There has been an extensive history relating to housing development on this site, as follows:

Application reference	Details	Outcome
05/101/CP	Development of 101 serviced house plots with associated roads, access points, services and landscaping (outline) at Dalfaber North, Aviemore	Refused on 16 November 2006. Approval was granted on appeal (reference P/PPA/01/8) for up to 104 houses in total.
07/144/CP	Development of 20 serviced plots at Land North West of Dalfaber Farm, Dalfaber Drive, Aviemore.	Approved by Planning Committee subject to a legal agreement; this was never signed. Applicant appealed against non-

		determination. Appeal allowed on 11 March 2010 (reference PPA-001- 2000)
07/145/CP	Development of 104 houses at Land North West and South of Former Steadings, Dalfaber Farm, Dalfaber, Aviemore	Approved by Planning Committee subject to a legal agreement; this was never signed. Applicant appealed against non-determination. Appeal allowed on 11 March 2010 (reference PPA-001-2001).
10/028/CP	Section 42 application to extend time limit for approval of matters specified in condition permission P/PPA/01/8 (05/101/CP) at Land North West of Dalfaber Farm, Dalfaber Drive, Aviemore	Application withdrawn 25 March 2010
10/063/CP	Reserved matters application for 85 serviced plots P/PPA/01/8 (05/101/CP) at Land North West of Dalfaber Farm, Dalfaber Drive, Aviemore	Application withdrawn 25 March 2010.
2013/0073/MSC	Approval of Matters Specified in Conditions of Planning Permission in Principle 07/144/CP at Land to the North West of Dalfaber Farm House, Aviemore	Application refused on legal grounds at Planning Committee on 19 February 2015. Appeal allowed on 21 March 2016 (reference PPA-001-2016)
2013/0074/MSC	Approval of Matters Specified in Conditions of Planning Permission in Principle - 07/0145/CP at Land North West and South of Former Steadings Dalfaber Farm, Dalfaber Drive, Aviemore.	Application refused on legal grounds at Planning Committee on 19 February 2015. Appeal allowed on 21 March 2016 (reference PPA-001-2017)
2014/0397/DET	Application under Section 42 to vary to conditions 1, 11, 12 and 21 on permission ref PPA/001/200(07/93/OUTBS (07/144/CP)) at Land North West of Dalfaber Farm, Dalfaber Drive, Aviemore.	Not called in by CNPA. Applicant appealed against non-determination by Highland Council. Appeal allowed on 21 March 2016 (reference PPA-270- 2127).
2014/0399/DET	Application under Section 42 to vary conditions 1, 12, 13 and 22 of consent PPA/001/2001 (07/94/OUTBS (07/0145/CP)) at Land North West and South of Former Steadings, Dalfaber Farm, Dalfaber Drive, Aviemore	Not called in by CNPA. Applicant appealed against non-determination by Highland Council. Appeal allowed on 21 March 2016 (reference PPA-270-2126).
2017/0463/DET	Application to satisfy Condition 2b of planning permissions PPA-001-2016 and PPA-001-2017 for 75 residential units at Land North West of Dalfaber Farm, Dalfaber Drive, Aviemore.	Application withdrawn 9 May 2018.

2018/0183/MSC	Application to satisfy the conditions of Planning Permission PPA-270-2127 for residential units at land to the South of Dalfaber Farm at Land South Of Dalfaber Farm Dalfaber Drive, Aviemore	Application approved.
2018/0184/MSC	Application to satisfy the conditions of Planning Permission PPA-270 – 2126 for residential units located at Land North West of Dalfaber Farm, Dalfaber Drive, Aviemore.	Application approved.
2019/0040/MSC	Application to install half barriers to Dalfaber level crossing, in accordance with Condition 20(c) of 07/0093/OUTBS	Application approved.
2019/0041/MSC	Application to install half barriers at Dalfaber level crossing, in accordance with Condition 21(c) of 07/00094/OUTBS	Application approved.
2019/0011/MSC	Application for allocation of affordable housing units, in accordance with Condition 21 of 07/00093/OUTBS, in conjunction with application reference 18/06859/MSC.	Application approved.
2019/0042/MSC	Application for allocation of affordable housing units, in accordance with Condition 22 of 07/00094/OUTBS, in conjunction with application reference 18/05857/MSC.	Application approved.
2019/0012/MSC	Application for the restoration of a dwelling house in accordance with Condition 23 of 07/00094/OUTBS (as amended by 14/03675/S420	Application approved.
2021/0307/DET	Erection of 9 houses, garages, re-alignment of road and landscaping	Application approved

6. The approval of MSC application 2019/0012/MSC was for the renovation of the farmhouse and was approved by the CNPA Planning Committee in April 2019.

Habitats Regulations Appraisal

7. An Habitats Regulations Appraisal [HRA] has been undertaken to consider the effects of the proposal upon the conservation objectives of the European Sites of the Cairngorms Special Protection Area. The full appraisal is attached at **Appendix 2**.
8. The Habitat Regulations Appraisal concluded that the proposed development at Dalfaber Farmhouse is unlikely to have a significant effect on the protected sites at Kinveachy Forest SPA and River Spey SAC. In this instance, the qualifying interests for the protected sites are capercaillie, Scottish crossbill, freshwater pearl mussel, Atlantic salmon, sea lamprey, otter. There is no direct water course connectivity, and no indirect effects likely from the proposed development and associated infrastructure, due to the

intervening golf course and topography. In terms of Kinveachy Forest SPA, there are no effects on habitats or supporting processes of the qualifying interests. It is concluded that there will not be an adverse effect on site integrity.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014	
Strategic Policy	Cairngorms National Park Partnership Plan 2017 - 2022	
Local Plan Policy	Cairngorms National Park Local Development Plan (2021) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	X
POLICY 2	SUPPORTING ECONOMIC GROWTH	
POLICY 3	DESIGN AND PLACEMAKING	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	OPEN SPACE, SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER OBLIGATIONS	X

9. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:

<https://cairngorms.co.uk/wp-content/uploads/2021/03/CNPA-LDP-2021-web.pdf>

Planning Guidance

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

Policy 1	New Housing Development Non-Statutory Guidance (2015)	X
Policy 2	Supporting Economic Growth Non-Statutory Guidance	
Policy 3	Sustainable Design Non-Statutory Guidance (2015)	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	
Policy 8	Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance (2015)	X

CONSULTATIONS

A summary of the main issues raised by consultees

11. **Scottish Water** has no objection to the proposals but suggest the applicant completes a Pre-Development Enquiry form ensuring that the development can be serviced and contacts Scottish Water regarding the proposed drainage plan. They confirm that the development would be fed from Aviemore Water Treatment Works, although capacity will have to be reviewed once permission is granted for the scheme.
12. **Transport Scotland** have stated that it does not propose to advise against the granting of planning permission.
13. **NatureScot** agree with the conclusions of the Habitat Regulations Assessment (HRA) in that there will be no likely significant effect to the River Spey Special Area of Conservation (SAC) or the Scottish crossbill feature of the Kinveachy Forest Special Protected Area (SPA). It is further agreed that the capercaillie feature of the Kinveachy Forest SPA may be affected by the proposal through increased human activity in the vicinity. However, there will not be an adverse effect on the site integrity of the SPA for capercaillie. This is due to the proposal being unlikely to result in a discernible change in the level of human activity in the vicinity, and therefore, there is no reason that the proposal would result in an increase in disturbance to capercaillie associated with the SPA.
14. **Highland Council Transport Planning** has no objections to the proposals but have noted that the new residential house will be accessed off the proposed new roads being built to serve the adjacent larger residential development but will be accessed in the short term via an existing track, currently serving the golf club. In light of this, it is recommended that any consent includes a suitably worded condition that the refuse storage and collection arrangements for this new property are to be agreed before any works commence on site.
15. Furthermore, it is recommended that any consent granted includes a suitably worded condition requiring that any temporary vehicular access should be fully removed within 3 months of the new driveway connection being provided. It is also recommended that any consent granted includes a condition to ensure that any gates proposed on the new access driveway should be set back at least 8m from the edge of the carriageway of the new road.
16. **Highland Council Flood Risk Management Team** has reviewed the information submitted by the applicant and does not object to the application. SEPA's strategic flood mapping shows that the site may be at medium to high risk from the adjacent flood plain of the River Spey. However, given the results of a previous Flood Risk Assessment, submitted as part of application 2021/0307/DET, the risk of flooding for the River Spey appears to be low. Therefore, the Flood Risk Assessment Team has no objections to the proposals. However, no detailed drainage information has been submitted, and it is, therefore, recommended that a condition is included that a Drainage Plan is submitted prior to works commencing on site.

17. **CNPA Landscape Officer** has stated that the proposed demolition of the existing farmhouse will result in the loss of an existing stone building which forms a local landscape feature, particularly when viewed across the golf course from the River Spey. However, the proposed demolition and house replacement is unlikely to result in significant adverse landscape and visual effects on the National Park. This is principally, due to the baseline conditions include the existing golf course and clubhouse, chalets and villas of varied design within the area. Furthermore, the proposed house is likely to be seen in the future within a setting of many more new houses (consented) to the south, west and north.
18. A Tree Survey, Tree Schedule and Arboricultural Impact Assessment have been submitted. It is proposed that five trees are to be removed, which are assessed as being of low quality and can be compensated for through mitigation planting.
19. Information on the protection of these trees and RPAs will need to form part of a Construction Method Statement (CMS), to be submitted prior to works commencing on site. A Landscape Plan should also be provided which includes information on proposed planting, including species, sizes, numbers and locations. Furthermore, it is advised that clear criteria for the proposed retention and utilisation of existing stone and slate should be included within the Construction Method Statement.
20. **CNPA Ecology Officer** has recommended three conditions to minimise the environmental effects and ensure compliance with protected species (including breeding birds) legislation.
21. This includes effects on bats, a European Protected Species, caused by a loss of a roost site due to demolition of the derelict farmhouse. NatureScot have issued a license to allow the demolition to proceed, with appropriate mitigation to ensure compliance with European Protected Species legislation. As the demolition of the farmhouse will result in the loss of a bat roost, it is recommended that bat boxes are installed on the new dwelling to provide replacement roost sites, with the locations informed by a suitably experienced ecologist. Effects on bats can be addressed through a condition requiring the implementation of the license mitigation measures and installation of replacement roosts in the form of bat boxes.
22. Some trees require to be removed to accommodate the development. However compensatory tree and hedge planting is proposed along the eastern boundary, which will provide habitat and increase biodiversity. A condition is recommended that a landscape plan is submitted and agreed in writing with CNPA, providing information on the proposed tree and hedge planting, including species, sizes, numbers and locations, monitoring and maintenance ((including details of how retention of the proposed planting will be secured in the long term)).
23. While there may be a loss of breeding habitat for birds as a result of the tree felling required to accommodate the development, the proposed replacement tree and hedge planting will create alternative habitat for some bird species. A condition is recommended in relation to the timing of demolition, tree removal and construction works to avoid the bird breeding season (March to August inclusive).

24. **Aviemore Community Council** have stated that they are opposed to the proposed development on the following grounds (A copy of their full comments can be found at **Appendix 3**):
- a) The existing farmhouse is a well-known feature in the local landscape and should be retained.
 - b) The proposed new dwelling is not in-keeping with the existing farmhouse and the surrounding area in terms of its size, scale, materials and design. The proposed development will have an adverse impact on the visual character of the surrounding area.

REPRESENTATIONS

25. One public representation on the application was submitted to Highland Council prior to the CNPA calling in the application. It submits that the building is of historic interest and should be renovated, expressing the opinion that the damage noted in the surveyors report is superficial.

APPRAISAL

26. The main planning considerations are considered to be: the principle of development; landscape impacts; amenity and design; environmental impacts, servicing and access, and developer contributions.

Principle of Development

27. **Policy I.1: Housing delivery in settlements** provides support for new housing development where it is located on an allocated site or within an identified settlement boundary subject to that development: meeting the requirements for the settlement and reinforcing and enhancing the character of the settlement. The proposal is for a replacement house on the site of a derelict farmhouse. The site lies within an allocated site, H2, which is within the settlement boundary of Aviemore. The wider allocated site already benefits from planning permission for housing and the property also has consent for its renovation.
28. **Policy I.9: Replacement Houses** of the Cairngorms National Park Local Development Plan 2021 states that Proposals to replace existing housing stock will be supported where the new house incorporates the footprint of the original, unless an alternative adjacent site would minimise any negative environmental, landscape or amenity effects of the development.
29. The proposed dwelling will cover the footprint of the original farmhouse, however, is considerably larger. The plot, however, is sizable and as such can accommodate the introduction of a larger building without having significant negative impact.
30. The proposed replacement dwelling on this site is considered to be acceptable in principle in terms of Policy I: New Housing Development, subject to compliance with other relevant Local Development Plan policies.

Landscape Impacts

31. **Policy 5: Landscape** of the Cairngorms National Park Local Development Plan 2021 presumes against development which does not conserve and enhance the landscape character and special qualities of the National Park and in particular the setting of the proposed development.
32. It is considered that there is landscape capacity for the proposed development which will replace an existing derelict farmhouse. The proposed dwelling will have a much larger footprint than the existing derelict farmhouse, however, it will be of a similar height and will be sited in a sizeable plot. The wider area, and its immediate context, is to be developed as housing and therefore it is considered that there is landscape capacity for such a development. It is recognised that the development will result in the loss of a local landscape feature, however it is proposed to retain and reuse stone from the original building. A suitably worded condition is recommended to ensure the submission of a Construction Method Statement which includes details of how the stone will be retained and reused in the development.
33. Five trees have been identified to be felled in order to implement the proposed layout. These trees are considered to be of low quality and are the result of natural regeneration. Any landscape impact resulting from the proposed tree felling can be addressed through the requirement of mitigation planting with tree species appropriate to the site. It is therefore recommended that a revised Tree Planting Plan is submitted, detailing proposed plant species, sizes, and locations. A further condition is also recommended requiring that a Landscape Management and Maintenance Plan is submitted prior to works commencing on site to ensure the new planting is protected and maintained in the long term. It is proposed to retain several existing trees on site and therefore root protection measures should be included in the Construction Method Statement.
34. The proposed development, given its size, scale and positioning, will not introduce any notable detrimental changes to the landscape character of the site and immediate area, and, subject to the aforementioned conditions, is considered to comply with Policy 5: Landscape, of the Cairngorms National Park Local Development Plan 2021.

Design and Amenity

35. **Policy 3 Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021 states in section **3.3, Sustainable Design**, that all developments must be designed to be sympathetic to the traditional pattern and character of the surrounding area, local vernacular and local distinctiveness, whilst encouraging innovation in design and use of materials. All materials and landscaping should complement the setting of the development.
36. The new dwelling is contemporary in its design, however, incorporates traditional proportions and features and will be finished in traditional materials including stone and slate doughtakings from the original farmhouse. The proposed dwelling will be seen within its wider context of the adjacent golf course clubhouse and the forthcoming

residential development. The replacement dwelling is considered to be in-keeping with the emerging character and appearance of the surrounding area.

37. In terms of residential amenity Policy 3.3 seeks to ensure that new development protects the amenity currently enjoyed by neighbours and affords sufficient private amenity ground and off-street parking. The proposed new dwelling will not result in any loss of privacy or overlooking to the neighbouring clubhouse to the south. Furthermore, given the modest level of fenestration proposed for the rear elevation, the distances involved, proposed planting and a 1.8m high screen fence, there will be no impact on the residential amenity for the proposed properties and private gardens of the adjacent housing development to the south and west. Furthermore, an adequate level of amenity will be afforded to future occupants of the new house. The property will be served by its own driveway with sufficient parking for up to three cars.
38. Policy 3 also states in section **3.4: Replacing Existing Building Stock**, that it supports the replacement of existing buildings where they are not listed, makes a positive contribution to the character of the conservation and where the original footprint is incorporated into the new development.
39. The existing farmhouse is not a listed building nor lies within a conservation area. The application is accompanied by a structural inspection report which outlines the condition of the derelict building and concludes that there are numerous structural issues with the building. Renovating the existing building would therefore not be financially viable given the extent of works required. As discussed above the introduction of a new dwelling on this site is considered to be acceptable and will have a positive impact on the appearance of this derelict site and the character of the surrounding area.
40. In terms of its amenity and design, the proposed development will not have an adverse impact on the site and surrounding area. The proposals are considered to comply with Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

Environmental Impacts

41. **Policy 4: Natural Heritage** of the Cairngorms National Park Local Development Plan 2021 seeks to ensure that there is no adverse impact upon designated areas, protected species or biodiversity.
42. In this instance, it is considered that the proposals will not have any significant adverse ecological impacts. Furthermore, there are not any significant adverse impacts on species of conservation concern. There are not any statutory or non-statutory nature designations within the site boundary, with the River Spey SAC and Kinveachy Forrest SPA located some distance away.
43. Given the proposed removal of trees, there will be a moderate impact at site level, with habitat loss for some bird species. However, compensatory planting in the form of trees and hedges will create alternative habitat for birds, and once established, will result in an overall negligible change in the ecology of the site. However, in order to protect breeding birds, a suitably worded condition is recommended that no demolition, tree

removal and construction works will be carried out during the breeding bird season (March to August inclusive) Furthermore, in order to ensure the retention and protection of the proposed planting, a suspensive condition requiring the submission and subsequent approval of a Management and Maintenance Plan is recommended.

44. There were no signs of bats in any of the trees within the proposed development site but the farmhouse itself has signs of roosting bats. A licence for the disturbance of bat roosts in the farmhouse through demolition has been granted by NatureScot with a number of mitigation conditions. With the implementation of those licence conditions also conditioned through any planning consent, the proposal is not considered to have a significant effect on bats.
45. The proposed development at Dalfaber farmhouse will have a low ecological impact and is unlikely to introduce any notable detrimental changes to the ecology of the site and immediate area. Subject to the recommended mitigation, as detailed in appropriately worded conditions, the proposal is considered to accord with Policy 4: Natural Heritage of the Cairngorms National Park Authority Local Development Plan.

Servicing and Access

46. **Policy 10: Resources**, of the Cairngorms National Park Local Development Plan 2021 sets out the need to fully consider impacts on flooding and water resources. The development would be connected to the public water supply and waste-water network as required by Policy 10. In terms of surface water drainage, the submitted plans do not include any drainage information. The site is not at risk of flooding from any source, nor considered likely to impact on any neighbouring residential properties in terms of flooding, but the lack of drainage detail means that Highland Council Flood Risk Management Team recommend a suitably worded suspensive condition for a Drainage Plan is submitted to be submitted for approval prior to works commencing on site. Subject to a suspensive condition being included, the proposal is considered to comply with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021.
47. **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021 states that all new development must include an appropriate means of access, egress and space for off street parking.
48. There is sufficient off-street parking proposed to serve a dwelling of this size. However, there have been no details submitted of the intended arrangements for the storage or collection of refuse from the new dwelling. Therefore, a suitably worded, suspensive condition is recommended that refuse storage and collection details should be submitted and agreed by Highland Council Transport Planning Team, prior to works commencing on site.
49. In terms of access, the current access is via an existing private track that services the Spey Valley Golf Club. However, a suitably worded condition is recommended to ensure that any temporary vehicular access is fully removed within three months of the new driveway connection being approved. Furthermore, a suitably worded condition is also recommended to ensure that any proposed driveway gates are set back at least 8m

from the edge of the carriageway of the new road serving the adjacent new residential development.

50. Therefore, subject to the inclusion of the aforementioned conditions, it is considered that the application satisfies the roads requirements of Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

Developer Contributions

51. **Policy 11: Developer Obligations of the Cairngorms National Park Local Development Plan 2021** states that where development creates a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects, the developer will be required to make a fair and reasonable contribution in cash or in kind towards additional costs or requirements..
52. In this instance, the proposed development will result in the erection of one replacement dwelling, on the same footprint as the existing derelict farmhouse, and, therefore, there will be no requirement for developer contributions. This application is considered to be in accordance with Policy 11: Developer Obligations of the Cairngorms National Park Local Development Plan 2021.

CONCLUSION

53. The proposed demolition of an existing, derelict farmhouse, and the erection of a new dwelling house at Dalfaber Farmhouse is considered to be acceptable. In terms of design and amenity the proposed new dwelling will not have significant impact on the site and the surrounding area. The development will not introduce any significant landscape or environmental impacts subject to the recommended conditions.. Any remaining points of detail, in particular relating to species protection, drainage and roads, which have not been addressed in detail, will be resolved through the imposition of suitable conditions. Subject to the inclusion of the appropriate pconditions, the proposal is considered to comply with the relevant local development plan policies of the Cairngorms National Park Local Development Plan 2021 and recommended for approval..

RECOMMENDATION

That Members of the Committee support a recommendation to APPROVE the demolition of a derelict farmhouse and erection of a house at Dalfaber Farm, Dalfaber Drive, Aviemore Highland, subject to the following conditions:

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

Conditions

1. **No development shall commence until a Landscape Plan has been submitted to and approved in writing by the Cairngorm National Park Authority acting as Planning Authority. The documents shall include, but not be limited to, details of plants, planting operations, ground preparation and a Monitoring and Maintenance Plan for at least five years following completion, including care of existing and proposed trees, hedges, shrubs and grassland.**

The Landscape Plan shall be implemented in full, by a suitably qualified landscape consultant, during the first planting season, following the commencement of construction work on site, unless otherwise agreed in writing by the Cairngorms National Park Authority, acting as Planning Authority, and shall be maintained thereafter in accordance with the approved details.

Reason: To protect the ecological interests of the area and limit the visual impact of the proposal in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

2. **No development shall commence on site until a Construction Method Statement (CMS) and programme of works has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The CMS shall include, but not be limited to:**
 - a. **details of tree and root protection measures;**
 - b. **detail of the proposed retention and re-use of the existing building materials and stone.**

The construction of the development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that construction methods will not have an adverse impact on the landscape setting or ecological quality of the development site in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

- c. **No development shall commence on site until a finalised Drainage Plan is submitted to, and for the written approval of, the Cairngorms National Park**

Authority, acting as Planning Authority, in consultation with Highland Council Flood Risk Management Team.

Reason: To ensure that any surface water drainage requirement complies with the principles of SUDS in order to protect the water environment in accordance with Policy 3: Design and Placemaking and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021.

- d. **No development shall commence on site until refuse storage and collection arrangements for the new property have been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with Highland Council Transport Planning Team.**

Reason: to ensure appropriate waste management details in accordance with Policy 10: Resources of the Cairngorms National Park Authority Local Development Plan 2021.

- e. The development hereby approved shall be undertaken in strict accordance with the bat licence and associated conditions issued by NatureScot in relation to the demolition of the existing property.

Reason: In order to avoid minimise and mitigate harm to bats, comply with protected species legislation and to ensure compliance with Policy 4: Natural Heritage of the Cairngorms National Park Authority Local Development Plan 2021

- f. All demolition, tree removal and construction works should take place out with the breeding bird season (March to August inclusive). If this is not possible, then a pre-start breeding bird survey must be carried out by a suitably qualified and experience ecologist to confirm that no breeding birds will be disturbed must be completed, or if breeding birds would be disturbed, a licence from NatureScot to allow disturbance of any breeding birds.

Reason: To avoid harm to breeding birds, and to comply with species protection legislation, in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Authority Local Development Plan 2021.

- g. Prior to the occupation of the house, details of the provision of bat boxes on the building shall be submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority. Thereafter the boxes shall be implemented in accordance with those approved details and maintained and retained in situ.

Reason: In order to mitigate against habitat loss as a result of the demolition of the derelict farmhouse and to provide replacement roost sites for bats, in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Authority Local Development Plan 2021.

- h. Any temporary vehicle access to the site shall be removed with three months of the completion of the new driveway linking the site to the neighbouring residential development.

Reason: To ensure that there is a single permanent vehicle access to the new dwelling house from the public road network in accordance with Policy 10: Resources of The Cairngorms National Park Authority Local Development Plan 2021.

- i. Any gates proposed for the new access driveway serving the new property shall be set back at least 8m from the edge of the carriageway of any road.

Reason: In the interests of the safety of roads users and pedestrians in accordance with Policy 10: Resources of the Cairngorms National Park Authority Local Development Plan 2021.

Informatives

1. The development hereby approved must commence within 3 years of the date of this decision notice. If development has not commenced within this period, then this planning permission will lapse.
2. The person undertaking the development is required to give the Planning Authority prior written notification of the date which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.
3. Following completion of the development, a notification of completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.
4. You are advised that the approval of the Highland Council Roads Authority is required for any works affecting the public road and for any road construction consent or any other requirements under the Roads legislation.
5. Highland Council, as Local Roads Authority, will not accept any surface run-off from the proposed development to discharge into rads-only drainage systems being built to support new roads serving the adjacent residential development.
6. Construction work (including the loading/unloading of delivery vehicles, plant or other machinery) should not take place out with the hours of 0800 hours to 1900 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays or at any time or Bank Holidays to minimise disturbance to residents in the area.
7. In order for Scottish Water to conduct a full appraisal of the proposals, the applicant should complete a Pre- Development Enquiry (PDE) Form, and submit to Scottish Water via the customer portal, or contact Development Services.

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.