

CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Construction of 16 Private Homes comprising of 8 Blocks of Semi-Detached Dwellings and Access Roadway at Land 150M NW Of, Beachen Court, Grantown On Spey

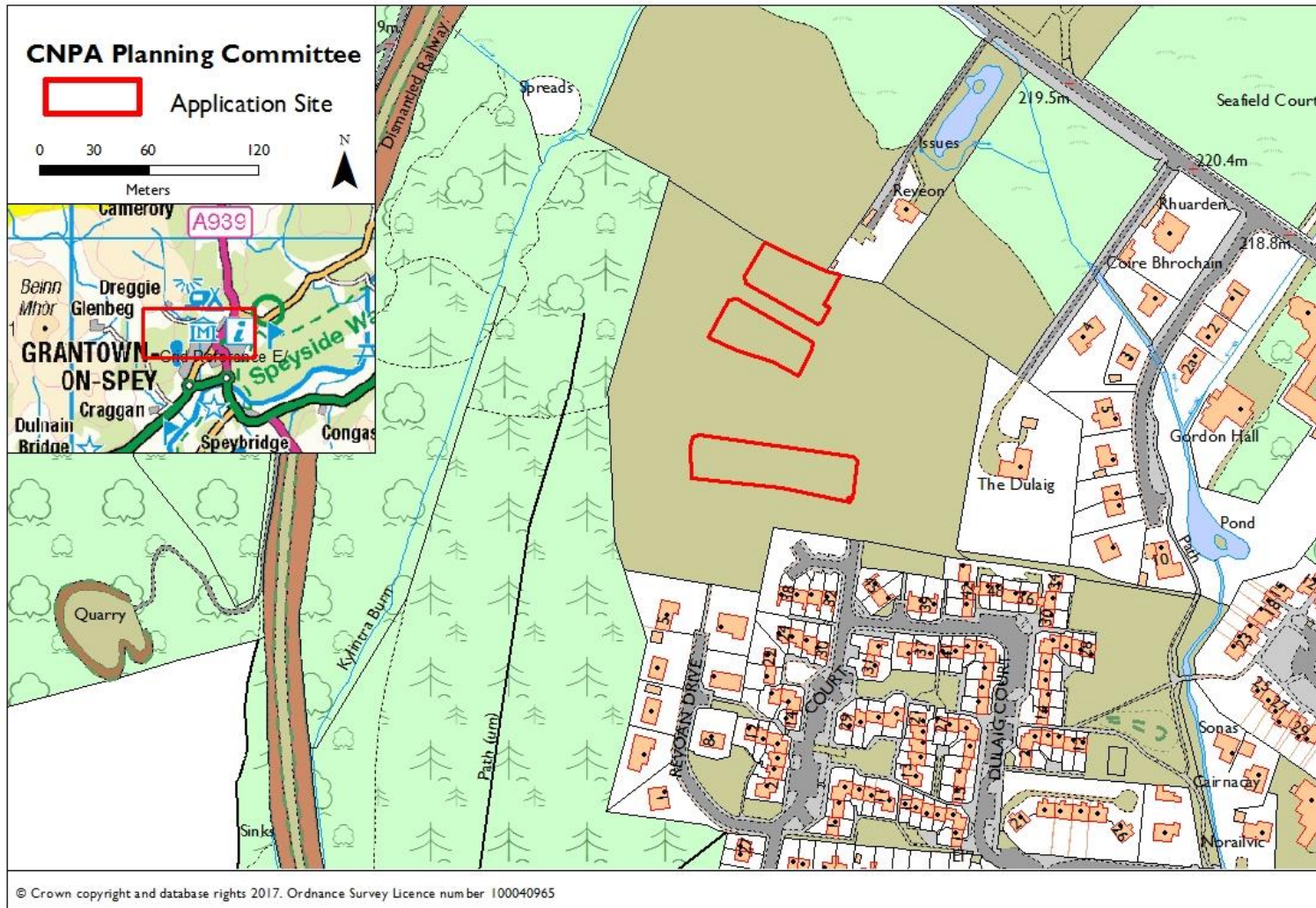
REFERENCE: 2017/0286/DET

APPLICANT: Mr Robert McLeod

DATE CALLED-IN: 26 July 2017

RECOMMENDATION: Approve subject to Conditions

CASE OFFICER: Katherine Donnachie, Planning Officer



SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The application site was originally grazing land located on the north-west side of Grantown on Spey. It lies in the middle of a wider housing development at Beachen Court/Seafield Avenue which was approved in 2016 in terms of the road and plot layout, infrastructure and landscaping (Reference 2016/0060/DET).
2. The site comprises sloping land extending in its north east corner from the rear of an existing property at Revoan, Seafield Avenue, southwards towards Beachen Court and Revoan Drive. It is effectively split into two areas separated by a proposed village green landscaped area. This fits in with the overall layout as previously approved.
3. The northern part of this site comprises eight house plots to the south of Revoan which is a large detached house sets in its own grounds with individual access off Seafield Avenue to the far north. A stone dyke runs along the rear and to the west of Revoan, and there are some aspen trees here too.
4. The southernmost part of the site containing the remaining eight houses is located partly to the north of an affordable housing site currently being constructed beside Beachen Court and approved in 2016 (Reference 2015/0394/DET) The remainder of this part of the application site abuts land still to be developed. On other sides the sites are bounded by the wider development site.
5. The site location and layout is shown in in **Appendix 1** which also contains plans of the proposed development.
6. Access to the application site is proposed from Seafield Avenue to the north via a new access point which is being constructed as per the original planning permission here. A copy of the originally approved site layout is attached for information as **Appendix 2**.
7. In terms of the overall context of the application site, the lower part of the wider development site here is bounded to the west by the Kynintra Burn which leads into the River Spey Special Area of Conservation (SAC). This burn also runs along the roadside to the north boundary along Seafield Avenue, and within the wider site. The overall site access runs through this land. A SUDS pond is being constructed here too, to the immediate west of the drive to the Dulaig, which is a large detached property to the far east of the application site.
8. There is woodland to the west of the wider site. On the other (east) far side of Grantown lies Anagach Woods designated as a Special Protection Area (SPA) for capercaillie interest. The River Spey Special Area of Conservation (SAC), designated for its Atlantic salmon, lamprey, fresh water pearl mussel and otter interest lies to the south of Grantown. The River Spey is also designated as a Site of Special Scientific Interest (SSSI) for these interests.

9. Site works are ongoing in relation to the construction of the originally approved access roads and SUDS pond, whilst ground works on the sites themselves have also proceeded.

Proposal

10. 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=OTPFW8SI0CA00>

Title	Drawing Number	Date on Plan*	Date Received
Site Layout Plan	PL_00-100 REV G	20/10/17	
Site plan Bat/Bird Box	PL_00-103	1/16/17	
Site Location Plan	PL_00-101	01/06/17	07/08/17
General Arrangement 2B3P Semi-Detached Houses	BT3_00_100	01/05/17	07/08/17
General Arrangement (2B 4P Semi)	BT2_00_100	01/05/17	07/08/17
General Arrangement	BT1_00_100	01/05/17	07/08/17
Site Sections	PL_00_200 REV C	20/10/17	
Site Sections	PL00-201- Revision B	20/10/17	
Phase I Private Development Site Fencing Drawing	PL00-102	Aug 17	
Phasing Drawing	021 Rev A		
Soft Landscape Proposals Planting Plan	HLD K298.17/SL0 I Revision C	18/10/17	
Proposed Soft Landscape Maintenance and Management Regime	HLD K298.17 Revision C	18/10/17	
Drainage Layout	147132/304 Revision C	07/09/17	
Roads Layout	147132/302 Revision B	07/09/17	

Supporting Design Statement Revision E		20/10/17	
Noise Criterion information- outdoor unit		Undated	
Outdoor Unit Specifications		Undated	

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

11. The proposed development comprises sixteen houses in the form of eight semi-detached blocks. The houses are a mixture of two and three bedroom units. They are of two storey construction apart from one pair of 1 ¾ storey semi-detached houses. Copies of the drawings of the proposed house types are attached in **Appendix I**. Proposed finishes are grey concrete roof tiles, white render walls and timber feature areas. All doors and windows will be timber, finished in colour to complement the cladding and harling. Ten external wall mounted bat roosting boxes and swift nesting boxes are proposed. Broadband connection is to be provided to each house to enable home-working.
12. When originally submitted the application showed house plots in the northern part of the site running right up to the boundary with Revoan. This has been since revised during the course of the consideration of the application, with the layout altered to ensure that a strip of landscaping is provided between these plots and Revoan. This revision also shows the retention of existing aspen trees and an old stone dyke along this boundary, all in line with the originally approved layout.
13. Four units comprising a row of two blocks of semi-detached houses are proposed to the rear and north east of Revoan. A further four units are proposed on the other (south) side of the internal access road, again comprising two blocks of semi-detached houses. A village green/landscaped area lies to the south of this as proposed with the original scheme. A detailed landscape plan and maintenance scheme provided for this area and it is proposed to provide this area following completion of the units.
14. A further eight units, comprising a row of four blocks of semi-detached units, are proposed on the southern part of the site on the other side of the central landscaped feature. This part of the site slopes east to west and the houses are proposed to “step up” this slope. Work on these platforms and on the groundworks to the rear of Revoan commenced in advance of the applications being submitted and the applicants were advised to cease works.
15. Site sections have been provided to show how the houses will sit on the site and also in relation to the central village green landscaped feature and these are included in **Appendix I**.
16. The application is supported by a Design Statement which explains the rationale behind the development’s design. This seeks to provide houses of simple form, whilst also taking account of views from the site, and to provide private garden space.

17. The Design Statement explains that the type of housing complies with the Scottish Government's "help to buy" scheme which helps buyers who would not otherwise be able to do so to buy a new home. The applicants assert that this has meant that 1 ¾ storey houses would be difficult to provide given the ratio of construction costs to valuation costs and this has led to the current proposal for two storey houses. The statement seeks to address the relationship to the original design brief as approved for the wider plot layout which set out design principles for future development and included a statement that all new housing would be a maximum of 1 ¾ storeys high which was reflected in the planning conditions attached to the original plot layout consent here.
18. A supporting illustration has been provided to show how the proposed two storey houses compare in visual terms to ones of 1 ¾ design with efforts made to minimise any increase in eaves and ridge height resulting in a difference of height of around 0.6 metres. This is contained in **Appendix I**. The Design Statement also concludes that the proposed development respects the scale and type of housing in the area which is typically 1 ½ to two storeys high.
19. The application also seeks to clarify how this development fits into the overall phasing of the wider site here, being now put forward as phase 2 with phase 1 being seen as the ten affordable houses. The phasing plan is attached in **Appendix I**.
20. In terms of servicing the sites will connect to the surface water drainage and roads layouts approved and being constructed in connection with the originally approved application 2016/0060/DET. Two in curtilage parking spaces per unit are proposed. Connection to public water and drainage supplies is also proposed. Bin storage is shown within the curtilages of each unit and it is noted that sufficient room is available within gardens to store bikes. The units will be able to connect to the originally approved path network from the wider site to the town beyond. Finally, in terms of energy provision, air source heat pumps are proposed.

History

21. The application site as noted earlier lies within land covered by an earlier planning consent as follows.
22. 2016/0060/DET - Creation of residential plot layout (43 units), Roads, Drainage and Strategic Landscaping at Land 150M NW of Beachen Court Grantown-on-Spey which was approved at October 2016 Planning Committee. At this time an overall plot layout was approved and the current application fits into this utilising the approved servicing.
23. This development is under construction in terms of the new access roads and SUDS drainage. (The approved layout is attached as **Appendix 2**) The details of individual houses on the scheme were to be the subject of further full planning applications as set out in Condition 28 which stated as follows:

Applications for full planning permission shall be required for all residential units and these shall include full details of siting, design, layout, landscaping, external finishes, boundary enclosures, access, drainage (foul and surface water), waste management and parking arrangements. These details shall reflect the principles of the approved Design Code and the principles set out in the Cairngorms National Park Authority approved Development Brief for the site together with the following requirements:

- a) Incorporation of integrated flexibility for home-working and high speed fibre broadband connections within all units;
- b) Landscaping within the plots to reflect the principles and details established in the approved landscape plan and maintenance regime;
- c) Parking provision within plots at ratio of two private spaces per single residential unit (up to four bedrooms) and 1.2 residents and 0.3 visitor spaces per flatted unit;
- d) Cycle storage provision for units;
- e) Parking provision for resident and visitor cycling;
- f) Details of bin storage and recycling facilities;
- g) Details of existing and proposed ground levels and final floor levels;
- h) Details of any bird/bat box provision;
- i) Boundary enclosures designed to retain an open feel to the development avoiding enclosure of front gardens;
- j) Maximum height of new development 1 ¾ storey;

24. 2015/0394/DET - Immediately to the south of the above application site, beside Beachen Court, permission was also granted at the October 2016 Planning Committee meeting for the erection of ten affordable houses and these houses are under construction. They share their construction access road with the access road being formed for 2016/0060/DET, but will ultimately take vehicular access through Beachen Court.

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 (2015) 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	SUSTAINABLE DESIGN	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	SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER CONTRIBUTIONS	

25. 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:

<http://cairngorms.co.uk/uploads/documents/Park%20Authority/Planning/LDPI5.pdf>

26. The application site is expressly designated for housing in the Local Development Plan settlement statement for Grantown on Spey located within the site designated as H1. A Development Brief has also been approved which covers the site setting out the design principles, constraints and key issues to be considered when developing the site. This informed the original planning application for 43 plots and is non-statutory planning guidance.

Planning Guidance

27. 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	X
Policy 2	Supporting Economic Growth Non-Statutory Guidance	
Policy 3	Sustainable Design Non-Statutory Guidance	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	

CONSULTATIONS

28. A summary of the main issues raised by consultees now follows:
29. **Scottish Water** has no objections noting that there is currently sufficient capacity in the Aviemore water treatment works and the Grantown waste water treatment works. The applicant will require to make a formal connection application and the Agency will review capacity at that time.
30. **Scottish Environment Protection Agency (SEPA)** advised that the development is below the threshold upon which they comment.

31. **The Highland Council Transport Planning Team** noted that they have previously commented on the wider roads infrastructure here so their comments focus on the specific plot layout. They note there is sufficient parking space provision, but that the in curtilage parking for plot 19, located on a corner, requires to be provided in a manner that does not obstruct visibility, as should any planting in this area. The Team also confirm that as each plot has a secure garden the cycle storage and bin storage facilities can be satisfactorily provided.
32. **The Highland Council Forestry Officer** had no objections, noting that clarification was required as to whether an existing tree was to be removed or not, and if so wished to ensure that replacement planting was secured. (Note: the tree is being retained)
33. **The Highland Council Environmental Health Team** was consulted in relation to the proposed air source heating. To date no comments have been received.
34. **The Highland Council Flood Risk Management Team** confirmed that all relevant drainage and flood risk matters were considered with the original application and they have no issues.
35. **CNPA Ecology Advisor** initially noted differences in the landscape layout compared to the original submission and raised concerns relating to retention of stone dyke and tree protection in this regard. Advice was also provided on the requirements for bat and bird boxes. On receipt of revised and additional information the officer is satisfied with the proposals subject to a minor recommendation regarding the use of native oak in the landscape scheme, and subject to tree protection measures.
36. **CNPA Landscape Advisor** notes that the sections show an evenly profiled village green area without the steep “edges” as shown on previous plans here. This will make for a more useable open space. The Officer has requested that a further section east-west across the site be provided to confirm that this profile is equally suitable. The officer is also content with the proposed landscape scheme other than some minor recommendations regarding the use of native oak and omitting hazel from the hedging in order to provide an attractive strong boundary and good cover for wildlife. Recommendations are also made for planting in the vicinity of 1.8 metre high fencing on the slopes between plots in order to reduce the effects of the slope and fence combined.
37. **Grantown-on-Spey and Vicinity Community Council** expressed concern about the design of the proposed buildings. They have requested to address the Planning Committee because of the scale of the project and the community concerns. The Community Council was re-consulted when revised plans were submitted and to date no further comment has been received. A copy of their initial comments is attached as **Appendix 3**.

REPRESENTATIONS

38. The application was advertised when originally submitted and a total of four representations were received which are attached as **Appendix 4 (A)**. These objected to the application on the following grounds:
- a) Phasing in terms of how this development fits into the wider site is unclear;
 - b) Rear gardens of plots 11-14 intrude into approved landscaping area at rear of Revoan adversely affecting privacy/amenity of house, existing stone dyke and trees. This will also involve loss of a habitat corridor;
 - c) Inadequate water supply;
 - d) Maintenance of landscaping requires to be clarified and secured along with financing of the landscaping – legal agreement recommended to secure the future funding;
 - e) Inadequate design statement which also does not address sustainability issues;
 - f) No affordable housing provision;
 - g) Two storey housing is contrary to originally approved design guide and development brief which stated housing would be maximum of 1 ¾ storeys.
39. Comments were also made regarding the legal ownership of the land. This has been clarified and revised ownership certificate provided.
40. Following receipt of revised plans providing more information on site sections and landscaping those parties who made comment were contacted to establish if their concerns had been addressed. Further representations were received from three of the parties which are attached as **Appendix 4 (B)**. Whilst contributors were generally pleased to see the reinstatement of the landscape buffer beside Revoan, concerns noted above remain. Additional concerns are summarised below:
- a) The two storey design is not in compliance with the original agreements nor the development brief which also set out that higher development should be at the lowest part of the overall site, not as is now proposed with the two storey element proposed on the upper part;
 - b) The applicants assert that the proposed houses will only be 0.6 metre higher than 1 ¾ storey ones. This is not insignificant when living beside the development and sets a precedent for future phases;
 - c) Developer's case for having two storey houses is based on construction to valuation ratios with no clear auditable trail to explain/justify this. The developer's profit should not be a determining factor when agreeing this type of change with the "affordability" of the houses questioned particularly given that the affordable Council houses have been able to be constructed in accordance with the design brief;
 - d) Concern re timing of the provision of the landscaped strip to rear of Revoan and also timing of wider landscaping;
 - e) Concern regarding use of selective herbicides in maintenance programme;
 - f) Edging of fencing inappropriate;
 - g) Provision of affordable housing and how the developer is contributing to requirements needs to be clarified. The original agreements requires review

as the ten affordable houses were provided by the Highland Council not the developer so there has not been a contribution from the 43 plot development;

- h) Air source heat pumps may not work satisfactorily and could create noise issues;
- i) Adverts placed in local paper by developer for site did not recognise that planning consent had not been granted which disregards the planning process.

41. Two of the parties making representations have requested to be heard at Committee as has the applicant.

APPRAISAL

42. The principle of housing on this site is well established by both the Local Development Plan designation and by the existing consent for residential plot layout, roads and infrastructure. The servicing in terms of roads and surface water drainage was also covered by the previous application, as was developer contributions. Consequently it is the detail of the house types, their layouts on the site and the accompanying landscaping which falls to be considered with this application along with their relationship to the delivery of the landscaping.

Relationship to Existing Consent - Phasing and Landscaping

Phasing

43. The proposals are in line with the layout as approved with the previous consent in terms of relationship to the overall roads layout and general plots. Phasing for the original application was agreed under the terms of Condition 1 of that consent in relation to the timetable for delivery of various components of the landscaping, paths, flood attenuation measures, and SUDS ponds. This the current application site as being within phases 2 and 3. The applicants now wish to change the sequence as per a phasing plan included in **Appendix I**. This shows how the current development could fit in and will bring the provision of the village green area forward.
44. It is not unusual for developers to seek to amend the sequence of phasing/delivery in response to market demands. Key infrastructure in terms of road layout and SUDS pond in the lower part of the wider site has been constructed/near completion and its completion is controlled by the terms of the original planning consent.
45. As such there is no particular land use planning concern with amending the sequence of phasing in terms of building of new houses. This can be achieved by way of the agreeing a revised sequence as a non-material variation to the original consent (2016/0060/DET) and in doing so this, Officers would ensure that landscaping was also delivered in a sequential manner. This is being pursued with the applicants.

46. In terms of the landscaping proposed in the lower part of the site beside the constructed key infrastructure of SUDS pond and access road a specific plan was approved under the terms of Condition I of that consent. This will be implemented following the completion of the enabling works for the original phase I. These enabling works were the access road and groundworks so the implementation of landscaping on part of the site is already covered by planning conditions. Officers would ensure this remained the case with any subsequent non-material variation to the sequence of phasing that may arise.
47. On this basis the current submission is considered to be satisfactory in terms of the sequence of provision of these sixteen houses within a relatively small site of 43 plots.

Landscaping

48. In terms of the relationship to the overall landscaping of the wider site, a landscape scheme was approved under the term of Condition I of that consent (2016/006) which provided specific details of the landscaping of the lower part of the site and an overall plan of the landscaping proposals for future phases.
49. With this current application the applicant was asked to provide the full landscaping details for this part of the scheme in line with these submissions, and a layout to reflect the need for a landscape strip to the rear of Revoan to be preserved. The applicant has duly provided a detailed scheme which sets out the area of landscaping to be provided with this current development. This includes the village green, a central and important part of the overall scheme. The proposed landscape scheme is included within **Appendix I**.
50. This scheme is generally satisfactory apart from some minor points raised by consultees and also the need to clarify whether the landscaping to the rear of Revoan is to be provided as part of this phase. Given that it is this part of the overall development site which impacts on Revoan is it considered appropriate to secure the strip of landscaping with the current development. Details of footpath links within the green area are also required along with east west section across the village green to confirm that its profile will be similarly configured as shown in the north south sections. In the event of the application being approved planning conditions are recommended to this end.
51. With respect to the ongoing maintenance of the landscaping an acceptable maintenance scheme has been submitted. The landscaping will be maintained by a factor and as long as the landscaping is maintained in accordance with the approved scheme it is not the concern of the Planning Authority as to who maintains the landscaping, simply that it is maintained correctly. Indeed the approved maintenance scheme for the original application refers to the maintenance being carried out on behalf of the applicant, at that time Seafeld and Strathspey Estates. Contributors have suggested that the financial arrangements for this future maintenance require to be secured now. This is not considered to be appropriate or necessary for a housing development as planning conditions requiring maintenance in accordance with the approved scheme can be enforced if required.

52. On this basis the application is considered to comply with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms Local Development Plan 2015.

Provision of Affordable Housing

53. The matter of affordable housing provision for the wider site was fully considered with the previous application 2016/0060/DET when it was agreed that the adjacent ten house affordable housing development (2015/0394/DET) formed part of the 25% provision. This approach was also confirmed with the Highland Council Housing Service. The agreed provision was based on 25 % of the entire development site at the time (53 plots) being affordable – a total of 14 units. As ten units were provided on the Highland Council site this left four more to be provided on the 43 plot site.
54. Whilst the contributor's concerns in this regard are noted, the approved requirement for four affordable units on the wider site is controlled by the planning Condition 18 of that permission (2016/0060/DET) which requires the ten affordable houses approved adjacent to be available before any residential units are occupied on the wider 43 plot site. This condition also requires that no more than 30 houses are occupied on the wider 43 plot site until details of the delivery of the four affordable units are provided.
55. Finally in relation to housing issues, the current submission will provide housing under the terms of the Scottish Government's help to buy scheme. As such it will add to the range of housing tenure available in Grantown which is welcomed. It is not the role of the CNPA to question the merits of this scheme.
56. In these circumstances it is considered that the development complies fully with Policy 1: Housing of the Cairngorms National Park Local Development Plan 2015.

Impacts on Neighbours/Residential Amenity

57. The proposed houses are located sufficiently far from neighbouring properties to safeguard the privacy and amenity of these properties both in terms of scale and potential overlooking/window distances. They are also sited so that they should not prejudice the ongoing development of other plots on the wider site. The development is therefore considered to comply with Policy 3: Sustainable Design of the Cairngorms Local Development Plan 2015.

Landscape Impacts – Layout and Design

58. The layout of the houses on the individual plots is considered to be satisfactory with reasonable private garden provision (ranging from depth of around 6.5 metre to 11 metres) and adequate parking provision. Fencing is proposed to provide private rear gardens and open plan frontages and its construction and design is considered appropriate. The majority of the plots abut or overlook the

central village green feature which also adds to their overall amenity. Overall the plots all will benefit from an attractive landscaped setting over time.

59. Site sections satisfactorily demonstrate how the houses will fit onto the site in an acceptable manner using the slope to “terrace” the houses in places whilst largely avoiding the use of retaining walls. The CNPA Landscape Advisor has noted that the development could benefit from some additional planting alongside fencing in some areas to enhance amenity and this can be achieved through an appropriate planning condition along with securing details of a section of retaining wall proposed alongside plot 39.
60. In terms of the design the houses types are considered to be functional and satisfactory, of simple design incorporating an acceptable range of materials. Full details by way of samples can be controlled by planning conditions in the event of the application being supported. The house types are also considered to be appropriate in an area of mixed house types and complementary to the affordable houses under construction to the south.
61. It is appreciated that the guidance contained in the non-statutory development brief for this site set out that development should be up to 1 ½ storeys. This was amended in the subsequent application for the wider site where 1 ¾ storey development was put forward in the accompanying design and access statement. The applicant is now putting forward the case for 2 storey housing on the application site. The financial reasons behind this are not considered to be an overriding planning consideration, but simply an explanation from the developer as to why they have gone down this route. The land use planning consideration here is simply whether or not on these particular sites two storey properties as proposed are acceptable.
62. Given that the house designs are satisfactory, there are no adverse impacts on amenity of neighbours and sections demonstrate that the houses will sit acceptably on the sites there is no planning policy reason to refuse the application simply because it does not comply fully with the guidance contained in the design brief and development brief. It is also noted that the height of the proposed two storey houses to ridge at highest point will be around 8.5 metres as compared to the height to ridge of around 8 metres for the 1 ¾ storey units - a difference as noted by the applicants of around 0.6 metres. In addition the height to ridge of the affordable housing currently being constructed adjacent to part of the current application site varies from 7 metres to 8 metres. In these circumstances the scale of difference in ridge height arising from the use of two storey units on the application site is not considered to be significant.
63. It is therefore considered that there is no conflict with Local Development Plan Policies 3 and 5 on Sustainable Design and Landscape which seek to ensure that new development conserves and enhances the landscape character and special qualities of the National Park and is sympathetic to the character of the area.
64. Contributors’ concerns regarding approval of 2 storey houses here setting a precedent for similar scale on other parts of the site is appreciated. However each application is considered on its merits, including relationship to existing

houses, privacy concerns, context and character so this is not considered to be a valid reason to resist this application.

65. On this basis the application is considered to comply with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

Environmental Impacts

66. The proposed landscaping will deliver biodiversity benefits over time as will the provision of bat and bird boxes on site all of which is welcomed. The impacts of the wider site on designated sites in the area was fully considered with the previous application with a Habitats Regulation Appraisal undertaken then and mitigation measures required (site specific construction method statement) followed during construction of the associated infrastructure. Concerns of contributors regarding the use of herbicides are noted. However this method of control has been previously agreed with the original application.
67. It is therefore considered that the application complies with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

Servicing

68. The site can be satisfactorily serviced, connecting to the previously approved roads and surface water drainage arrangements with conditions covering this attached to the wider consent. In terms of water supply provision, contributors have raised concern regarding the adequacy of the water supply. As noted in the consultations section of this report Scottish Water has no objection to the application, noting that the applicant will require to contact the Agency to ensure suitable connection. It is also understood that the applicant has been in touch with Scottish Water and the Agency will ensure that the site is adequately supplied with no impacts on existing users.
69. Finally in relation to servicing it is proposed to use air source heating pumps for the development This type of energy provision is generally in line with the Cairngorms National Park Local Development Plan Policy 3 Sustainable Design which seeks to minimise the effect of development on climate change and is an established method of energy provision whereby this Service would not seek to question its viability. The Highland Council Environmental Health Service has been consulted in relation to potential noise impacts and has provided no comments to date whereby it is assumed they have no objection.
70. In these circumstances the development is considered to comply with Policy 3: Sustainable Design and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

Issues Raised in Representations

71. Matters raised by contributors are covered within the planning appraisal apart from concern raised in relation to the developer advertising sites in the local press prior to consent being granted. This is not a matter over which the Planning Authority has any control although this service did contact the developer regarding material on their website in this regard suggesting they clarify that consent has not been granted.

CONCLUSION

72. As noted earlier the principle of development for housing is established so it is only the detail of the submission that is being considered. The application involves provision of new housing of satisfactory design in the middle of a wider housing development, including provision of landscaping which will create a good setting for the new development over time. The design, layout and landscaping is considered to be appropriate for the location and in compliance with Local Development Plan policies. The development will also help deliver a wider range of housing in Grantown-on-Spey. Approval is therefore recommended subject to appropriate planning conditions.

RECOMMENDATION

That Members of the Committee support a recommendation to approve the construction of 16 private homes comprising of 8 blocks of semi-detached dwellings and access roadway on part of site for which full planning permission has been granted for the creation of residential plot layout (43 units), Roads, Drainage and Strategic Landscaping (reference 2016/0060/DET) at Land 150M NW Of, Beachen Court, Grantown On Spey, 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. (Planning Permission 2016/0060/DET remains relevant to the development approved by this permission and its conditions continue to apply too.)

1. **No development shall commence until a revised landscape scheme covering the following points has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority:**
 - a) **Reflecting the use of Scottish oak and beech and holly hedging plants;**
 - b) **Detail of the finishes and maintenance of all paths;**
 - c) **Protection measures for existing trees;**
 - d) **The inclusion of the landscaped strip between plots 11-14 and Revoan;**
 - e) **Landscaping on banking/terraces between plots; and**

- f) **Site section east-west across the village green to reflect the need to avoid steep edges.**

Thereafter the approved scheme shall be implemented in the first planting season following occupation or completion, whichever is the sooner, of the last house on the development hereby approved unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority. The scheme shall thereafter be maintained in accordance with the approved soft landscape maintenance and management regime document number. In particular no additional boundary enclosures shall be implemented in the front gardens of the houses hereby approved, unless otherwise approved in writing by the Cairngorms National Park Authority, acting as planning authority.

Reason: To ensure that a satisfactory landscape setting is created and maintained; that the new development conserves and enhances the landscape character of Grantown on Spey; to ensure that there is no adverse impact on the amenity and privacy of existing residents and that suitable biodiversity corridors are provided in accordance with Policy 4: Natural Heritage all in accordance Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

2. **No development shall commence on plot 39 until details of the design and landscaping of the proposed retaining wall have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The details shall be implemented in accordance with the approved plans.**

Reason: To ensure that the new development conserves and enhances the landscape character of Grantown-on- Spey and is sympathetic to the character of the area in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

3. **No development shall commence on plot 19 until details of the re-positioning of the parking spaces as far south as possible in order to ensure forward visibility at the junction is safeguarded have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority in consultation with the Highland Council Transport Planning Team. The parking area shall thereafter be constructed in accordance with the approved plans and forward visibility kept free from permanent obstructions.**

Reason: To ensure that safe access and visibility is provided on the roads serving the site in the interests of road safety and in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

4. **No development shall commence on the construction of the houses until details (by way of samples or brochures) of the external finishes**

have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The houses shall thereafter be constructed in accordance with the approved plans and details.

Reason: To ensure that the new development conserves and enhances the landscape character of Grantown-on-Spey and is sympathetic to the character of the area in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

5. No residential unit shall be occupied until its bin uplift and car parking provision has been made in accordance with the approved site layout plan Drawing Number PL00-100 REV G. This provision to be retained thereafter throughout the lifetime of this consent.

Reason: To ensure that suitable parking and waste management provision is made for residents in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

6. No residential unit identified for bat or bird box provision in the approved site plan bird/bat boxes drawing number PL00-103 shall be occupied until the provision is made in accordance with the approved plan. This provision shall then be maintained and retained in situ throughout the lifetime of this consent.

Reason: To ensure the provision of enhanced opportunities for bat roosting and enhanced nesting opportunities for birds in accordance with Policy 4: Natural Resources of the Cairngorms National Park Local Development Plan 2015.

7. The development shall be constructed in accordance with the approved sections and fencing plan, unless otherwise approved in writing by the Cairngorms National Park Authority, acting as planning authority.

Reason: To ensure that the new development conserves and enhances the landscape character of Grantown on Spey and is sympathetic to the character of the area in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015

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. Planning permission for the creation of residential plot layout (43 units), roads, drainage and strategic landscaping (reference 2016/0060/DET) was granted on 27 October 2016. The 16 house development covered by this planning permission will be situated on part of the site covered by the permission 2016/0060/DET. This permission builds on permission 2016/0060/DET and reflects Condition 28 thereof. The 16 house development permitted by this

permission will therefore be subject to both this permission and its conditions and permission 2016/0060/DET and its conditions.

3. The person undertaking the development is required to give the Planning Authority prior written notification of the date on 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.
4. Following completion of the development, a notification of the 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.
5. Construction work on the application site (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 on Sundays or Bank Holidays in order to minimise disturbance to residents in the area.

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.