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## CAIRNGORMS NATIONAL PARK AUTHORITY

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**Title:** REPORT ON CALLED-IN PLANNING APPLICATION

**Prepared by:** MARY GRIER (SENIOR PLANNING OFFICER, DEVELOPMENT MANAGEMENT)

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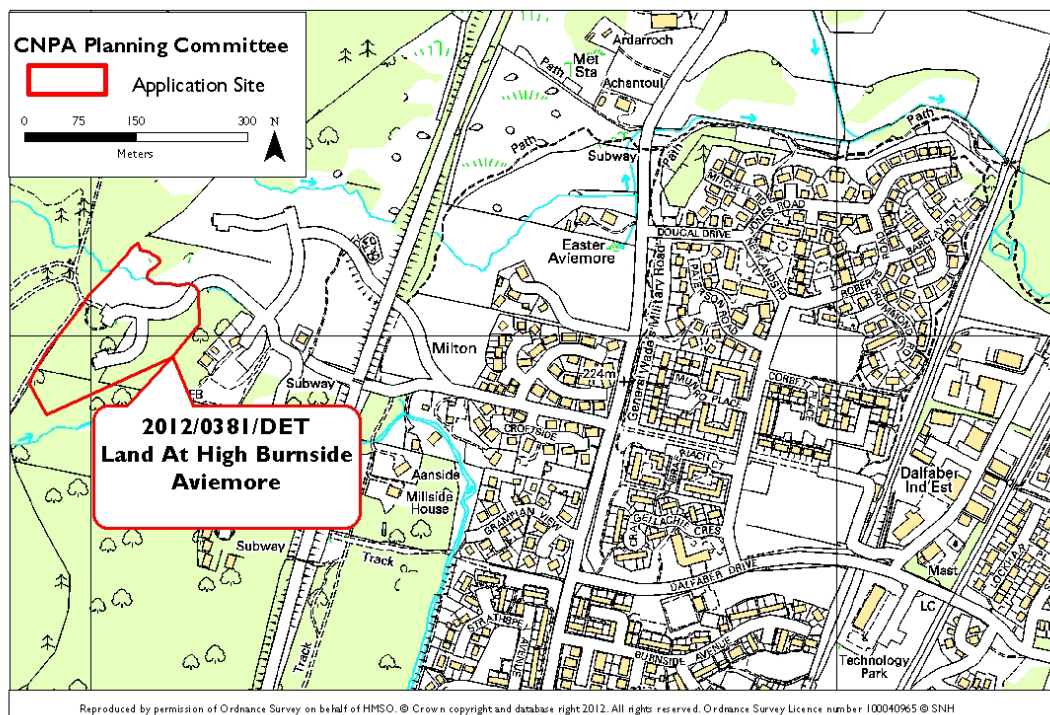
**DEVELOPMENT PROPOSED:** PLANNING PERMISSION FOR THE ERECTION OF 19 VILLAS (PLOTS 27 TO 45) ON LAND AT Highburnside, Aviemore

**REFERENCE:** 2012/0381/DET

**APPLICANT:** AVIEMORE AND HIGHLAND DEVELOPMENTS LTD., C/O BRACEWELL STIRLING CONSULTING

**DATE CALLED-IN:** 21 DECEMBER 2012

**RECOMMENDATION :** APPROVE WITH CONDITIONS



Grid reference : 289058 813964

Fig. I - Location Plan

## SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought in this application for the erection of 19 villas on plot numbers 27 to 45 on an existing development site which lies to the west of the A9 trunk road. The proposal relates to the final phase of a development known as Highburnside, where construction activity has been on-going since 2007, and where a significant proportion of the completed properties are now occupied.
2. The land on the overall development site generally rises in a westerly direction from the A9 trunk road. The area of the development site which is the subject of this current planning application is on the highest ground in the extreme west. The majority of the land area is screened from immediate view by existing vegetation to the east / south east. Kinveachy Forest lies to the west and north-west of the site and provides a substantial woodland backdrop.



Fig. 2 and 3 : Views towards Phase 4 of the development site

### Site History

3. Outline planning permission was granted by Highland Council in June 2004<sup>1</sup> for a housing development on the lands at Highburnside. A subsequent application for an associated application – an approval of reserved matters for a masterplan for the site consisting of 75 house plots and associated roads, engineering works, services and amenity ground – was lodged in 2005 and called in by the CNPA.<sup>2</sup> Approval of the site masterplan and associated works was granted by the CNPA in February 2006. The permission authorised the individual plot positions and boundaries, but did not include detailed permission for development on the plots.
4. An application for Approval of Reserved Matters for the erection of 46 houses<sup>3</sup> i.e. the detail of the plots on a portion of the site, was lodged in 2007 and called in by the CNPA, with approval being granted in July 2007.<sup>4</sup> The permission authorised the detail of the dwelling houses and the individual plot layouts. Ten house types were approved in that application, consisting of a mix of three and four bedroom houses, predominantly of one and half storey

<sup>1</sup> Highland Council ref. no. 03/00322/OUTBS.

<sup>2</sup> CNPA ref. no. 05/177/CP.

<sup>3</sup> Plot no's 1 – 10, 21 – 26 and 46 – 75

<sup>4</sup> CNPA ref. no. 07/024/CP.

design. A further detailed permission was granted for the third phase of the development in October 2011 (CNPA ref. no. 2011/0217/DET), for the erection of “10 villas on plots 11 to 20 with associated works.” Five house types, generally reflecting designs permitted in earlier sections of the development, were permitted.

5. Construction has been on-going at the site since 2007 with development generally being undertaken in a south to north direction across the lower ground of the site i.e. the development areas closest to the A9 trunk road and more recently extending uphill on land in the north west of the site.

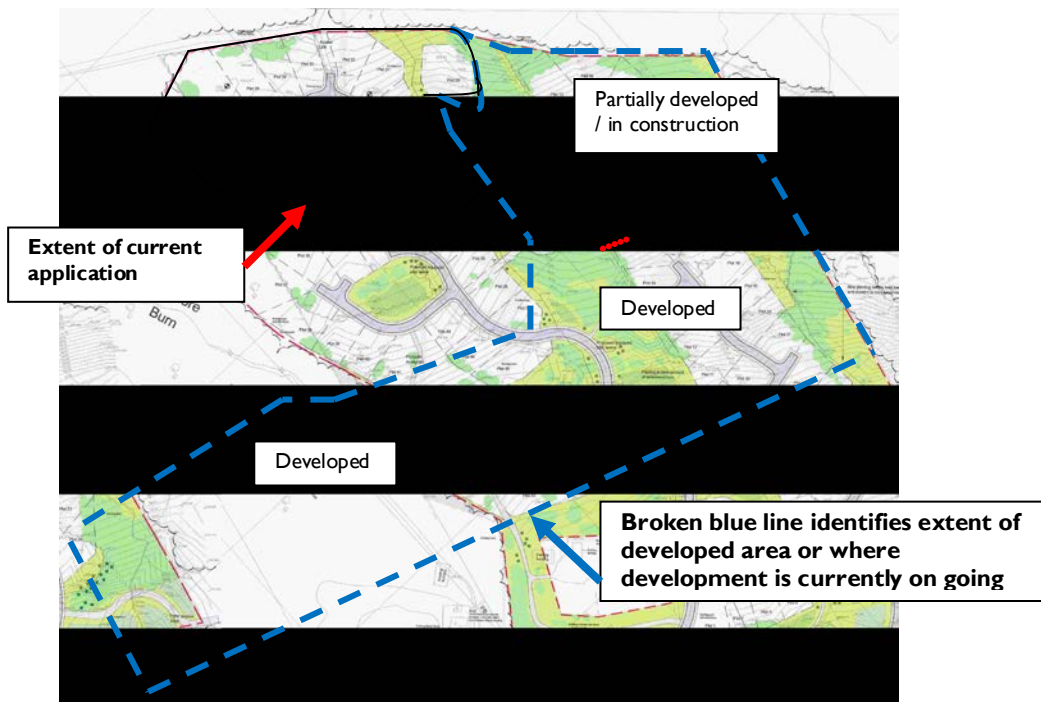


Fig. 4 : Originally permitted masterplan layout

### Proposed house types

6. A total of six differing houses are proposed in the current planning application. The majority of house types are similar in design, proportions and finishes to those already approved in the course of previous detailed applications elsewhere on the overall site. The proposed finishes generally include a roughcast finish and stained timber cladding, and one house also includes elements of stonework detailing.



Figs.5 and 6 : Avon and Cairngorm house types



FRONT ELEVATION



FRONT ELEVATION

**Figs. 7 and 8 : Cruachan and Lochnagar house types**



FRONT ELEVATION



FRONT ELEVATION

**Figs. 9 and 10 : Lomond and Wyvis house types**

7. Table I (below) provides a summary of the key features of the proposed house types :

House type	No. proposed	Plot no's	Bedrooms	Features
Avon	5	33, 36, 40, 42, 45	4	One and three quarter storey, detached; Attached garage / garage and car port; 157 square metres; Predominant timberclad finish on front elevation.
Cairngorm	3	30, 37, 43	3	One and three quarter storey, detached; Integrated garage; 133 square metres.
Cruachan	3	27, 28, 32	4	Two storey, detached; Split level; Double integrated garage.
Lomond	2	34 and 35	4	One and three quarter storey, detached; Elongated form; Floor to ceiling windows in front elevation; Attached double garage.
Wyvis	3	39 and 41	4	One and three quarter storey, detached; Elongated form; Attached double garage (plot no. 38 is proposed to have a detached garage).
Lochnagar	2	29 and 31	5	Two storey, detached; Split level; Projecting front gable; Balcony / decking on front elevation.

**Table I : Phase 4 house types**

8. Consistent with the finishes proposed and permitted in the remainder of the development, front gardens of each of the plots in the final phase are proposed to be open plan. The majority of rear boundaries are proposed to be demarcated by a 900mm post, wire and mesh fence, while site boundaries between gardens would have a 800mm high timber post and rail fence. The boundaries either side of the longer access drive to serve plot no. 29 is proposed to have a 1.8 metre high timber screen fence. This boundary treatment is also proposed on a boundary which would form the rear of plot no's 44 and 45, which is also the side boundary of plot no. 43.

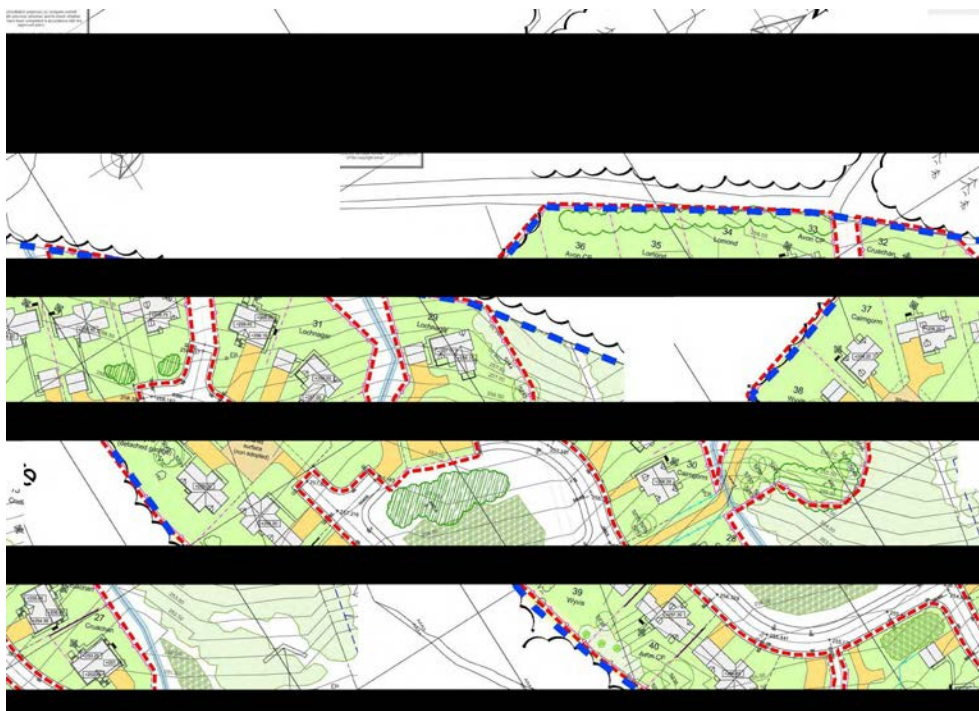


Fig. 11 : Proposed site layout

### Layout and Landscaping

9. The access road through the built area of Highburnside continues uphill in a westerly direction to the identified site area. Consistent with the layout approved through the masterplan permission, the road would lead towards a relatively centrally positioned area of open space, with the individual plots surrounding this. A small spur would also lead towards the western boundary, along the line of a long established track which runs through the land to the access gate on the western boundary.<sup>5</sup>
10. A landscaping plan has been submitted in support of the application, which includes the retention of existing vegetation and also proposes the creation of a mixed species woodland in the central area, with species including birch, poplar, pine and juniper. A similar woodland species mix is proposed in areas of incidental open space. Beech and holly is proposed to create a hedge either side of the access track leading to the existing gate at the rear of the site, as well as being proposed along the part of the lengthy driveway which would

<sup>5</sup> The surfaced road would end in a hammerhead some distance from the access gate, with a footpath surrounding the hammerhead.

serve plot no. 29 and along some of the side and rear boundaries in the plots in the eastern area of the site.<sup>6</sup>

### **Design and Sustainability Statement**

11. A Design and Sustainability Statement has been submitted with the application. In terms of the sustainability credentials of the proposal, the following attributes have been outlined :
  - The houses will be ‘super insulated’ to minimise the energy required to heat them;
  - Supplementary heating systems will be incorporated including wood burning stoves;
  - Large panel timber frame construction will be used in order to minimise air leakage and improve build quality;
  - The orientation of the dwellings has been set to maximise solar gain;
  - Tree planting is intended to provide shelter from the prevailing wind;
  - The specifications for roof, external walls, windows and internal walls will all meet an A rating or better in the BRE ‘Green Guide to Specification’; and
  - “All timbers will be FSC certified and used from local sources where at all possible.”
12. In referring to the site layout, reference is made to the layout being designed to accommodate the levels on the site and minimise the impact of the buildings on views from the A9. Many of the house types are generally split level due to the sloping site. Some gardens would be divided by retaining walls and landscaped banking to address the level changes between them. In undertaking the development of the site, it is stated that house platforms will be formed at an early stage, in order to allow tree planting to be carried out as soon as possible.
13. The house designs are described in the Design and Sustainability Statement as “indicative of the style and visual appearance which complements the rural setting.” The designs are considered to be of the rural vernacular in appearance, with features including steep pitched roofs and external finishes of roughcast and stained timber clad panels.

## **DEVELOPMENT PLAN CONTEXT**

### **National Policy**

14. **Scottish Planning Policy<sup>7</sup> (SPP)** is the statement of the Scottish Government’s policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:

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<sup>6</sup> Plot no’s 42, 43 and 45.

<sup>7</sup> February 2010

- The constraints and requirements that planning imposes should be necessary and proportionate;
  - The system should .....allow issues of contention and controversy to be identified and tackled quickly and smoothly; and
  - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
15. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government’s central purpose of increasing sustainable economic growth.” Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that “the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
16. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
17. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
18. *Landscape and natural heritage* : The **Scottish Planning Policy** document recognises the value and importance of Scotland’s landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.
19. *Housing* : The planning system is required to enable the development of well designed, energy efficient, good quality housing in sustainable locations. In a section entitled ‘Location and Design of New Development’ it is advised that new housing development should be integrated with public transport and active travel networks rather than encouraging dependence on the car.

20. Para. 83 of **Scottish Planning Policy** advises that the density of new development should be determined in relation to the character of the place and its relative accessibility. SPP also recognises that through good design it is possible to achieve higher density living environments without overcrowding and the loss of amenity.
21. **Scottish Planning Policy** concludes with a section entitled 'Outcomes' in which it is stated that the "planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets."

### **Strategic Policies**

#### **Cairngorms National Park Partnership Plan 2012 - 2017**

22. The Cairngorms National Park Partnership Plan 2012 – 2017 is the management plan for the National Park for the next 5 years. It sets out the vision and overarching strategy for managing the Park and provides a strategic context for the Local Development Plan. Three long term outcomes have been identified to deliver the vision for the Park, to continue the direction set out in the first National Park Plan and to together deliver the four aims of the National Park. The outcomes are :
  - A sustainable economy supporting thriving businesses and communities;
  - A special place for people and nature with natural and cultural heritage enhanced; and
  - People enjoying the park through outstanding visitor and learning experiences.
23. Policies to secure the outcome of 'a special place for people and nature with natural and cultural heritage enhanced' are also of relevance to the current proposal. Policy 2.8 seeks to enhance the design and sense of place in new development and existing settlements. The Plan sets out a number of means by which policy 2.8 can be achieved, including enabling new development which contributes positively to a sense of place; promoting a high standard of sustainable design, energy efficiency, sustainably sourced materials and construction in new development; and supporting the retention and enhancement of the local character.

### **Structure Plan Policy**

#### **Highland Council Structure Plan (2001)**

24. **Highland Council Structure Plan** is founded on the principles of sustainable development, which are expressed as –
  - Supporting the viability of communities;
  - Developing a prosperous and vibrant local economy; and
  - Safeguarding and enhancing the natural and built environment.A variety of detailed policies emanate from the principles.



25. The following provides a brief summary of the policies applicable to a development of this nature. Section 2.2 of the Plan focuses on the subject of housing. It recognises that the “availability of quality housing is fundamental to social and individual well being and to creating and maintaining balanced communities.” The Plan also states that adequate provision of housing is a pre-requisite. ‘Services and Facilities’ is discussed in Section 2.4 of the Plan and it is noted that access to a good range of services and facilities is an important aspect of quality of life and that their existence also assists in supporting the local economy.
26. Section 2.14 of the Plan concentrates on the subject of landscape, stating that “no other attribute of Highland arguably defines more the intrinsic character and nature of the area than its landscape.” Similar to national policy guidance, there is a recognition that landscape is not a static feature and that the protection and enhancement of landscape and scenery must be positively addressed. **Policy L4 Landscape Character** states that “the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.”
27. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things make use of brownfield sites, existing buildings and recycled materials; are accessible by public transport, cycling and walking as well as car; are compatible with service provision; demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments; and contribute to the economic and social development of the community.

### **Local Plan Policy**

#### **Cairngorms National Park Local Plan (2010)**

28. The Cairngorms National Park Local Plan was formally adopted on 29<sup>th</sup> October 2010. The full text can be found at :  
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
29. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with other policies, are intended to meet the sustainable development needs of the Park for the Local Plan’s lifetime. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
30. *Policy 6 – Landscape* : there will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular the setting of the proposed development. Exceptions will only be made where any significant adverse effects on the landscape are clearly

outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.

31. *Policy 16 – Design Standards for New Development* : this is one of a number of policies which is intended to encourage developers to consider how they can best include the principles of sustainable development in their proposals, and consider the impact on the environment, economy and community. Policy 16 requires that all proposals are accompanied by a design statement which sets out how the requirements of the policy have been met. The design of all development is encouraged to :
- Reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and materials;
  - use materials and landscaping that will complement the setting of the development;
  - demonstrate sustainable use of resources; and
  - be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.
32. The subject site is outside the Aviemore settlement boundary as identified in the CNP Local Plan (2010). The land at Highburnside was within the settlement boundary and allocated for housing in the former Badenoch and Strathspey Local Plan (1997), which was the Plan in effect when outline planning permission and approval of reserved matters were granted on the site.

#### **Supplementary Planning Guidance**

33. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted.

#### **Sustainable Design Guide**

34. The guide highlights the fact that the unique nature and special quality of the Cairngorms National Park and the consequent desire to conserve and enhance this distinctive character. The guidance has at its core the traditional approach to design which aims to deliver buildings which provide a resource efficient, comfortable and flexible living environment. The **Sustainable Design Guide** requires the submission of a Sustainable Design Statement with planning applications. It is intended that applicants would use the Sustainable Design Statement to demonstrate how standards set out in the Sustainable Design Checklist will be achieved.
35. One of the key sustainable design principles referred to in the document is that “future development in the Park should be sensitively located, reflect existing development pattern and setting, and respect the natural and cultural heritage of the Park.” Developments are also required to reflect traditional materials and workmanship, and take on board innovation, contemporary design and the emergence of modern methods of construction.

## CONSULTATIONS

36. **Aviemore and Vicinity Community Council** :The consultation response states that “the AVCC has no problem with this application.”
37. **CNPA Access** : The Access Officer considered the proposal in the context of outdoor access. The consultation response identifies the potential impacts as being the loss of access during construction and the loss of managed access to Kinveachy Forest. In order to address the potential impacts, it is recommended that measures should be put in place to provide a diversion during construction in order to access to the forest lands beyond the site remains available for users.<sup>8</sup> It is also recommended that the existing access point into the forest is retained, as identified between plot no’s 32 and 33, as the means of managed access to Kinveachy Forest. In conjunction with this, and again in the interests of managing access, it is also suggested that the potential installation of garden gates on the rear boundaries of plots adjoining the rear boundary of the site are prohibited. In addition, in the interests of avoiding the creation of unnecessary informal tracks through the proposed central woodland area on the site, it is suggested that footpath provision be extended around the entire perimeter of the central woodland, rather than the currently proposed arrangement which has a stretch of approximately 30 metres on the western side of the woodland area in which footpath provision is not proposed.

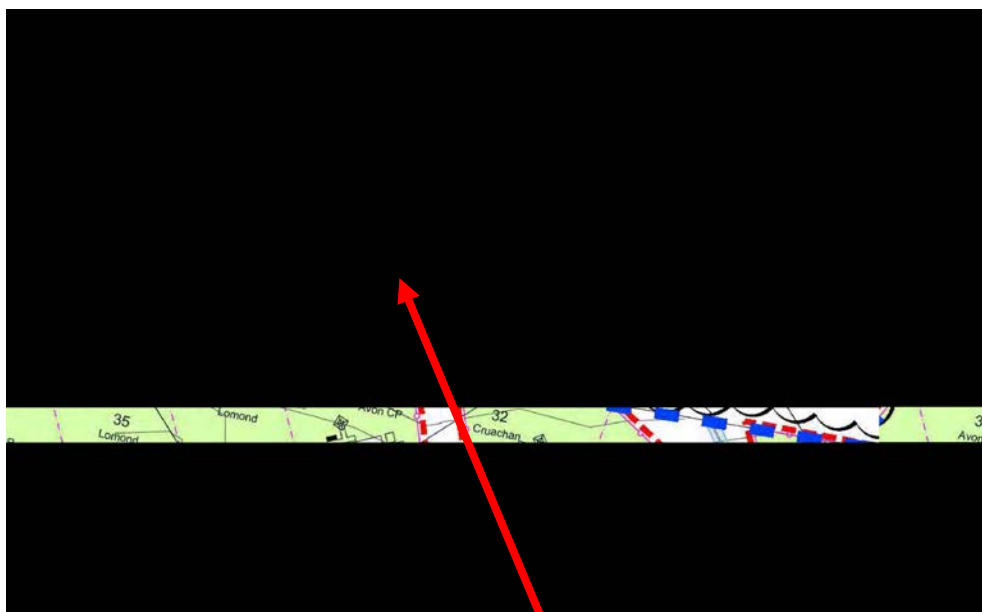


Fig. 12 : Area in which an additional section of footpath is recommended

38. **CNPA Landscape** : The response from the Landscape Officer refers to her involvement in pre-application discussions on the subject site with the developer and their landscape architect. Various measures were discussed at that stage to maximise the extent of existing trees that could be retained on the site and also minimise the disturbance of natural areas. The Landscape

<sup>8</sup> The applicants are willing to do this and have already provided separate correspondence showing a proposed temporary path, outside the boundaries of the subject site. It is currently being considered by CNPA officials.

Officer confirms in the consultation response that the submitted site layout plan and the landscaping proposals reflect the earlier on-site discussions. It is advised that the protection of trees should be carried out in accordance with BS 5837 : 2012. The Landscape Officer also suggests, in order to ensure that the landscaping proposals are delivered in accordance with the submitted detail, that it would be beneficial for the developers landscape architect to provide all contractors and sub-contractors with a thorough briefing on the requirements.

## REPRESENTATIONS

39. The application was advertised in the Strathspey and Badenoch Herald on 6<sup>th</sup> December 2012. No representations have been received.

## APPRAISAL

40. The principle of development has already been established through Highland Council's grant of outline planning permission in 2004, and later through the CNPA's granting of approval of reserved matters for the masterplan layout for 75 plots on the entire site, as well as the associated road network, engineering works etc.. The latter permission established the specifics of the road and individual plot layouts and some of the road is already in place. The only matters to consider in this current application therefore relate to the detail of the plot development, including house designs, their positions, boundary treatments and general landscaping proposals and the treatment of open space on the site.

### *Layout*

41. The proposed layout is generally consistent with the masterplan layout, with the exception of some minor variations to plot configurations (on the eastern side of the access road as it enters phase 4, and in positioning plot 29 closer to the western (rear) boundary). Aside from this, the main features of the site layout remain consistent with the original masterplan consent, including key elements such as the centrally positioned open space / woodland area, and the retention of existing access provision through the site, including the track that approaches from the east and the track which would continue from the development access road to the existing gate on the western boundary leading to the woodland beyond.

### *Design*

42. Detail has been provided in paragraph 6 and figures 5-10 of the proposed house types, all of which are detached. A variety of five house types are proposed, with varying floor areas, and some also include garages. The floor plans accommodate a mix of three and four bedroom units, and a number of the designs also include family rooms and study space, which may have the potential to accommodate multiple use. The design features, scale, proportions and finishing materials of the dwellings generally reflect those already approved in earlier phases of the overall development. As noted in earlier sections of this report, material finishes would include a roughcast finish in conjunction with feature elements of timber cladding. In addition to the

traditional nature of the finishes, this would also assist in achieving a visual consistency across the various designs and phases of development of the overall site.

### **Conclusion**

43. The principle of development has already been accepted on the site, as has the road layout and the general plot layout. The house designs are compatible with those introduced in earlier phases of the development and display many features which reflect elements of traditional architecture in the area. Although the actual site is visually unappealing at present, due to some areas being utilised for the storage of excavated earth and various building materials, efforts have nonetheless been made to fence off some of the more sensitive areas of the site and protect existing vegetation features. Together with the landscaping plan, which had been discussed in advance with the CNPA's Landscape Officer and reflects guidance provided by the Officer in respect of maximising the extent of trees to be retained and nature of new planting to be undertaken, the proposed development of this area of the site has the potential to deliver a residential development which is sympathetic to a semi rural location on the periphery of the settlement of Aviemore.

## **IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK**

### **Conserve and Enhance the Natural and Cultural Heritage of the Area**

44. Much of the housing site at Highburnside is located in a highly visible position on the western side of the A9 trunk road. However, of all of the phases of the development, and despite the fact that the current phase is proposed on the highest ground, it offers the greatest potential to nestle into the surrounding landscape, due to the existence of extensive vegetation in much of the surrounding area. In addition, various landscaping works are also proposed to be undertaken in conjunction with this phase, which would be of further assistance in minimising any visual impact. It also offers the potential to enhance the area of the site from its current condition.

### **Promote Sustainable Use of Natural Resources**

45. The Design and Sustainability Statement which has been supplied in support of the proposal makes reference to the use of FCS timber, which would be locally sourced where possible. Other sustainable measures include woodburning stoves and the orientation of the proposed dwellings to maximise solar gain. All of the measures would collectively assist in promoting the sustainable use of natural resources.

### **Promote Understanding and Enjoyment of the Area**

46. The land at Highburnside has been the subject of on-going construction activity in recent years, and the area which is the subject of this current application has displayed a disturbed appearance associated with pre-construction. The land has traditionally accommodated a range of tracks and informally developed walking routes, which provide people with the opportunity to access Kinveachy Forest and other lands to the west. The completion of the development, including the provision of roads and footpaths would provide improved

opportunities for users to access the lands beyond. Provision would also be made for a temporary path diversion to the north west of the subject site, to facilitate access opportunities in a safe manner whilst development would be on going on the development site.

### **Promote Sustainable Economic and Social Development of the Area**

47. The proposed development includes a variety of house types and sizes, which would have the potential to attract a wide demographic mix and as such would be of benefit to the social development of the area. In addition, the on-going construction activity at the site could be considered to assist the economic development of the area.

## **RECOMMENDATION**

**That Members of the Committee support a recommendation to GRANT planning permission for the erection of 19 villas (on plots 27 to 45) on land at Highburnside, Aviemore, subject to the following conditions :**

1. The development to which this permission relates must be begun within three years from the date of this permission.

**Reason:** to comply with Section 58 of the Town and Country (Planning) Scotland Act 1997 or as amended by the Planning etc. Scotland Act 2006.

2. This permission relates solely to the erection of 19 dwelling houses at plots 27 - 45 and associated site works, as Phase 4 of the overall development granted masterplan approval of reserved matters, CNPA ref. no. 05/177/CP, and as originally permitted under outline planning permission, Highland Council reference 03/00322/OUTBS. Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions imposed on that outline planning permission or approval of reserved matters, unless otherwise agreed by the Cairngorms National Park Authority acting as Planning Authority.

**Reason :** In the interests of ensuring the orderly development of the site and in order to ensure that the development accords with the original governing permissions.

3. Prior to the commencement of development, a revised plan shall be submitted for the agreement of the Cairngorms National Park Authority acting as Planning Authority to show the extension of the footpath provision adjacent to the frontage of plots 34 and 35.

**Reason :** In order to ensure that a continuous footpath link is provided on all sides of the central woodland area and to discourage the creation of informal routes through the planted woodland area.

4. Prior to the commencement of any works in connection with Phase 4 of the development, detailed proposals shall be submitted for the provision of a temporary path (and including proposals for all appropriate warning and

directional signage) at an appropriate location which avoids pedestrian conflict with construction activity and continues to facilitate access to the existing access gate on the western boundary of the site.

**Reason :** In the interests of facilitating continued non vehicular access through the site and in the interests of ensuring public safety.

5. Prior to the commencement of any works in connection with Phase 4 of the development, the following works shall be completed and approved by the CNPA acting as Planning Authority, in consultation with the Roads Authority at Highland Council –
  - all roads related works, including drainage and flood prevention work, shall be carried out in accordance with the relevant conditions attached to the Reserved Matters planning permission, ref. 05/177/CP.

**Reason :** in the interests of traffic safety and public safety.

6. All landscaping works shall be carried out in accordance with the details contained in the 'Soft Landscaping Proposals Planting Plan' (dwg. no. HLD 1538.12 SL02 Rev. C). The landscaping scheme shall be completed during the planting season next following the completion of this phase of the development, or such other date as may be agreed in writing with the CNPA acting as Planning Authority.

The landscaped areas shall be maintained in perpetuity. Any trees or shrubs removed, or which in the opinion of the CNPA acting as Planning Authority, are dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

**Reason :** in the interests of visual amenity and to enhance the natural heritage value of the area.

7. Protective fencing shall be provided around all individual trees and 'tree blocks' identified for retention on the 'Soft Landscaping Proposals Planting Plan' (dwg. no. HLD 1538.12 SL02 Rev C) prior to the commencement of any other construction activity in Phase 4. The protective fencing shall be provided in accordance with BS 5837:2012. The fencing shall remain in place and be maintained for the duration of construction works in the vicinity and until completion of all development in that area. Full specifications of the type of protective fencing shall be submitted for the agreement and written approval of the Cairngorms National Park Authority acting as Planning Authority prior to the commencement of any development permitted in this application.

**Reason :** in the interests of enhancing the natural heritage value of the area.

8. Prior to the commencement of any of the proposed works, the following details and specifications for finishing materials, and where required samples, shall be provided for the further written approval of the Cairngorms National Park Authority acting as Planning Authority -

- a. External windows and doors;
- b. External stonework;
- c. Wet dash render for the walls;
- d. External timber cladding;
- e. Roofing material;
- f. A detailed colour scheme; and
- g. All road, path, access drives and car parking surfaces.

**Reason :** in the interests of visual amenity and in the interests of achieving orderly development.

9. The vehicular access to each plot shall be hard surfaced for the first 6 metres measured from the nearside edge of the adjacent access road.

**Reason :** in the interests of traffic and public safety and in the interests of visual amenity and orderly development.

10. Front garden areas shall be maintained in an open plan format in perpetuity. Prior to the commencement of development details of all boundary treatments on the side and rear boundaries of individual plots shall be submitted for the agreement of the Cairngorms National Park Authority acting as Planning Authority. Proposals should be submitted to include the provision of timber post and rail fencing on the rear boundaries of plot no's 32 – 36. All agreed boundary treatments on all plots shall thereafter be retained and maintained in perpetuity.

**Reason:** in the interests of orderly development and visual amenity and to discourage informal access openings to the woodland and access track to the west of the site.

11. The rear boundary treatment of all plots shall be retained in a complete and unbroken form in perpetuity and at no time shall any individual openings / access points be created to access the surrounding woodland or areas of open space.

**Reason :** In order to ensure that access to the surrounding woodland area is provided in a managed manner.

**Advice note :**

- I. Having regard to the need to ensure that residents in the development are provided with adequate on site recreation opportunities from the outset, it is expected that the 'kick about pitch' identified on the approved drawings in the Approval of Reserved Matters for the layout of 75 house plots, associated road works, services, amenity grounds and Master Plan submission (CNPA ref. no. 05/177/CP refers), is completed and usable at the earliest possible opportunity.



2. Consideration should be given to making arrangements for a Landscape Architect to provide all contractors and sub-contractors with a thorough briefing on the tree protection and landscape requirements on the site prior to the commencement of development.

**Mary Grier**

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**21 February 2013**

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