
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT PROPOSED: OUTLINE PLANNING PERMISSION FOR ERECTION OF 4 NO. DWELLINGHOUSES, MILEHOUSE, KINCRAIG

REFERENCE: 07/014/CP

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

DATE CALLED-IN: 12 JANUARY 2007

RECOMMENDATION: APPROVAL, SUBJECT TO CONDITIONS

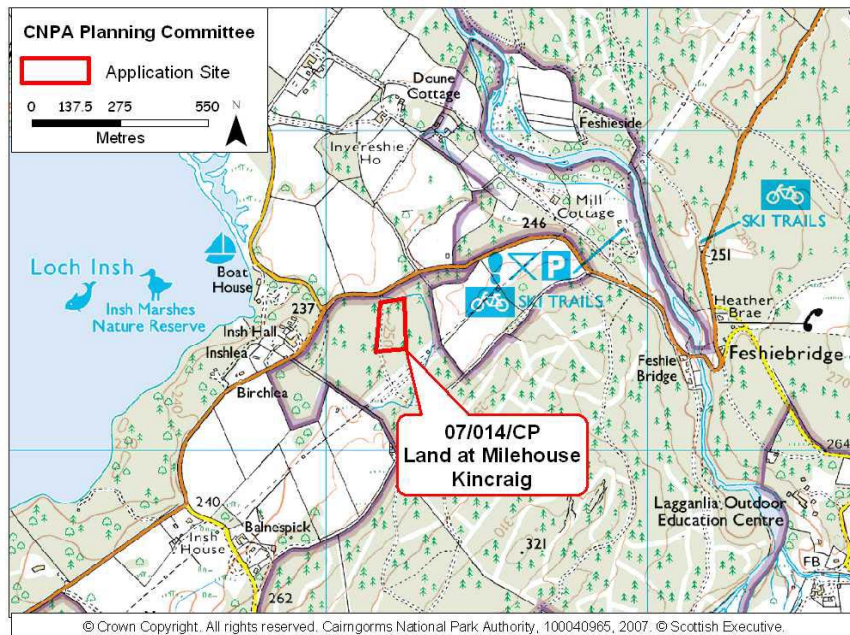


Fig. 1. Location Plan

SITE DESCRIPTION AND PROPOSAL

1. **Outline planning permission** is sought for the erection of 4 detached houses on a site which lies in a forest setting approximately 2km to the south east of Kinraig. The land is owned and managed by Forestry Commission Scotland as a plantation and is situated on the south side of the B970 at the junction of an existing forest track leading into the Milehouse and Inschriach Forests (**Fig. 1.**). The site constitutes approximately 1.2ha of land which rises up from the public road and extends southwards on the east side of the forest track. (**Figs. 2, 3 & 4**)



Fig. 2. Site viewed from entrance from B970



Fig. 3. Site and existing forest track looking south

2. The application is submitted in an **outline format**. However, indicative drawings showing a potential layout and potential house designs are included with the application as supporting information (**Figs. 5. & 6.**). These show four detached sustainably designed dwellings sited in sizeable plots on the flatter areas, served by two shared accesses off an upgraded road following the line of the existing forest track. The houses are indicated as being flexible in design so that they can be adapted to meet individual owner needs of between 2 to 6 persons depending on the internal arrangements. There are two types indicated but they are similar in size and general design. They would be erected on structural columns on concrete pad foundations in order to minimise the impact on the forest floor. Finishing materials envisaged are home grown larch, pine or douglas fir wall cladding with coloured metal or zinc roofs. Primary heating will be supplied by a small 8kw wood stove with a back boiler providing hot water. Opportunities for solar panels are also promoted. The indicative plans also show an intention to retain selected areas of existing trees and under planting, and complement this with new planting.

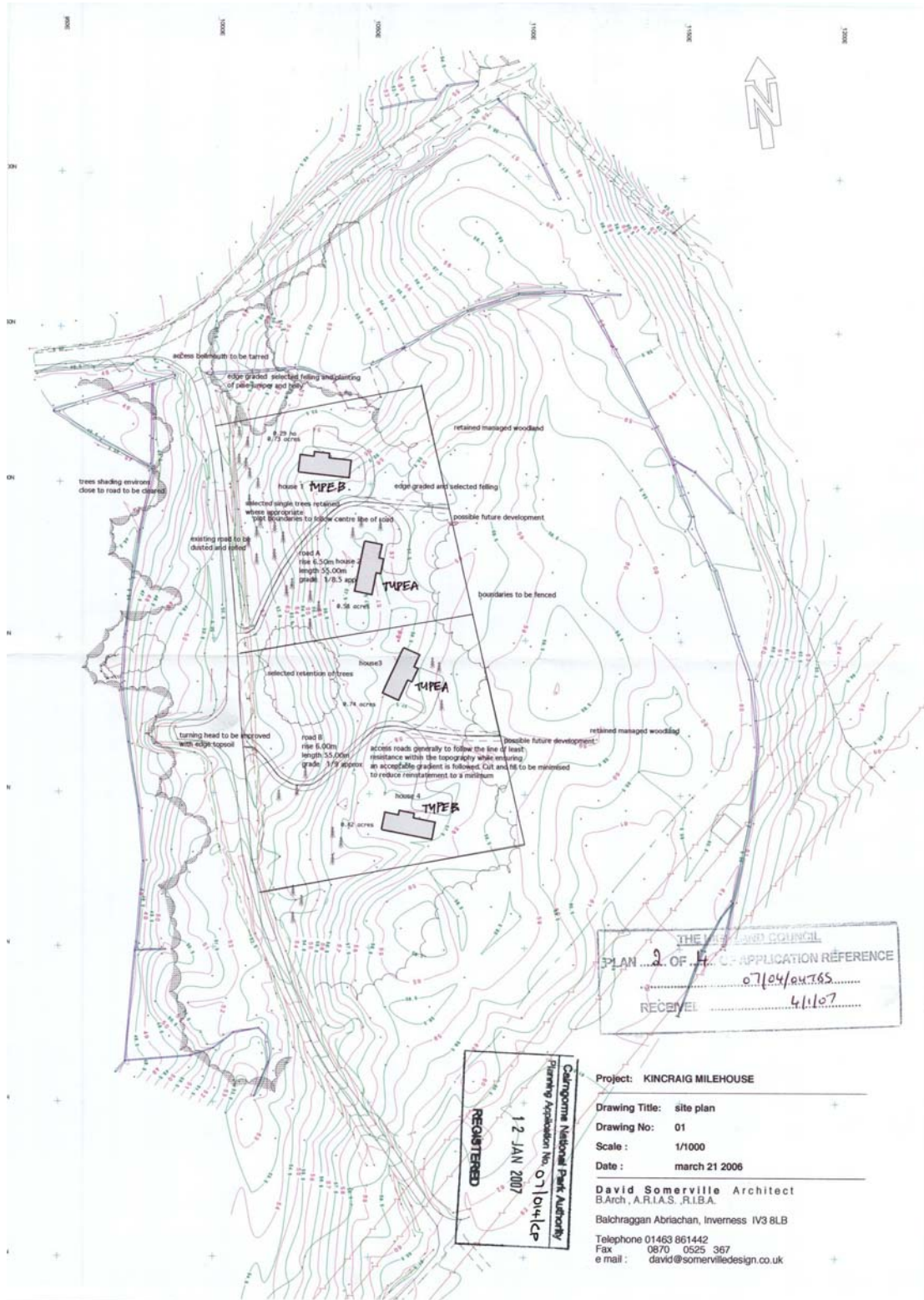


Fig. 4. Site and existing forest track looking northwards

3. The proposal is being promoted by the Highland Small Communities Housing Trust (HSCHT) as an affordable but sustainable housing project. It is their practice to take action on behalf of a community and deliver affordable housing for local people, and in this instance they have been working closely with the Kinncraig and Vicinity Community Council. The houses would be sold to local residents who meet the HSCHT allocation assessment criteria (established connection with the Community Council area, and established need for securing an affordable site) and they would be delivered through the Rural Home Ownership Grant mechanism (RHOG). The HSCHT's Rural Housing

Burden will be applied to retain control over the affordability and occupancy of the houses in perpetuity.

Fig. 5 Site Plan Showing Indicative Layout



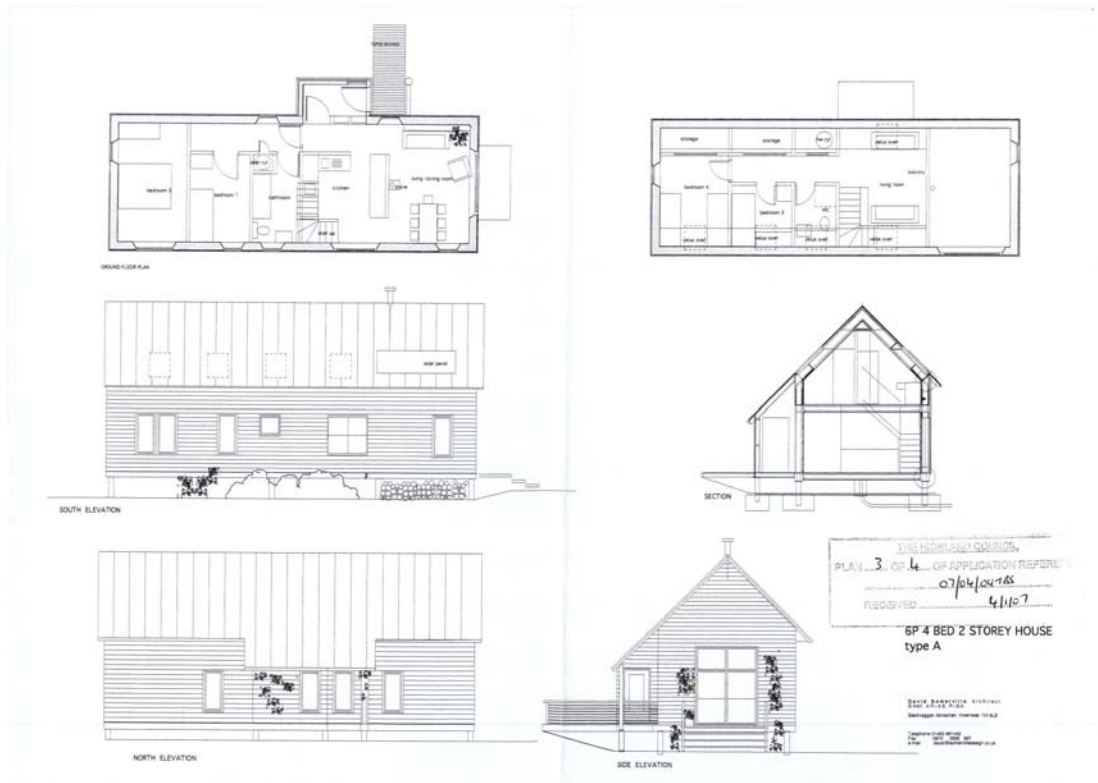


Fig. 6. Indicative Plans and Elevations

DEVELOPMENT PLAN CONTEXT

National Planning Policy and Guidance

4. **SPP3 (Planning for Housing)** advances policy in respect of small scale rural housing developments including clusters and groups in close proximity to settlements and generally dictates a message that there is considerable scope for allowing more housing developments of this nature.
5. **SPP15 (Planning for Rural Development)** states that “*Rural Scotland needs to become more confident and forward looking both accepting change and benefiting from it, providing for people who want to continue to live and work there and welcoming newcomers.....The intention is to have vigorous and prosperous rural communities, ranging from small towns and villages to dispersed settlements. The countryside should be able to absorb more people content to live and able to work there.*” It also states that “*In rural areas, innovative and flexible approaches will be required to deliver affordable houses in suitable numbers.....Forestry Commission Scotland is exploring the potential to sell land to Registered Social Landlords for the purposes of building affordable social housing in rural areas and to promote the use of sustainably produced timber and timber products as part of the process.*”

6. **PAN72 (Housing in the Countryside)** sets out key design principles which need to be taken into account when determining planning applications for housing in the countryside. The purpose is to create more opportunities for good quality rural housing which respects Scottish landscapes and building traditions. It covers matters such as landscape, layout, access, scale, materials, and detailing.
7. **PAN74 (Affordable Housing)** sets out how the planning system can support the Scottish Executive's commitment to increase the supply of affordable housing.

Highland Structure Plan 2001

8. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things, are compatible with service provision; are accessible by public transport, cycling and walking as well as by car; maximise energy efficiency in terms of location, layout and design; impact on habitats, species, landscape etc; demonstrate sensitive siting and high quality design; promote varied, lively and well-used environments; and contribute to the economic and social development of the community.
9. **Structure Plan Housing Strategies** aim to steer demand for housing development to appropriate locations within settlements. However, exceptions may be made for social housing providers in meeting demonstrated local affordable housing needs that cannot be met within settlements. **Policies H4 & H5 (Affordable Housing)** seek to promote the provision of affordable housing through partnership working and developer contributions. **Recommendation H6 (Affordable Housing in Rural Areas)** recommends general support for more radical measures for securing affordable housing in more rural areas. These include, amongst other things, continued support for new methods and vehicles such as the Highlands Small Communities Housing Trust and Local Housing Partnerships; identifying opportunities to make use of surplus Council sites and buildings, as well as that of other agencies; and encouraging landowners to make land available for affordable housing. **Policy H8 (Access Arrangements for New and Existing Development)** advises that development proposals that involve new or improved access to serve more than 4 houses shall be served by a road constructed to adoptive standards. **Policy L4 (Landscape Character)** requires regard to be had to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.

Badenoch and Strathspey Local Plan 1997

10. The site lies in an area designated as Restricted Countryside. **Policy 2.1.2.3. (Restricted Countryside Areas)** maintains a strong presumption against the development of houses in such areas unless the house is essential for the management of land, related family and occupational reasons. Adherence to the principles of good siting and design will be required in such cases. **Policy 2.5.4. (Woodlands and Trees)** seeks protection of existing trees and established woodland areas including small groups of trees or individual granny pines which are important landscape, wildlife and amenity features of the countryside. These include significant areas of ancient and semi-natural woodlands.

Cairngorms National Park Plan 2007

11. The Living and Working Section of the Park Plan includes amongst others, strategic objectives to; increase the accessibility of rented and owned housing to meet the needs of communities throughout the Park; improve the physical quality, energy efficiency and sustainable design of housing in all tenures throughout the Park; and ensure there is effective land and investment for market and affordable housing to meet the economic and social needs of communities throughout the Park. The Conserving and Enhancing the Park Section of the Park Plan includes, amongst others, strategic objectives to; maintain and enhance the distinctive landscapes across the Park; and ensure development complements and enhances the landscape character of the Park.

CONSULTATIONS

12. **SNH** has no objection to the proposal. The location of the proposed development lies close to, but outwith, the River Spey Insh Marshes SSSI. This SSSI is a designated SPA and SAC. The qualifying features include wetland habitats, such as fen, marsh and swamp, standing waters, and species such as otter, arctic char and wildfowl. At its nearest point, the proposed development lies approximately 430m from the boundary of designated site. It is unlikely that any qualifying feature will be affected significantly either directly or indirectly and SNH therefore consider that no appropriate assessment is required.
13. **SEPA** has advised that their primary interest is in protection of surface waters and groundwater. If minimum distances to watercourses, ditches, and field drains can be achieved, then septic tanks and soakaways for foul drainage are acceptable. Surface water draining to soakaways is acceptable from a water quality perspective.

14. **Forestry Commission Scotland** has advised that they have been liaising with the HSCHT regarding this proposal for affordable housing. They are supportive of the project which will use land sold under the National Forest Land Scheme.
15. **Kincraig & Vicinity Community Council** has stated that the project has its full support, having been initiated by the Community Council. They have no further comments to make other than hoping that the project can be given a fair wind through the planning process.
16. **Scottish Water** has no objection to the application but states that this does not guarantee any required connection to their infrastructure. However, they have confirmed that there are no public sewers in the vicinity and it is advisable that septic tanks should be sited in such a manner to allow easy access for emptying. Blackpark Water Treatment Works currently has sufficient capacity to service the development but there may be issues in the water network.
17. **Highland Council's Area Roads Manager** recommends that the access arrangements shall be generally in accordance with the submitted details. Conditions should be imposed relating to surfacing of the access and turning head, provision and retention of visibility splays and junction bollards either side of the access at its junction with the public road, and provision of advance signage and parking. In addition it is suggested that consideration be given to the provision of an off-road pedestrian/cycle link between the site and the existing public footpath at the Loch Insh Watersports Centre.
18. **The CNPA's Outdoor Access Officer**, has stated that the forestry access road which is to serve the proposed houses provides access to Inshriach Forest and the Feshiebridge area for non-motorised recreational users including walkers, horse-riders and cyclists. Furthermore this access road is targeted as the line of the proposed Speyside Way extension from Aviemore to Newtonmore and is therefore included in the Interim Draft Core Paths Plan. Decisions about the eventual line of the route will be the subject of detailed negotiation with land owners. There are therefore four related issues; protection of the line of the route; managing obstructions to the route; the potential for damage to the route; and responsibility for its maintenance. As a consequence, should the application be approved, the access road needs to be recognised and protected as the proposed line of the Long Distance Route; it should be kept open for access during construction, or a reasonable alternative provided; and the developer needs to agree a maintenance regime for the access road that ensures that steps are taken to reinstate any damage to the surface by vehicular use.

19. **The CNPA's Housing Policy Officer**, has advised that this project is to help meet the local housing needs and aspirations of the community in and around Kincaig. The project will consist of 4 Rural Home Ownership Grant houses with land which has the rural housing burden in the title. This means the houses will remain affordable in perpetuity. The project is designed to test and develop innovative, pathfinding ways of delivering affordable housing in a heavily pressured and very expensive housing market area – but in ways which achieve new standards of quality design and sustainability. The project would be promoted and funded by a partnership of interest groups and it is also aimed at addressing a number of key strategic issues. These include; accessing a uniquely affordable land supply; using forest sites sensitively and well; advancing house design and sustainability; making best use of locally sourced timber; and delivering a replicable exemplar project.
20. The HSCHT are working to bring the costs of the project within an acceptable benchmark cost to Communities Scotland, and they have also been in constant communication with people in the community who want to live in the houses. Indeed, representatives from the community have been on the steering group. Highland Council's Area Housing Manager has been very supportive of the project. There are 10 houses being built in Kincaig beside the community hall by Albyn Housing Society but these are for rent. The waiting list indicates a demand for smaller houses but when consulted on owning their own home the community did request slightly larger houses (2 or 3 bedrooomed).
21. **The CNPA's Natural Heritage Group** has advised that the site lies within the Cairngorms National Scenic Area and is an area listed on the Ancient Woodland Inventory. There are views to the site from the north and from the roadside of the B970. These are somewhat limited because the site presents its narrowest face to this direction. However, the buildings would be placed on the flatter part of the site near to its highest point. Presently the site is indistinguishable from the neighbouring plantation woodland. Walkers going along the track can see freely into the site. Views out of the site are confined by the trees around the edges of the site, particularly by the plantation on the western side. Views within the site are surprisingly clear as the trunks of the pines only slightly impede vision.
22. The development will clearly introduce a group of dwellings into the countryside in a location 300m away from the nearest building and which is separated by a significant block of woodland. It is highly likely to be perceived as a settlement distinct from other buildings. The houses would be visible from the B970 and of course by users of the track. The visual intrusion for the highest frequency receptors is mitigated by the houses screening each other- only the end one would be particularly visible. The nature of the impact goes beyond the

proposed houses. The gardens would of course be utilised and normal garden structures and domestic features, as well as lighting, would add to the impact. The screening from the roadside vegetation is unlikely to hide this significantly. However, the number and frequency of receptors will be much reduced at night, especially in winter. Due to the location, car use would be a necessity. The construction of the houses will mean the clear felling of the majority of the trees on the site, although small groups of selected trees on the western side will be retained. The overall effect though will be to increase the gap in the woodland and create the impression of separate woodland areas where currently it appears continuous. Most of the ground floors of the areas will be either removed or damaged.

23. The development will change the character of the site considerably. However, the site itself is reasonably well enclosed and mitigation may be quite effective over the medium to long term. The following actions may be considered in order to mitigate the impact. The trees and vegetation at the entrance should be retained and reinforced with additional planting. This will retain the screening and minimise the apparent change and therefore the impact. The belt of trees between the site and the B970 should be reinforced with additional planting that favours evergreen species. This will reduce the visual impact generally and the evergreen element will be more effective during the winter and at night. The removal of trees along the western edge should be limited. The remaining woodland should be underplanted to provide a more varied age structure. This will give the impression of a more natural woodland setting.
24. The future of adjacent plantations also has a bearing on this application as heavy thinning or clear felling may result in this development being highly visible from surrounding areas. A more positive statement about the principles of removal and replacement should be submitted and a specification for replacement planting would be appropriate. To conclude in terms of landscape, the **NHG** advise that the application is finely balanced. The impact upon the surrounding area is mitigated to a degree by its location and the nature of the site. It is stated that the applicants have not addressed the full potential and need for mitigation. If this was done then the impact on the landscape resource would be small. This might also be influenced by the quality of the buildings and the sensitivity of siting. However, the issue of substantial development outwith a settlement is still an issue of direct landscape importance. This application might set a precedent that could, if followed, lead to other developments more harmful.
25. From an ecology point of view, the ground flora is less typical of a native pinewood, as heather is virtually absent and blaeberry is scarce. It is more suggestive of a broadleaved woodland. Indeed, the 1873 Ordnance survey map for the area shows the site as broadleaved

woodland. The removal of trees and ground flora will significantly alter the woodland habitat quality of the site.

REPRESENTATIONS

26. The application was advertised as a "Departure from the Development Plan" by Highland Council with 21 days given for receipt of representations. **No representations have been received in relation to any aspect of the application. However a copy of the response from the Kincaig & Vicinity Community Council is attached.**

APPRAISAL

27. This application site lies in a Restricted Countryside Area in the adopted Badenoch and Strathspey Local Plan where there is a policy presumption against new housing unless there is a land management justification. The application is for outline planning permission and therefore the intention is to seek approval for the principle of housing. However, there is no land management justification. The development of housing in this location in this instance is therefore, contrary to the Restricted Countryside Policy 2.1.2.3. of the Badenoch and Strathspey Local Plan. The primary issue therefore is whether there are sufficient reasons and other material considerations, which are enough, to justify permitting a departure from the statutory Local Plan in this instance.

Policy and Other Material Considerations

28. The objective of this proposal is to help meet local affordable housing needs and aspirations in the form of delivering affordable low cost home ownership in a pressured and expensive housing market area. In addition, it aims to achieve new standards of quality design and sustainability. The first main point therefore is that the Highland Small Communities Housing Trust (HSCHT) will be delivering these through the Rural Home Ownership Grant mechanism to those who would qualify under this scheme. They would be sold as low-cost homes rather than rental. In order to maintain the affordability, in perpetuity, the HSCHT will apply its Rural Housing Burden. This provides the HSCHT with a pre-emptive right to buy back the property when the owner wishes to sell.
29. Highland Structure Plan and up-to-date national planning policies relating to rural development and affordable housing promote innovative and flexible approaches towards affordable housing provision in such areas. There is also much more encouragement at a national level for exploiting opportunities for affordable housing proposals in rural areas where they promote an exemplar approach to sustainable design.

30. It is also the case that the land which is the subject of the application is owned by Forestry Commission Scotland (FCS), and is therefore being sold to the HSCHT under the National Forest Land Scheme. National Forest Land is the forests, woods, open land and other property owned by Scottish Ministers on behalf of the nation, and managed by FCS. Amongst other things, the scheme covers land for affordable housing and allows Registered Social Landlords and other housing bodies to buy national forest land at a minimal purchase price, to provide affordable housing. SPP15 (Planning for Rural Development) also accepts that forest land can be used for the purposes of building affordable social housing in rural areas particularly where the use of sustainably produced timber and timber products as part of the process is promoted.
31. Although only in outline format at this stage, there are clear indications of the type and form of houses envisaged. It was recognised at the inception of the project, that in order to unlock the potential of this “new” supply of affordable land, it would be necessary to persuade all involved parties, that the houses could be integrated into a forest environment in ways which would be environmentally sensitive and visually pleasing. If successful, it could then act as real and practical example and therefore set a benchmark for quality and sensitivity which would help win necessary support for other similar affordable housing proposals in other forest settings. The aim therefore is to create houses which are wholly sympathetic to their woodland setting but also achieve the highest practicable standards for sustainability in terms of their energy efficiency, production costs, and use of locally sourced materials and labour. In this respect, the design process thus far has been extremely thorough in seeking to meet these aims. The indicative house types provide flexible accommodation with high levels of insulation, use of local timber for structural and finishing components, use of wood burning stoves for heating of water, and installation, where possible, of solar panels. In addition, it is accepted that the size of the plots are larger than those normally associated with RHOGs plots but this is to offer opportunities of development of home based working and for cultivation of gardens. Sustainable and sympathetic design is therefore at the forefront of this project. The HSCHT will build the houses and are not selling just the plots for development on an individual basis. At this stage, and in advance of any detailed planning application, this provides a level of assurance about the quality of the final design of the properties.
32. **To conclude, there is general support at national level for this type of affordable housing project and to my mind the reasons given above, in combination with the fourth aim of the National Park and the strategic objectives of the National Park Plan, represent strong arguments for supporting the principle of affordable housing as a departure from the Restricted Countryside Area policy in this instance.**

33. In accepting that there is a justification for departing from adopted policy in this instance, it is still necessary to ensure that other matters relating to, the proposed Speyside Way extension, infrastructure provision, and landscape impact and natural heritage, are acceptable.

Speyside Way

34. There is a proposal to extend the Speyside Way along the route of the existing access track into the woodland. This track will be upgraded as part of the proposals but it does not require to be constructed to adoptable standards. This is because of the number of houses. The extension of the Speyside Way at this location, is a proposal at this stage. Nevertheless, it is important to ensure that the line of the route is protected and maintained both during construction and thereafter. The siting of the houses will not directly impact on the proposed route. As such, provided there are conditions relating to the protection and retention of the route, the development will not adversely impact existing and proposed access through the site and into the forest beyond.

Infrastructure Provision

35. There are no concerns being raised regarding the provision of drainage, water and vehicular access. Percolation tests have been carried out and the subsoil ground conditions are such that septic tanks and soakaways for foul and surface water would be acceptable. It may be that a public water supply can be used to serve the development but Scottish Water have not confirmed this. However, there are potential private water supplies in the area which could be used. In relation to access, Highland Council's Area Roads Manager has no objections, subject to conditions. He does though suggest that consideration be given to the provision of an off-road pedestrian/cycle link between the site and the existing public footpath at the Loch Insh Watersports Centre. In order to create this on the back of the current application, it would be necessary to seek further legal agreement with another third party landowner. While it is desirable to have this route, I do not see it as essential to the outcome to the application. Indeed, the most appropriate mechanism for achieving this off-site link, is the proposed extension of the Speyside Way, which if successful, will provide a multi-user route from the site and linking to Kinncraig and beyond.

Landscape Impact and Natural Heritage

36. The success of this development in terms of its visual impact depends very much on its ability to be integrated sympathetically with the wooded setting. This is especially important because of its location within a National Scenic Area. The CNPA's Natural Heritage Group has expressed some concern about the landscape and visual impact due to the loss of the trees. The first thing to consider is that the forest

is a plantation and therefore clearing and/or thinning operations would be occurring at some time in the future in any case. However, the application provides the opportunity to provide a degree of control on felling and extent of replanting, within the site. The indicative plans show selected tree retention within the site between the proposed houses and the proposed access. It is possible, through the imposition of planning conditions, to control tree retention, protection and replanting. However, it is considered important that screening in the form of tree retention and reinforcement be maintained around the site, and in particular, between the site and the B970. These areas though lie, at present, outwith the "red line" site, and in the control of FCS. The area of land under consideration for purchase under the National Forest land Scheme, by HSCHT, does though extend beyond the "red line" boundaries and includes the woodland areas between the site and the B970, and areas to the south and east. The land purchase though has not taken place and is still subject to final approval by FCS. As such, at present, the only planning mechanism for ensuring that adequate screening is maintained is the completion of a Section 75 Legal Agreement between the CNPA as Planning Authority, the HSCHT, and FCS. If the land purchase does reach a successful conclusion, before a S75 agreement is completed, it may supersede the requirement for the agreement, because it would then be possible to impose suitable planning conditions. Either way, the aim of retaining and reinforcing tree planting, both within and outwith the actual site boundaries, for screening and visual amenity purposes, can be achieved.

37. The final aspect is the potential impact on natural heritage. SNH has confirmed that there is no impact on statutory SSSI, SPA or SAC sites. The site is though within an area of woodland on the Ancient Woodland Inventory. The pine trees on the site are approximately 30-35 years old but the ground flora is less typical of a native pinewood, as heather is virtually absent and blaeberry is scarce. The suggestion is that these characteristics relate to an ancient broadleaved woodland on the site. The antiquity category of Ancient Woodland describes the continuity of woodland cover at a site and not necessarily the age or origin of the trees themselves. Thus, as in this instance, an Ancient Woodland may currently support coniferous plantation by means of recent fellings and planting. In general terms, ancient woodlands are, due to their continuity of woodland cover, more likely to be of natural heritage value than other woods. Nevertheless, it is accepted this is only one factor in assessing the value of a site.
38. In this instance, the Natural Heritage Group has advised that the development would clearly impinge on the natural heritage characteristics of the woodland. However, there is also an acceptance that the ecological integrity and value of the site, as evidenced by the ground cover type, has been somewhat diminished because of the more recent tree planting. Its importance, as a small part of a much

larger Ancient Woodland, has therefore been compromised to an extent, and could be further compromised by any future commercial felling in any case. That said, it is the case that if commercial felling took place on the site, it would be possible for the Ancient Woodland to naturally regenerate, if further new commercial planting was not carried out. Nevertheless, weighed up against the benefits of the potential for much needed affordable housing provision in the area, the fact that FCS are being encouraged through the National Forest Land Scheme and national Planning Policy, to sell land for affordable housing purposes, and the fact that the ecological value of the site is also considered by FCS in their approval process, I am of the opinion that the Ancient Woodland issue, is not of such significance, to merit resisting the proposal. However, it would be important at the detailed stage, to minimise the impact of the development, by seeking to ensure a minimal “build area” encroachment.

Conclusion

39. **Section 25 of the Town and Country Planning (Scotland) Act 1997, states that, when determining planning applications, regard is to be had to the development plan, unless material considerations indicate otherwise. The application has been advertised as a Departure from the Development Plan, but no objections have been received. In this instance, and taking account of the Parks’ aims and the importance of the strategic objective of the Park Plan to deliver affordable housing in the Park area, as well as the other reasons discussed above, I feel that there are other material considerations which carry sufficient weight to allow a departure from statutory policy. My support though is conditional and is subject to agreement on land outwith the defined planning application site boundaries.**

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

40. The site lies within an Ancient Woodland and within a National Scenic Area. It is accepted that there will be impacts on these interests. However, it is also accepted that the ecological integrity and value of the Ancient Woodland has been diminished by the more recent commercial tree planting on the site. By ensuring mitigation through tree retention, protection and reinforcement in and around the site, the landscape and visual impact of the development will be minimised.

Promote Sustainable Use of Natural Resources

41. The proposal is promoted as an exemplar development which will set out to achieve the highest practicable standards of sustainability in terms of their energy efficiency and use of materials. The success of this will be assessed at the detailed stage.

Promote Understanding and Enjoyment of the Area

42. The development will not have a direct affect on this aim but it is important to ensure, at the detailed stage, that the proposal for the extension of the Speyside Way is not compromised.

Promote Sustainable Economic and Social Development of the Area

43. The proposal will deliver 4 new affordable homes in an area where there is a need. Affordability will be retained in perpetuity through the use of HSCHT's Rural Housing Burden. The proposal is considered to be positive to this aim.

RECOMMENDATION

44. **That Members of the Committee support a recommendation to:**

Grant Outline Planning Permission for the Erection of Four No. Dwellinghouses, Milehouse, Kincaig, subject to:

- a. the completion of a Section 75 Legal Agreement for the retention, protection and reinforcement of tree planting and screening on adjacent land to the north, east and south of the site; and**
- b. the following conditions;**
 1. A formal planning application and detailed plans indicating all matters relating to the siting, design, and external appearance of all buildings, means of access thereto, means of enclosure, means of foul and surface water drainage, provision of water supply, operational methods and areas of construction, and tree and landscaping proposals, shall be submitted for the prior approval of the Planning Authority within 3 years of the date of this consent and the development must be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all the foregoing Reserved Matters.
 2. The development hereby approved, shall comprise, in perpetuity, affordable housing units, as defined in the Highland Structure Plan 2001 and Planning Advice Note 74 (Affordable Housing) and shall be delivered by an approved affordable housing organisation through the imposition of the Rural Housing Burden or any such other mechanism

that may be agreed in writing with the CNPA acting as Planning Authority.

3. The detailed application referred to in Condition No. 1 above. shall clearly demonstrate how the development will make a positive contribution to the sustainable use of resources both in its construction and subsequent operation in terms of use of locally sourced materials, local labour, energy efficiency and water/waste minimisation.
4. The detailed application referred to in Condition No. 1 above shall include a full Arboricultural Impact Assessment and Arboricultural Method Statement, all in accordance with British Standard 5837:2005 (Trees in Relation to Construction).
5. That unless otherwise agreed in writing with the CNPA acting as Planning Authority, from the date of this planning permission, no trees on the site shall be felled.
6. The detailed application referred to in Condition No. 1 above shall include detailed ecological surveys for the existence of badger setts and squirrel dreys on the site.
7. The detailed application referred to in Condition No. 1 above shall include a detailed plan of existing and proposed public access across the site (existing, during construction and upon completion). Such a plan shall include;
 - a. all existing paths, tracks and rights of way and any areas currently outwith or excluded from statutory access rights (Under Part One of the Land Reform (Scotland) Act 2003);
 - b. any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or curtilage, in relation to proposed buildings or structures;
 - c. all paths and tracks proposed for construction, for use by walkers, riders, cyclists, all abilities users etc; and
 - d. any diversions of paths (temporary or permanent) proposed for the purposes of the development.
8. That prior to the commencement of any other work starting on site in connection with the proposed development, the following works shall be completed to the satisfaction of the Planning Authority in consultation with Highland Council's Area Roads Manager;
 - a. construction for at least the first 15m of the access measured from the nearest edge of the public road shall consist of a minimum of 40mm thick close graded wearing course on 60mm dense basecourse on 70mm thick dense roadbase on a minimum thickness of 250mm type 1 sub base, all on a sound formation. Thereafter, construction of the access road, including

- the turning head, shall consist of a minimum of 350mm thick type 1 sub base on a sound formation.
- b. provision of visibility splays of 3m by 120m on each side of the access with its junction with the public road and thereafter maintained free from any obstructions exceeding a height of 1m above the adjacent road channels.
 - c. installation of junction bollards on either side of the access road at its junction with the public road.
9. That each dwellinghouse hereby approved shall be provided with parking and manoeuvring space for at least 2 no. vehicles such that each vehicle can enter and leave each site independently in forward gear.

Neil Stewart

22 May 2007

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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.