
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: ERECTION OF DWELLINGHOUSE, AT CRAGGAN, GRANTOWN ON SPEY (OUTLINE PLANNING PERMISSION)

REFERENCE: 04/490/CP

APPLICANT: GLENBEG ESTATE, PER MR J PARTRIDGE, ELSFLETH, KINCRAIG, KINGUSSIE, PH21 1QA

DATE CALLED-IN: 22nd OCTOBER 2004



Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The new house is to be located in an agricultural field to the south of Grantown on Spey to the east of the A95 road. Outline planning consent is being sought for an elongated feu (approximately 130m long by 50m wide). There is an existing access from the A95 leading towards the site through a gravelled area that has been used as parking for a former falconry centre, which no longer operates. Planning permission has also recently been granted for a high ropes structure just to the north of the site. There are trees on the boundaries of the application site field. Drainage will be to a new septic tank and soakaways. The application includes an indicative sketch layout of the site (see appendix) that shows an 'H' shaped house in the centre of the site, with a large garage building to the west closer to the A95 with associated turning and parking areas. The house is located "making the best use of the limited view out of the site".

DEVELOPMENT PLAN CONTEXT

2. **Highland Structure Plan (approved March 2001) Policy H3** states that housing will generally be within existing and planned new settlements. New housing in the open countryside will not be permitted unless it can be demonstrated that it is required for the management of land and related family purposes. This is to strengthen the role of the existing settlements and to safeguard the character of the countryside for both residents and visitors. In areas where communities are experiencing difficulty in maintaining population and services some housing may be acceptable. **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. **Policy G2 Design for Sustainability**, lists a number of criteria on which proposed developments will be assessed. These include service provision (water and sewerage, drainage, roads, schools, electricity); accessibility by public transport, cycling, walking and car; energy efficiency in terms of location, layout and design (including the utilisation of renewable energy sources).
3. The site lies within the area covered by **Policy 2.1.2.3 for Restricted Countryside Areas in the Badenoch and Strathspey Local Plan (September 1997)**. This policy has a strong presumption against the development of new houses. Exceptions will only be made where a house is essential for the management of land, related family and occupational reasons. Restrictions on the subsequent occupancy of such houses will be enforced, and adherence to the principles of good siting and design will be required.
4. **Policy 2.1.2.5 of the Badenoch and Strathspey Local Plan** considers that a strong presumption will be maintained against the development of further ad hoc clusters of houses in the countryside. In exceptional cases there, may be limited opportunities to consolidate or round-off certain existing housing groups subject to a detailed range of criteria including that the application must be submitted in detail and provide some sort of infrastructure benefit.

5. Highland Council's **Development Plan Policy Guidelines (April 2003)** provides more detailed guidance on the interpretation of specific policies contained in the 1997 Local Plan, in the light of the subsequently approved Structure Plan of 2001. This document states that new housing within the open countryside will be exceptional, to avoid the sporadic development of housing in the countryside particularly in areas of development pressure.

CONSULTATIONS

6. **Highland Council** planners have provided detailed comment on the application, pointing out that the site is located within a restricted countryside area and that no justification has been put forward. The response points out that the site is some distance from existing dwellings and could therefore be said not to fall within the housing groups policy as contained within the Local Plan. The response recognises that the site is well screened but suggests that justification on these grounds alone would be a dangerous precedent to set in the absence of any special justification. The Highland Council planners recommend refusal of the application.
7. The **Trunk Roads Division** raise no objection to the application
8. The **Area Roads and Community Works Manager** has no objection providing the site can at all times be safely accessed by a larger emergency vehicle.
9. **Highland Council Archaeology** has raised no objection to the proposal.
10. **SEPA** note that the application intends to use a new septic tank draining to a land soakaway. SEPA would not object to a private drainage system. However, the percolation tests submitted appear to be non-standard and it is essential that detailed information be supplied prior to the determination of the application in order for potential impacts to be determined.

REPRESENTATIONS

11. The application was advertised in the local press. No representations have been received.

APPRAISAL

12. The principal considerations on this application are firstly the principle of a new house in this location, and secondly the suitability of the site for this development.
13. There has been no case submitted to justify a new house in this location, either in terms of land management needs or personal reasons. The principle of a house in this location therefore does not fit any exceptions in the Structure or Local Plan policies for new houses in the countryside.

14. The site is in the countryside, only a short distance south of Grantown on Spey where housing sites have been allocated in the Local Plan. The proposed development would represent a clear case of sporadic development in the countryside, and although the trees around most boundaries of the site, together with the natural topography provide some screening, this would add to the existing scatter of houses in the area. National and local planning guidance has a presumption against such haphazard developments around main settlements, in part as this affects the landscape setting for the settlements and diminishes the attractiveness of the rural landscapes. Policy L4 of the Structure Plan seeks to maintain the quality of the rural landscapes. The introduction of unjustified suburban developments into the countryside would breach this policy.
15. There are some outstanding issues relating to drainage, as SEPA are not convinced of the results from the trial pit percolation tests submitted and have requested more details. Because of this, an additional reason for refusal is proposed based upon the lack of this information. However, should the Planning Committee chose to approve this proposal these further details need to be sought from the applicant and SEPA have requested that additional information is sought prior to any approval of the application.
16. The application is considered to be clearly contrary to the provisions of the Local Plan and given the absence of any special land management based justification, the proposal is recommended for refusal.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

17. Sporadic developments around settlements will affect the landscape settings of the towns and villages, and diminish the value of the countryside for its primary production purposes and for the biodiversity that it can support – thus affecting the natural and cultural heritage of the area.

Promote Sustainable Use of Natural Resources

18. There are no details submitted that contribute to this aim.

Promote Understanding and Enjoyment of the Area

19. The proposal makes no positive contribution to this aim.

Promote Sustainable Economic and Social Development of the Area

20. Scattered, sporadic housing developments in the countryside result in additional servicing costs for community and emergency services, for example in terms of school transport, postal and some medical services. Access to community and medical services are more difficult for children and adults and often rely more on private (car) transport, rather than being able to use public transport, cycle or walk.

RECOMMENDATION

21. That Members of the Committee support a recommendation to: **Refuse Outline Planning Permission for a new Dwellinghouse, at Craggan, Grantown on Spey**, for the following reasons,
1. That the development is contrary to the Highland Structure Plan, 2001, Policy H3 for Housing in the Countryside, which aims to protect the general countryside from sporadic, non-essential housing developments. The applicants have failed to demonstrate that the proposal for the new house is required for or related to any land management in this area. If approved, the proposal would encourage other sporadic developments in the countryside contrary to Highland Structure Plan Policy L4 (Landscape) and to the detriment of the character of the countryside and the amenity of this part of the National Park area.
 2. That the proposal is contrary to the Badenoch and Strathspey Local Plan, 1997, Policy 2.1.2.3 covering Restricted Countryside Areas, where there is a strong presumption against the development of houses, other than for exceptional circumstances. The proposed development fails to meet any of the exceptional circumstances, and if approved would encourage other visible sporadic developments close to principal traffic routes, all to the detriment of the character of the countryside and the amenity of this part of the National Park area.
 3. The proposal fails to demonstrate the suitability of ground conditions for on-site drainage and is consequently contrary to the advice of SEPA.

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29 November 2004

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