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# CAIRNGORMS NATIONAL PARK AUTHORITY

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

**Prepared by: FIONA MURPHY  
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DEVELOPMENT MANAGEMENT)**

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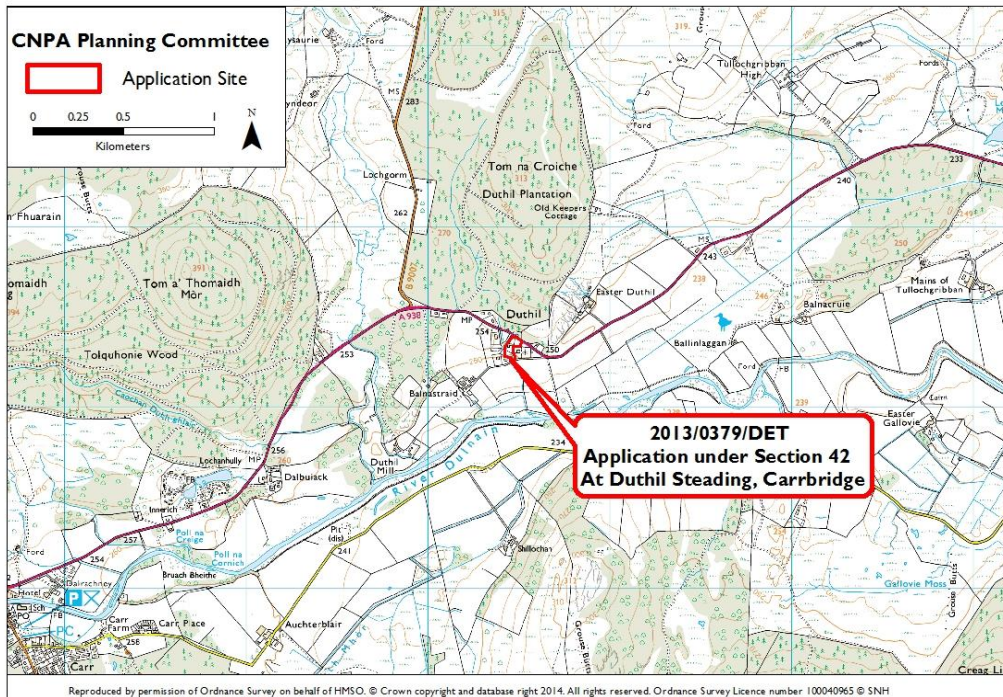
**DEVELOPMENT PROPOSED: APPLICATION TO EXTEND TIME LIMIT (06/508/CP) AT STEADING TO WEST OF THE OLD MANSE, DUTHIL, CARRBRIDGE**

**REFERENCE: 2013/0379/DET**

**APPLICANT: MR PETER HOLLAND**

**DATE CALLED-IN: 03 December 2013**

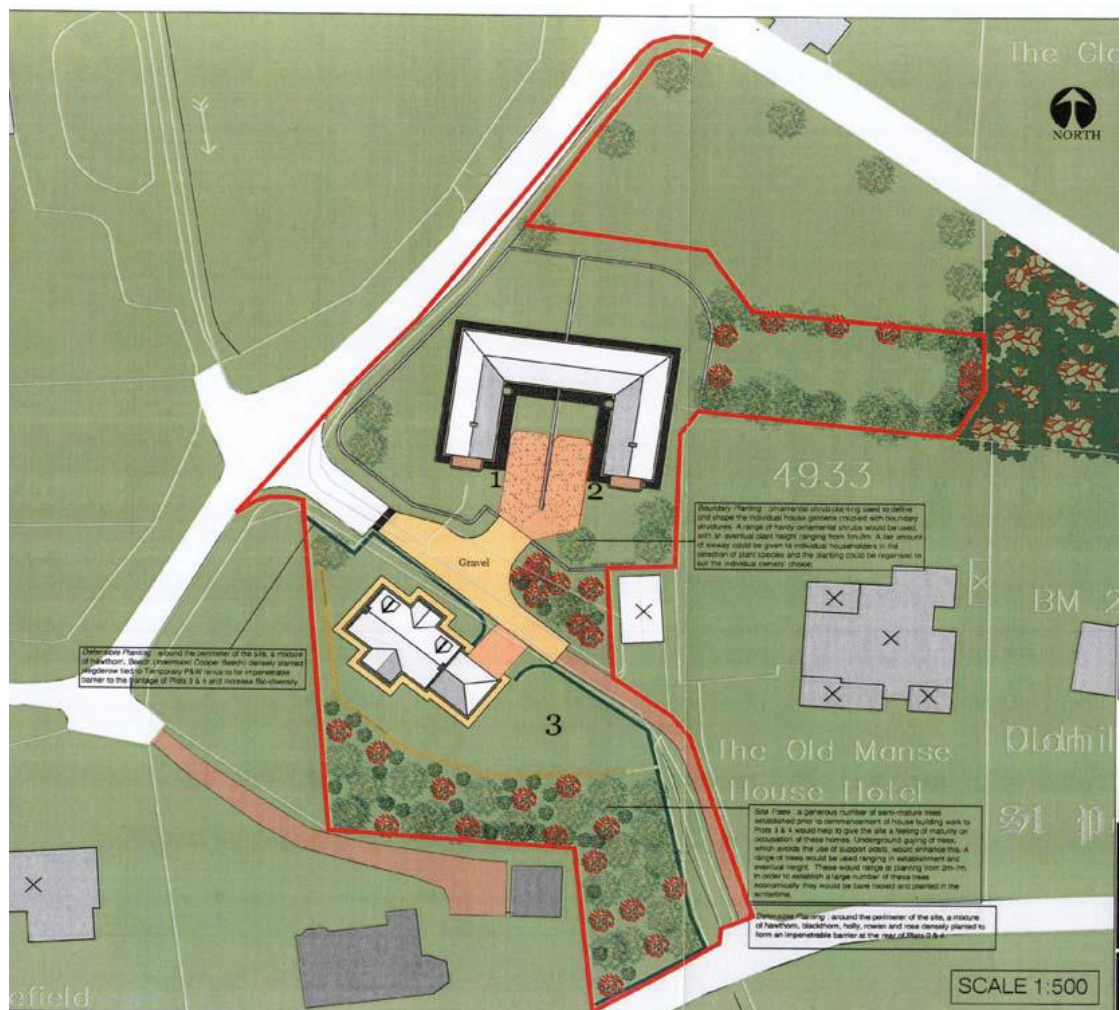
**RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS**



**Grid reference: E/293453 N/824347  
Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. This site is located within the small grouping of houses and buildings at Duthil, which lies to the east of Carrbridge on the A938. The site is set back from the A938 but clearly visible on its south side. At present there is a traditional “L”-shaped steading on the northern part of the site which is separated by an access track on its south side from a raised roughly triangular shaped area of open land which then slopes steeply down to the south.
2. Below this southern part of the site at the bottom of the slope is an existing house (Heatherbank) which is the first of several houses which run westwards along the bottom of an escarpment at this location. To the east of the site is a substantial traditional detached house. To the west of the site is open ground and a large detached modern house known as Braes of Duthil. Between the steading and the A938 public road to the north is an area of flat open land. The site is accessed from its west side by an existing road leading southwards from the A938.
3. The site has no constraints. The application has been accompanied by a Bat Survey, which has demonstrated that the derelict steading has no bats.



**Fig 2 Site Plan as Proposed**



**Photo 1 Site of Proposed Semi-Detached Houses, viewed from North**



**Photo 2 Site of Proposed Detached House, viewed from South-East**

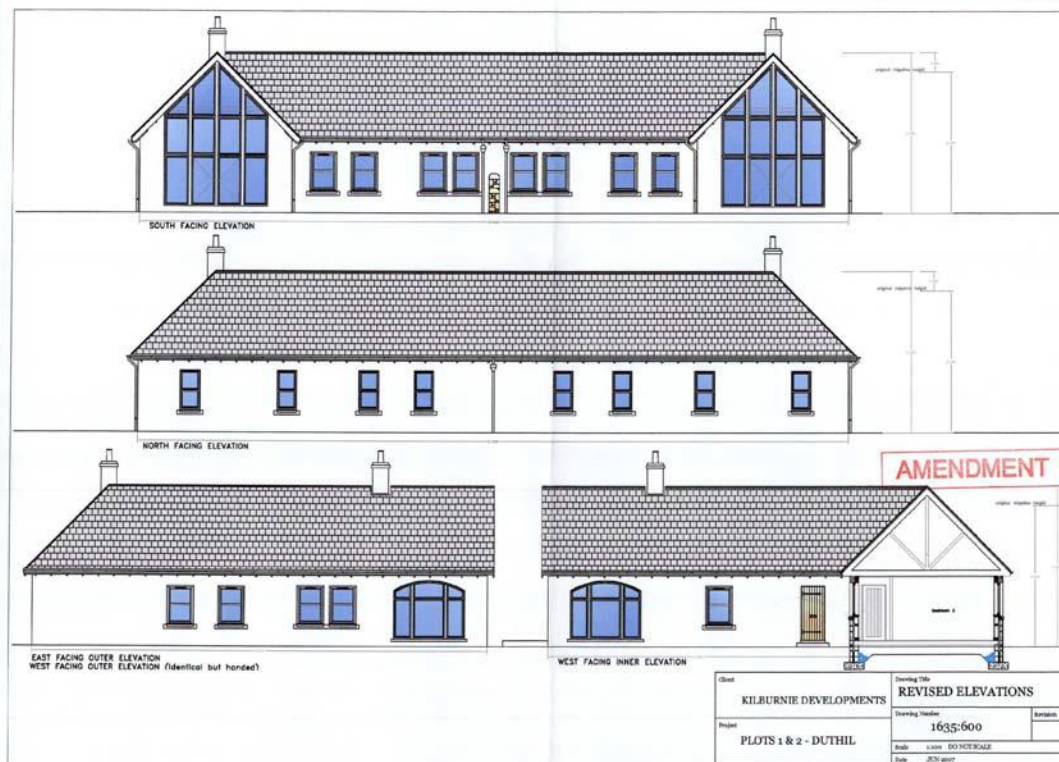
4. This is an application to amend the Time Limit Condition attached to the planning permission 06/508/CP. The application takes the form of a covering letter, together with a copy of the approved plans, and is made under S.42. Applications to extend the timescale condition of an existing permission (post 5<sup>th</sup> August 2009) may no longer be appropriate under S.42. However in this particular case it is recognised that the time limit condition pertaining to planning permission 06/508/CP was imposed. The application was accepted but on the basis that it would be considered as though it was an application

under Regulation 11.1 of the Development Management Procedure (Scotland) Regulations 2013.

5. Whilst not a requirement of the legislation, the application is not accompanied by any information to explain why there has been a delay in the commencement of the development or to indicate what the future plans are for the delivery of the scheme should the time extension be permitted. It has been noted that the site is currently being marketed as a housing development site.

### Development Proposal

6. The proposal is to remove the old steading and replace it with a new “U”-shaped building accommodating two single storey semi-detached houses with 4 bedrooms in each. The new building takes a form similar to the existing steading with hipped roofs at the corners, and slate and white wet harl. Full height glazing to the south gables is proposed to harness passive solar gain. The internal courtyard formed by the “U” provides sheltered garden and parking areas. There will also be garden areas enclosed by stone walls on the north side.



**Fig 3 Elevations of Proposed Semi-Detached Houses**

7. The third house is to be cut into the slope of the southern part of the site with a retaining wall on the south side and tree planting on the highest point and southern parts of the slope as it drops down to the rear of Heatherbank below. The house will be one and a half storey, accommodating 3 bedrooms and will have an attached garage. Materials are white wet dash render, slate and timber cladding. Access will be formed by upgrading the existing track

through the site with access retained to the existing house to the east of the lane. Drainage is proposed by 3 mini-treatment plants draining to a mounded soakaway located to the north east side of the new “U” shaped building but within the open area of land. Indicative landscaping is proposed in this area.



**Fig 4 Elevations of Proposed Detached House**

8. The original application was accompanied by a Planning Statement which addresses issues relating to design, policies, infrastructure provision, roads and access, sustainability, landscaping/biodiversity etc. There was also a full Drainage Impact Assessment and a Building Surveyors report advising on the structural and constructional condition of the existing steading.

### Site History

9. Planning permission was granted on the 11 February 2009 for the identical proposal, including a condition requiring that the development commences within five years of that date. A copy of the Committee Report is attached to this report as Appendix I. The permission was subject to a number of suspensive conditions.



**Photo 3 The Steading in 2007.**

## **DEVELOPMENT PLAN CONTEXT**

### **National policy**

10. **Scottish Planning Policy** (SPP, revised 2014) sets out national planning policies that reflect Scottish Ministers priorities for the operation of the planning system and for the development and use of land. Under planning law, planning applications must be determined according to the development plan unless material considerations indicate otherwise. The content of SPP is a material consideration in planning decisions that carries significant weight. The SPP promotes consistency in the application of policy across Scotland while allowing sufficient flexibility to reflect local circumstances.

The SPP sits alongside four other Scottish Government planning policy documents:

- The **National Planning Framework** (NPF) which provides the statutory framework for Scotland's long term spatial development. The NPF sets out the Scottish Government's spatial development policies for the next 20 to 30 years;
- **Creating Places**, the policy statement on architecture and place, containing the Scottish Government's policies and guidance on the importance of architecture and design;
- **Designing Streets**, a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance; and
- **Circulars**, which contain policy on the implementation of legislation or procedures.

## Strategic Policies

### Cairngorms National Park Partnership Plan (20012 - 2017)

11. The Partnership Plan 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 and development proposals would be expected accord with those :
- 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.

The CNP Partnership Plan can be viewed on the Cairngorms National Park Authority website at <http://cairngorms.co.uk/park-authority/about-us/publications/?publicationID=299>

12. These outcomes address the interaction of the three main characteristics of the National Park these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. A series of work programmes to help deliver the outcomes is set out in the Plan.

### Local Plan Policy

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

13. 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>.
14. 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. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
- Chapter 3 - Conserving and Enhancing the Park;
  - Chapter 4 - Living and Working in the Park;
  - Chapter 5 - Enjoying and Understanding the Park.
15. 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.

16. Policy 4 (Protected Species) - Development which would have an adverse effect in any European Protected Species will not be permitted unless a specified set of circumstances apply.
17. 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.
18. Policy 16 (Design Standards for Development) - 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;
  - protect the amenity enjoyed by neighbouring properties and all proposals will be designed to help create environments that can be enjoyed by everyone; and
  - be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.
19. Policy 18 (Developer Contributions) - Development which gives rise to a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects, will require the developer to make a fair and reasonable contribution in case or kind towards the additional costs or requirements.
20. Policy 19 (Affordable Housing) – this states that developments of three or more dwellings will be required to incorporate a proportion of the total number of units as affordable housing. Where less than one third of the total cost of the development is available through public funding, the developer will be required to provide 25% affordable housing. Proposals for one or two houses will be required to make a cash payment towards meeting housing needs in the local area.
21. Policy 21 (Housing Development in Rural Groups) – Proposals for new housing development as a part of an existing rural building group which comprises three or more occupied dwellings will be permitted where the proposal reinforces and enhances the character of the group, does not detract from the landscape setting, and does not add more than one third to the existing



size of the group within the Local Plan period (based on the size of the group on the date the policy is implemented).

### **Supplementary Planning Guidance**

22. 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, including the Sustainable Design Guide, Developer Contributions and Natural Heritage, all of which are relevant to the current application.

#### Sustainable Design Guide

23. 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.
24. 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.

#### Housing Development in Rural Building Groups

25. This guidance provides criteria, general principles and good practice advice, clearly recognising the need to protect the character and amenity of rural building groups, their landscape setting and ensure the highest standards of siting and design.

#### Affordable Housing

26. This guidance sets out in more detail how Policy 19 will be delivered and how proposals will be assessed against it. As an alternative to providing houses, the guidance suggests financial contributions of £1,250 for one house, £2,500 for two houses, and £75,000 for three houses.

### **CONSULTATIONS**

27. **The Highland Council, TEC Services, Traffic and Transport Planning** – No objection to the renewal of the previous planning permission. The conditions should therefore essentially be repeated in any new permission granted.

28. **SEPA** – Previously submitted drawing ref I635:200 has been re-submitted for this application and shows that the foul drainage proposals have not been amended. We therefore have no further comment to make.
29. **CNPA Landscape Adviser** considers that the development would have a significant local impact on the landscape and amenity of Duthil, but has the potential to be addressed over time by appropriate mitigation measures. In the event of planning permission being granted conditions are required to address landscape matters.
30. This development is on a prominent site close to a busy road. A lot of thought needs to go into the detail of some aspects of this proposal to ensure that it complements and enhances the character of the area and meets LP Policy 6. In addition to reiterating the required content of condition 7, I would advise that the following additional condition is attached to any permission for an extension to time.
- Applicant to provide drawn (at min 1:50) and written details of how the crib wall and associated vegetation will work, this to include cross sections showing the crib wall in place and its relationship to disturbed and undisturbed ground and to boundary structures. And that the applicant also be advised to consider using crib walling only to the immediate rear (south) of the house with reinforced earth elsewhere, and planting small growing trees such as rowan and hazel in front of the crib structure to break up the uniformity.
31. **The Planning Gain Service** advises that, considering no contributions were sought for the previous application, it is deemed to be unreasonable at this stage to seek contributions for this extension of time.
32. **CNPA Natural Heritage Officer** notes that the Bat Report found the derelict steading to be of low potential to support bats. However, as the building may still have some potential to provide nesting habitat for breeding birds, it is required that demolition must take place outwith the breeding bird season (April to July). The Officer advised that if it is suspected that bats have started to use the building, all works must be stopped and advice sought from SNH. It was recommended that bat boxes are incorporated into the new building.

## REPRESENTATIONS

33. A letter of objection has been received from the adjoining proprietors. The concerns include the removal of the slates from the steading and the failure to maintain the site and the access. They have included a plan showing the location of their septic tank and their garage, both of which are within the application boundary. A copy of the letter is attached as Appendix 2 to this report.
34. The applicant has requested to speak at the Planning Committee.

## APPRAISAL

35. As with any planning application, the application requires to be determined in accordance with the current development plan policies, unless there are material considerations that would indicate otherwise. Since the original Decision Notice was issued early in 2009, there have been changes to the Development Plan context, with the introduction of new national policy in the form of the Scottish Planning Policy (SPP) revised June 2014; new strategic policy in the form of the Cairngorms National Park Partnership Plan 2012-2017; and new local policy in the form of the Cairngorms Local Plan in 2010.
36. However, there is also a significant material consideration insofar as there is an existing planning permission for the proposed development.
37. The conclusion of the original report was 'I now find the proposal acceptable and compliant, in principle, in terms of adopted Local Plan Policy. This proposal has evolved as issues in relation to policy, design, impact on neighbours, infrastructure provision etc. have arisen. However, I feel the proposal has now reached an acceptable stage in respect of all the considerations. I therefore recommend approval'.
38. The application under Section 11.1 requires to be considered under current Local Plan policies. In relation to the current policies:-
- The principle of the scale of development falls within the criteria specified in Policy 21, whereby the addition of a further 3 dwellings to Duthil will not add more than a third to the existing size.
  - The Bat Survey has demonstrated that bats will not be affected by the demolition of the steading.
  - The Landscape Adviser has suggested additional conditions to reduce the impact of the development within the landscape.
  - The design of the buildings largely reflects and reinforces the traditional pattern and character of the surrounding area and reinforces the local vernacular and local distinctiveness. Whilst the development does not generally affect the amenity of properties in the vicinity, a condition is suggested to ensure that any impact on the septic tank and garage which form the subject of the objection is further addressed.
  - The Planning Gain Service does not consider that a planning gain contribution is appropriate given that the application relates to a previous approval.
39. The remaining issue is the affordable housing policy. This application relates to the renewal of a planning permission that is 5 years old but has not been implemented. There may be many reasons for this but no information has been included with the application and the applicant is only obliged to submit a site plan, ownership certificate and application fee.

40. Affordable housing was not a policy requirement at the time when the original application was considered. However, it may be noted that even without that requirement, the development has not been delivered. It is also readily apparent that there are specific costs associated with implementing this development which may not apply to other developments – namely, the demolition of the steading, the retaining works associated with Plot 3, and the road and drainage works.
41. Under Policy 19, an application of this type would normally attract a contribution of around £75,000. Under the policy the scope to negotiate the level of contributions is based on the viability of the development, using the toolkit. However, in this case there is no detailed viability information. Nevertheless, by virtue of its location, it is considered that this site would be unlikely to appeal to a housing association or the Council for management and maintenance reasons. In addition, Duthil is not identified as a priority location for affordable housing investment. Therefore low cost home ownership would seem to be the only suitable arrangement. However, this particular proposal would not meet the criteria due to its location, scale and nature.
42. It is further considered that, given that the site has previously been granted planning permission for the identical development without a requirement for an affordable housing contribution, it would be unreasonable to seek such a contribution in this particular case.
43. The issue is therefore whether the fact that the development had planning permission previously is such a strong material consideration as to justify the renewal of the planning permission not complying with that policy. Having given due consideration to the issues in the foregoing paragraphs, it is considered that it would not be appropriate to seek a contribution towards affordable housing in this particular case.
44. The suspensive conditions attached to the original planning permission included a requirement to upgrade the access road to adoptable standard, including the provision of a 2m wide footway, provision of a photographic record of the steading, approval of materials, and the provision of visibility splays at the junction of the adoptable road with the A938 and the junction of the site access with the adoptable road. These conditions have been suggested below, together with the other conditions that were attached to the original planning permission. The wording has been adjusted and the legislation updated to reflect current practice but otherwise they remain the same as previously. New conditions have been attached in respect of landscaping and bat boxes, given the greater emphasis that is placed on landscape and ecology in the current Local Plan.
45. In response to the objection from the adjoining proprietors, it may be noted that the site of the garage, whilst included within the original site boundary on Application No 06/508/CP, was subsequently removed from within the red line in the approved drawings. Also Condition 8 attached to the planning permission noted the location of the septic tank.

## **Conclusion**

46. This application is for an extension of time limit. In the intervening period, new planning policies have been adopted relating specifically to the National Park. It is important that these policies are implemented in a fair and consistent manner.
47. For the reasons outlined above, it is considered that the proposals comply with the current planning policies, with the exception of Policy 19, which is deemed to be reasonable given the particular circumstances of this renewal of planning permission.

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

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

48. The development was considered to have generally positive implications for this aim. The creation of structural landscaping in some areas of the site is positive. It was felt that although the loss of the steading could be argued to be negative, this was offset by the quality of replacement development proposed.

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

49. The proposal aims to achieve some sustainable targets, such as the use of passive solar gain, harvesting and re-use of rainfall, orientation of buildings to minimise the impact of north winds, implementation of sustainable construction standards, use of local materials, including timber, and re-use where possible of existing downtakings.

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

50. The proposal has no implications for this aim.

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

51. The development will provide small scale development activity in Duthil which will benefit the broader economic and social development of the community.

## RECOMMENDATION

**That Members of the Committee support a recommendation to:-**

**Grant Planning Permission to extend the Time Limit (06/508/CP) for the Demolition of Steading and Erection of 3 No. Dwellinghouses, at Steading and Land to the West Boundary of the Old Manse Hotel, Duthil, Carrbridge subject to the following conditions:**

1. No development shall commence until the existing partially constructed road leading from the A938 public road to the internal point of access to the site, has been upgraded to an adoptable standard, including the provision of a 2 metre wide footway on the east side, all to the satisfaction of the CNPA acting as Planning Authority and Highland Council's Area Roads Manager.

**Reason:** In the interests of road and public safety; to ensure the satisfactory provision of an adequate means of access which meets appropriate standards.

2. No development shall commence, including any site clearance or demolition work on site, until a photographic record has been made of the steading and its immediate surroundings, in accordance with the attached specification, and submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, following consultation with Highland Council's Archaeology Unit.

**Reason:** In the interests of conserving the cultural heritage of the area; to protect and record the historic interest of this building and the site.

3. No development shall commence until a scheme for the landscaping and maintenance of the development, including the areas around the mound soakaway, has been submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and to the extent of any areas of earthmounding, and shall ensure:-
  - a) Completion of the scheme during the planting season next following the completion of the development, or such other date as may be agreed in writing with the Cairngorms National Park Authority acting as Planning Authority.
  - b) The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the Cairngorms National Park Authority acting as Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

**Reason:** To ensure the implementation of a satisfactory scheme of landscaping which will improve the environmental quality of the development and protect the amenity of neighbouring properties.

4. No development shall commence until full details of the relationship between the crib wall and associated planting, in the form of a detailed drawing (at minimum scale 1:50) and accompanying written report/specification, have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The details shall include cross sections showing the crib wall in place and its relationship to disturbed and undisturbed ground and to boundary structures. The crib walling shall be limited to the immediate rear (south) of the house on Plot 3, with reinforced earth used elsewhere, screened by the planting of small growing trees such as rowan and hazel.

**Reason:** To safeguard the visual appearance of the site within the landscape in the interests of visual amenity.

5. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, no house extension shall be formed, and no greenhouse, shed or garage erected, on any of the approved plots, without the express prior written consent of the Planning Authority.

**Reason:** In the interests of visual amenity and to retain the character of the area, and to give proper consideration to these detailed matters.

- 6 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, no fences or walling, other than those shown on the approved drawings, shall be erected on the site without the prior written express consent of the Planning Authority.

**Reason:** In the interests of visual amenity and to retain the character of the area, and to give proper consideration to these detailed matters.

- 7 That the on-site method of disposal of surface water shall be in accordance with the submitted Drainage Impact Assessment (HGA Consulting Engineers, November 2006), the approved drawings, and the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, CIRIA C521 2000.

**Reason:** To ensure the site is adequately drained to meet Best Management Practice and to prevent pollution of watercourses.

8. In addition to the landscaping details required by Conditions 3 and 4 above, tree planting, of a species and variety, height and number, in accordance with a scheme to be submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, prior to the commencement of development on site, shall be undertaken in the

embankment and sloping areas hatched in green, on the approved plan drawing no. 1635:100 A. This plan shall take account of the existence of a septic tank in the location, and shall be carried out, during the first planting season, prior to the commencement of the construction of the dwellinghouse on Plot 3.

**Reason:** To ensure the timeous implementation of a satisfactory scheme of landscaping which will improve the environmental quality of the development and protect the amenity of neighbouring properties.

9. Unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority, the sloping landscaped areas and the embankment, hatched in green on the approved drawing no. 1635:100 A, and referred to in Condition 8 above, shall remain, in perpetuity, as an area of structural tree planting, and shall not be incorporated into the functional and useable private garden area of the approved dwellinghouse on Plot 3. For the avoidance of doubt, no ground excavations beyond the retaining wall shown on the approved drawing no. 1635:100 A, shall take place without the further written approval of the Cairngorms National Park Authority acting as Planning Authority.

**Reason:** In order to retain this important landscape feature and to protect the amenity of a neighbouring property.

10. Notwithstanding the details on the approved drawings, the north elevation wall of the building accommodating Plots 1 & 2, and as shown indicated in blue on approved drawing no. 1635:600, shall be finished in natural stone. Unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority, the stone shall be sourced from the duntakings of the existing steading.

**Reason:** To retain the character of the site and the surrounding area and to promote the reuse of existing materials.

11. That prior to the commencement of any of the works listed below, exact details and specifications (samples may be required), shall be submitted for the further written approval of the Cairngorms National Park Authority acting as Planning Authority;
- a) All wall and roof finishes;
  - b) All windows and external doors;
  - c) The skews on Plot 3;
  - d) All stone boundary walls and their pointing.

**Reason:** In the interests of visual amenity; to ensure that the materials are appropriate to the character of the area.

12. Visibility of splays of not less than 4.5 metres x 120 metres shall be provided in both directions at the junction of the adoptable road required by Condition 1 above, with the A938 road prior to the commencement of



the development and thereafter maintained free from any obstructions exceeding a height of 1 metre above the adjacent road channel levels.

**Reason:** In the interests of road and public safety.

13. Visibility of splays of not less than 4.5 metres x 30 metres shall be provided in both directions at the junction of the site access with the adoptable road, required by Condition 1, prior to the commencement of the development and thereafter maintained free from any obstructions exceeding a height of 1 metre above the adjacent road channel levels.

**Reason:** In the interests of road and public safety.

14. The development shall incorporate a minimum of three bat boxes, which shall be provided prior to the occupation of any of the houses.

**Reason:** To enhance the biodiversity of the site by providing nesting habitat for bats.

## ADVICE NOTES

1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
2. It is understood that a water main and right of access serving an adjacent property, pass through the site of the proposed raised mound filtration system. As a civil matter, it is advisable that the developer should ensure that all legal matters, in relation to this, be clarified, prior to commencing works for this component of the development.
3. It is recommended that all construction works (including deliveries of materials) shall take place within the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1300 on Saturdays, there shall be no work or deliveries of materials on Sundays and Public Holidays.
4. The Highland Council's supplementary planning guidance on flood risk and drainage, is available via the following link, [http://www.highland.gov.uk/NR/rdonlyres/655C795E-28FF-4D27-A4D0-509B0FB91963/0/FloodingSupplementaryGuidance\\_NEW.pdf](http://www.highland.gov.uk/NR/rdonlyres/655C795E-28FF-4D27-A4D0-509B0FB91963/0/FloodingSupplementaryGuidance_NEW.pdf)
5. In general the proposals should comply with the requirements of The Highland Council's Roads and Transport Guidelines for New Developments document, (<http://www.highland.gov.uk/NR/rdonlyres/D51A3135-F832-4C47-8094-385486600D7C/0/THCRTGNDFINALMAY2013.pdf> )

6. The building may still have some potential to provide nesting habitat for breeding birds – demolition **must take place outwith the breeding bird season (April to July)**.
7. If it is suspected that bats have started to use the building before or during construction, all works must be stopped and advice sought from SNH.
8. A local bat ecologist or the Bat Conservation Trust would be able to provide advice on the type and location of bat boxes.

**Fiona Murphy**  
[planning@cairngorms.gov.uk](mailto:planning@cairngorms.gov.uk)  
**Date 24 June 2014**

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