



## SITE DESCRIPTION AND PROPOSAL

1. The Committee will recall that this site, in the middle of Nethy Bridge, was the subject of a full planning application approval, in 2006, for 10 houses. The applicants, Wilburn Homes, are currently on site, constructing the houses. Approval was given on the basis that it complied with the policies of the Badenoch and Strathspey Local Plan which allocates the site for residential development with a capacity of 10 houses. As a requirement of this permission, the applicants were obliged to provide two affordable houses on the site. This was secured by the imposition of a Section 75 Legal Agreement. This agreement required the transfer of the two affordable units, or the land for the two affordable units to a Registered Social Landlord, prior to the completion of the fifth market house. The two affordable plots were identified as Plots 1 & 2 and are located adjacent to the access road near the entrance to the site.



**Site of proposed houses looking southwards**

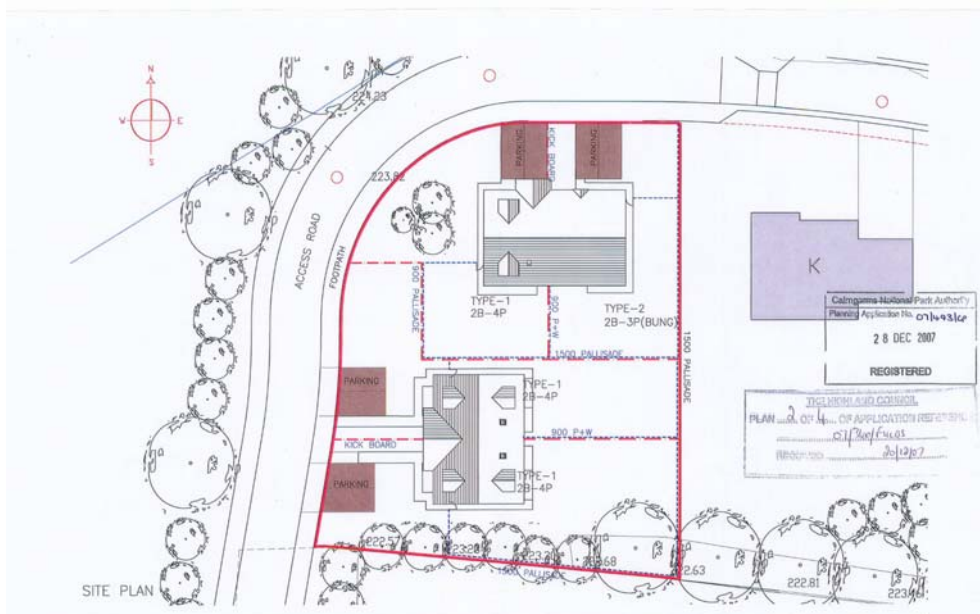
2. Albyn Housing Society Ltd. now have an agreement in principle with Wilburn Homes for delivering the affordable element of the overall development. However, having considered the viability of providing the affordable requirement by way of two sizeable detached plots in an area of very high land values, Albyn have confirmed that, with the mechanisms available to them (principally homes for rent or shared equity Homestake, at the financial benchmark laid down by Communities Scotland), it would have proved difficult if not impossible. The result would have been values, in the case of Homestake, well

beyond the reach of local incomes and this would not include the higher costs of Council Tax and energy provision.



Site of proposed houses looking north east

3. Albyn Housing Society therefore wish to provide 4 no. semi-detached houses on the two approved affordable house plots (**see below**). The houses will be two bedroomed (1 no. single storey and 3 no. one and a half storey) and they are designed in line with the appearance, character and finishing materials of the eight other houses that Wilburn Homes are providing for the market. Materials are slate, wet harl and timber cladding. Garden and off road parking areas are provided.





**Floorplans and Elevations**



## DEVELOPMENT PLAN CONTEXT

### Cairngorms National Park Plan 2007

4. Strategic objectives for **Conserving and Enhancing the Park** include, ensuring development complements and enhances the landscape character of the Park; and new development in settlements complementing and enhancing the character, pattern and local identity of the built and historic environment. Strategic objectives for **Housing**, include, increasing the accessibility of rented and owned housing to meet the needs of communities throughout the Park; promotion of effective co-ordination and co-operation between all public and private organisations involved in housing provision in the Park; and improving the physical quality, energy efficiency and sustainable design of housing in all tenures throughout the Park.

### Highland Structure Plan 2001

5. To accord with the Structure Plan's objectives and strategic themes, **policies for housing development** in Highland aim to steer demand to appropriate locations within existing settlements. It also advises that "the availability of quality housing is fundamental to social and individual well being and to creating and maintaining balanced communities". It also states that "adequate provision of housing is also a pre-requisite of economic growth". **Policy H5 (Affordable Housing)** states that the Council will in association with other housing associations, identify areas in Local Plans where there is a demonstrable need for affordable housing. Section 75 Legal Agreements and other mechanisms will be used to secure developer contributions where justified. Affordable housing secured as part of a larger development should not be of significantly higher density or lower quality.

### Highland Council's Supplementary Development Plan Policy Guidelines April 2003

6. This states that an objective target of 25% affordable housing provision should normally be expected of all future developments comprising ten or more new or converted homes. This percentage will be applied to the notional number of units capable of being developed at standard density levels. Section 75 Legal Agreements will be required to secure the percentage and there is a sequential mechanism for achieving this – 1.- direct on-site provision or transfer of land, 2.- direct off-site provision or transfer of land, or in lieu of transfer of land or direct provision, 3.- a financial contribution. It is necessary to demonstrate the sequence in terms of the options.

### **Badenoch and Strathspey Local Plan 1997**

7. The site is located within the settlement envelope and is **allocated as a Housing Development Area under Policy 4.1.1(d)**. This allocates the site for a capacity of 10 houses. A requirement of the allocation is to maintain the open frontage escarpment between the two hotels and provide landscaping. The open land to the west and north of the boundary of the current site, including the sloping escarpment between the hotels, is also identified under **Policy 4.5.2. (Amenity)**. This seeks to safeguard remaining open spaces important to the character and amenity of Nethy Bridge, including the open approaches to the village.

### **CONSULTATIONS**

8. **Highland Council's Head of Housing Development and Estates** has provided his full support for the proposal which will bring much needed affordable housing to the area.
9. **Highland Council's Area Roads Manager** has no objections, subject to the imposition of conditions relating to the formation of visibility splays, dropped kerbs, and hard surfaced parking areas within the plots.
10. **Highland Council's Forestry Officer** has no objections. However, he has advised that there are currently no trees on the site but that there is a narrow strip of predominantly Scots pine, in separate ownership, to the south-east of the site. Due to their height and location, the southernmost house would currently be outwith falling distance. However, in the future, as they grow, they may have the potential to cause shading to this property. This house is also within 5m of the southern boundary of the site where new tree planting is shown on the drawings. New planting here will cause shading to the windows on the south gable of this house. Consideration should be given to moving this house further north in the plot if this planting is to be carried out.
11. **The CNPA's Housing Policy Officer** has provided information on housing need in the Nethy Bridge area. These demonstrate a significant need for affordable housing in the area, particularly in relation to one and two bedroom sized properties. The single storey property will be suitable for an occupier with mobility difficulties or an elderly person. It is felt that semi-detached houses would allow a more economic use of the site, adding to its overall affordability in terms of delivery at Communities Scotland financial benchmarks. The properties will be offered for Homestake which is a scheme aimed at helping people on low incomes who want to own their own homes but who cannot afford to pay the full price. It is aimed at first-time buyers but also others whose life circumstances have changed. The scheme has also been designed in a flexible way, so that it can be used to help

disabled people and older people access more suitable housing. A Homestake owner generally pays for between 60 and 80 percent of the price of a property, with the remainder held by a registered social landlord using Homestake grant funding.

12. No response has been received from the **Nethy Bridge Community Council**.

## REPRESENTATIONS

13. One letter of representation has been received. This is attached to the report. The concern raised is that the number of houses on the site would now exceed the numbers indicated in the allocation in the Local Plan. This represents a 20% increase. This provides a dangerous precedent for other developers to exceed allowances and provide higher density developments.

## APPRAISAL

14. The development raises issues in relation to Local Plan policy and allocated land, need for affordable housing, and siting and design.
15. The first factor to consider is that the site benefits from a planning permission for houses. This existing permission, currently being implemented by Wilburn Homes, includes two houses on the proposed site - the site being two sizeable plots. The total number of houses approved for the overall site is ten. This complies with the indicative numbers detailed in the Local Plan for the overall site. It is therefore the case that providing an additional two houses would exceed the indicative capacity stipulated under Policy allocation 4.1.1. in the Local Plan. This is the concern of the representee.
16. Members of the Committee may recall that the original submission by Wilburn Homes for the allocated site, also included adjoining land, with a total of 38 houses proposed. Following considerable efforts and time, and consideration of a significant level of local opposition, the final solution negotiated, reverted back to the boundaries of the allocated site, and the numbers indicated in the Local Plan allocation. It is therefore understandable that some concern has been raised with this proposal which increases numbers again. However, the capacity detailed in the Local Plan allocation is indicative only. It is not meant to be an inflexible number. If a site has the physical capacity to accommodate a higher density of development than indicated in a Local Plan, without compromising on siting, layout and general amenity standards, then it would represent a more efficient use of land. This would in general be welcomed and I therefore do not consider that there are any significant issues for policy.

17. In this instance, although the increase represents 20% of the total, in numbers terms, it is only two. The approved plots in the development are sizeable and the provision of the additional two houses will not adversely impact on the quality, appearance, or general amenity of the development or the area. General space standards are not compromised and there is no impact on existing neighbouring properties, or those under construction.
18. While representing a slight increase in the density of part of the overall site, I consider that this is acceptable in this instance, because it is providing additional much needed affordable housing. It is actually now the case that 30% of the overall development will be for the affordable sector which is a higher percentage than that required by Highland Council policy - 25% on developments of ten or more houses.
19. The above assessments are backed up by the applicants supporting justification. This states that in terms of targeting the affordable market, changing to a semi-detached model allows for Albyn to continue their commitment to provide locally-targeted Low Cost Home Ownership opportunities through their successful Homestake model. This also, through its title-based pre-emption right, allows Albyn to retain the properties within the affordable housing market. In relation to the mix of house types, by moving to the semi-detached model Albyn can provide a better range of appropriate house types including a single storey type for a customer with mobility difficulties or an elderly person. The semi-detached house types will also allow a more economic use of the site, adding to its overall affordability in terms of delivery at Communities Scotland financial benchmarks.
20. As stated above, there are no adverse implications for siting and design. The houses, although semi-detached, have been carefully designed to match the character and appearance of the larger market houses. They are also located at the entrance to the site and can therefore be considered as an important and integral part of the overall development. The slight concern about impact on proposed tree planting raised by Highland Council's Forestry Officer is not an issue. The approved landscaping plan for the wider development does not include for additional strategic tree planting along the south boundary – the existing tree line along this boundary provides an adequate level of natural screening and separation. However, it would be appropriate to seek some further amended landscaping details for the plots.
21. To conclude, this proposal will bring additional affordable housing in an area of need, on a site which already benefits from a residential permission, and in a way which does not compromise general standards of design and amenity. The recommendation is one of approval, subject to conditions. The conditions recommended include some of those already imposed on the rest of the development.



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

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

22. There are no implications for this aim.

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

23. Some use of timber cladding is proposed. However, there are no other obvious implications for this aim.

### **Promote Understanding and Enjoyment**

24. The development raises no issues of significance to this aim.

### **Promote Sustainable Economic and Social Development**

25. The development is considered to have positive implications for this aim. The proposal provides additional affordable housing, delivered through established mechanisms, in an area of the National Park where there are high land values. The proposal will offer the opportunity for low income or elderly people to gain or retain a foothold on the property ladder.

## **RECOMMENDATION**

26. **That the Committee support a recommendation to:**

**Grant Full Planning Permission for the Erection of 4 No. Dwellinghouses, Braes of Balnagowan, Nethy Bridge, subject to the following conditions:**

1. The development to which this permission relates must be begun within five years from the date of this permission.
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, unless otherwise agreed in writing with the CNPA acting as Planning Authority, by an approved affordable housing organisation.
3. The development hereby approved shall be connected to the public drainage system.
4. The agreed final SUDS scheme, approved under Planning Permission Reference 06/106/CP, shall be implemented and operational for the development hereby approved, prior to the occupation of any of the approved houses on this site.

5. The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by the CNPA acting as Planning Authority before development commences. 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 CNPA 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 CNPA 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.
6. For the avoidance of doubt, all external finishing materials shall match those of the adjacent houses approved under Planning Permission Reference: 06/106/CP.
7. That vehicular access to each plot hereby approved, shall be by means of a standard dropped kerb in compliance with Highland Council Guidelines. Each access/parking area shall be hard surfaced for a distance of at least 6m measured from the rear of the adjacent footway.
8. That prior to the occupation of the houses hereby approved, visibility splays of not less than 2.5m x 30m shall be provided in both directions, at the junction of the point of access to each house plot and the public road fronting the site. These splays shall be retained thereafter with no obstruction greater than 1m height above the adjacent road level being created within the splays.
9. No surface water shall be allowed to discharge from the plots hereby approved onto the public road fronting the site.

**Neil Stewart**  
**25 February 2008**

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