
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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

DEVELOPMENT PROPOSED: OUTLINE PERMISSION FOR THE ERECTION OF 13 AMENITY DWELLINGS ON LAND TO THE WEST OF AND IMMEDIATELY ADJACENT TO TIGH NA FRAOCH ON B970 AT NETHYBRIDGE.

REFERENCE: 06/363/CP

APPLICANT: ALBYN HOUSING SOCIETY LTD., 96 – 100 HIGH STREET, INVERGORDON, ROSS-SHIRE, IV18 0DL.

DATE CALLED-IN: 8TH SEPTEMBER 2006

RECOMMENDATION : APPROVAL, SUBJECT TO CONDITIONS

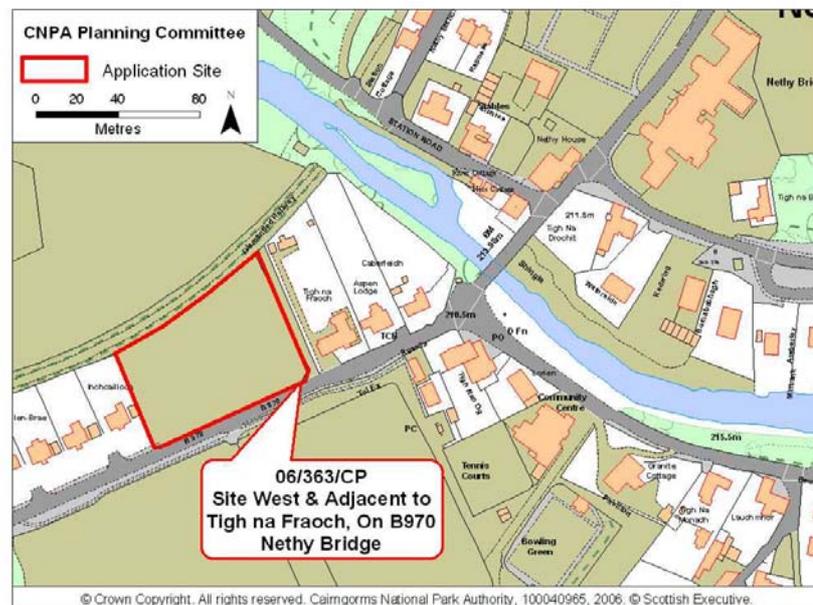


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Outline permission is sought in this application for the erection of 13 dwelling houses, described on the application form as 'amenity housing.' The subject site is located adjacent to the B970 within the settlement of Nethybridge and extends to an area of approximately 4,800 square metres, with a road frontage of 80 metres along the B970. The site is known locally as the 'Pollyanna' site. The land is bounded to the west by four relatively recently constructed dwellings in a linear format, and to the east by older residential properties, and also an access lane which leads to a dwelling house set further back to the north east. The village playing fields occupy the land immediately opposite the proposed site, while the northern (rear) boundary is formed by the disused railway line, which is at a slightly higher ground level than the site.
2. The land is relatively flat and at present has a somewhat marshy appearance, with reed growth evident over much of the site. The front boundary is open to the roadside and the western boundary is formed by a vertical board fence associated with the existing adjacent property. A post and wire fence demarcates the eastern boundary adjacent to the aforementioned access lane.



Fig. 2 : Proposed site, looking east towards Tigh na Fraoch (right)



Fig. 3 : Existing properties immediately west of proposed site

3. Although this is an application for outline permission, an indicative site layout plan together with an artists impression of the development has been submitted. The 13 dwelling units are shown as single storey structures arranged in linked groups, arranged in a U shape around a central courtyard area, which is intended to serve as open space (identified as a 'sitting area'). Provision is also made for 16 car parking bays. Access to the site is proposed from a single vehicular access point off the public road. The U shape is created by positioning housing units positioned perpendicular to the public road on the western and eastern areas of the site, and completed by houses running parallel to the road from north to south towards the rear of the land. The artists impression shows the houses having a render finish, combined with vertical timber detailing in selected areas. The applicants agents have emphasised in communications in the course of the application process that the layouts and drawings are indicative

only and the applicants would be prepared to accept a condition regarding design stipulations, front elevations, ridgelines, orientation etc. in the event of consideration being given to the granting of planning permission.



Fig. 4 : Proposed indicative site layout

4. The development is proposed to connect to the public water supply and foul drainage would be disposed of by a connection to the public sewer. Surface water is also proposed to be disposed of by a connection to a public drain.



Fig. 5 : Artists impression of proposed courtyard of amenity housing

Site History

5. Outline planning permission was previously granted by Highland Council in June 2000 on the same site, for a sheltered housing proposal, which was granted permission by Highland Council in June 2000¹ (Highland Council Planning Ref. No. 99/00069/OUTBS refers). Similar to this current proposal, although it was an application for outline permission the submission documentation included an indicative layout. The layout identified a similar U shaped arrangement to that of the current proposal. The U shape in the previous application was formed by three terraced blocks, each containing four houses and arranged around a hard surface courtyard which incorporated 24 car parking bays, with access from a central point off the public road. In addition a separate warden's house was also proposed in the north eastern corner of the site, with vehicular access taken from the courtyard area between two of the terraced blocks. The proposal never progressed to the stage of a Reserved Matters application and the outline permission has since expired.

Amenity Housing²

6. As referred to in the above paragraph the previous proposal was detailed as 'sheltered housing' including a wardens house, whilst the current application is for 'amenity housing.' Upon querying the use of the term 'amenity housing' and the intended inhabitants of the proposed housing units, the applicants, Albyn Housing Society Ltd, responded stating that they are "aware that there is a wish for the development type to be referred to as 'housing for the elderly' as opposed to 'amenity housing.'" The Society's allocation policy in relation to 'amenity housing' has been explained as the "type of housing mainly for people aged 50 or over; or who have a medical need or physical disability that requires the provision of amenity standard accommodation."
7. In the latter case Albyn Housing Society Ltd. point out that such applicants may not necessarily be over the age of 50. It has been clarified that the two client groups will have priority for allocation, although it is also commented that in the event that neither the Society nor Highland Council have enough suitable applicants to meet the allocation criteria, the allocation procedure would revert to the

¹ The Badenoch and Strathspey Area Planning Committee of Highland Council agreed to grant outline planning permission for the proposal, subject to conditions and upon conclusion of a Section 75 Agreement providing that the site would be sold at District Valuer's valuation to a housing association or other agency specialising in or with powers for the development of sheltered housing for rent. The Section 75 was concluded some months later with the consequence that the decision notice was issued in June 2000.

² A working definition used by Planning Aid Scotland defines 'Amenity Housing' as "housing that has been moderately adapted for those with special needs, such as the elderly or disabled." The definition of 'Amenity Housing' as applied by Communities Scotland is similar - "flats or houses with special modifications for people with particular needs, but not supported by a warden." The example is given that amenity housing for older people could include bathroom handrails, non slip flooring and repositioned electrical sockets.

mainstream housing list to fill the remaining houses. Nonetheless, the correspondence from Albyn Housing Society Ltd. states that they are aware of the demand for housing for the elderly in the area, and reference is made in particular to representations being made by members of the community over the past year confirming that this is the type of housing required. The Society refer to their aims to “strengthen and empower communities” and their recognition of the need for the creation of balanced communities. Reference is made to the allocation policy which incorporates a Community Lettings Initiative which allows for additional points to be awarded where applicants have a need to live in the community for specific reasons. Therefore it is stated that with certain developments the Society could consider applying additional ‘community need’ points where appropriate which would give certain client groups some priority.

DEVELOPMENT PLAN CONTEXT

8. In the national context, **SPP 3 Planning for Housing** encourages the provision of well-located, high quality new housing, suggesting that good housing can support economic competitiveness, social justice and sustainable development. Para. 6 of the document stresses that housing is a key factor in defining the character of cities, towns and villages. **SPP 3** concedes that the design of new housing is not always given sufficient priority and urges that the environmental impact of housing be given much greater importance. Para. 14, in discussing the Form of Development highlights the fact that good layout is at the heart of making residential environments safe and welcoming, with pedestrian activity adding vitality and increasing the feeling of personal safety.
9. **SPP 3** also highlights the relevance of good landscape design, stressing that it can make a significant contribution to environmental quality, but cannot compensate for poor layout and design. The document also suggests that developments can enhance a site’s wildlife value through retention, creation or management of natural features and wildlife habitats.
10. **PAN 67** deals with the subject of **Housing Quality** and recognises the fact that many people want to live in a place that has a distinct identity, “rather than one that could be anywhere.” **PAN 67** advises that all development has the potential to contribute to a sense of neighbourhood and also highlights the fact that “thoughtlessly chosen standard house types and inappropriate materials look disconcertingly out of place.” In a detailed section on layout, it also urges developers to think about the qualities and characteristics of places and not consider sites in isolation.

- Highland Structure Plan (2001)**
11. **The Highland Structure Plan** highlights a number of salient points as well as setting out a number of broad policies applicable to developments of the nature proposed. In relation to housing, section 2.2.1 of the Plan states that “the availability of quality housing is fundamental to social and individual well being and to creating and maintaining balanced communities” and further states that “adequate provision of housing is also a pre-requisite of economic growth” whilst at the same time recognising that “it must be provided in a way which minimises the impact on the environment.”
12. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things make use of brownfield sites, existing buildings and recycled materials; are accessible by public transport, cycling and walking as well as car; are compatible with service provision; demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments; and contribute to the economic and social development of the community.
- Badenoch and Strathspey Local Plan (1997)**
13. The subject site is within the settlement area of Nethybridge and the **Local Plan** includes amongst the main objectives for development in the area ensuring that new development maintains a scale and form compatible with the village character and reflects the ‘street’ layout; avoiding encroachment of development onto open land outwith Nethybridge and reinforcing the railway as the village limits to the west; safeguarding and enhancing local amenities including important open spaces; and securing an appropriate range of community facilities and services.
14. The subject site is identified for ‘new development’ and section 4.1.4 of the Plan, under the heading Local Needs Housing, discusses the potential of the site. It is described as 0.6 ha of land opposite the playing field, allocated for low-cost local needs housing. Reference is made to the proximity of the site to community facilities and consequently it is noted that this makes the site particularly suitable for specialist accommodation for the elderly. The Plan details the fact that the land use allocation reflects particular local concerns, noting that the site represents part of a wider area identified for amenity and community uses, which would otherwise have been safeguarded for these purposes. It is specifically stated that the Planning Authority, in accordance with the community’s wishes “will not therefore support development of the site for other purposes.” Section 4.1.4 also stipulated that development on this land would be subject to a Section 50 Agreement³ in relation to its use for low-cost local needs housing,

³ This has been superseded by a Section 75 Agreement in accordance with the Town and Country Planning (Scotland) Act 1997.

and a Housing Association or similar project is encouraged to deliver this.

CONSULTATIONS

15. The Area Housing Manager of Highland Council responded to the CNPA's consultation request stating that the Housing Service "fully supports the application on this site for 13 amenity dwellings." Reference is made in the response to the site being zoned for a considerable number of years for housing suitable for the elderly, "as it is in a convenient location, being on the level and in close proximity of the local shop and post office."
16. In a consultation response from the **Area Roads and Community Works** section of Highland Council, it is recommended that a number of conditions are attached in the event of the granting of planning permission. The recommended conditions require a road layout generally in accordance with the submitted indicative layout and constructed to adoptable standards. The response does however advise that the internal roads and parking areas will not be considered for adoption and will therefore require to be the subject of a suitable management and maintenance agreement. Other stipulated conditions include the provision of a two metre wide footpath along the full roadside frontage of the development and a footway or remote footpath of similar width to be provided on the south side of the public road along the full roadside frontage of the football ground; the establishment of a well defined crossing point on the B970 road by means of appropriate road markings and signs; the provision of street lighting to a standard satisfactory to Highland Council's Senior Lighting Engineer (and where necessary upgrading of the existing public road lighting); and the provision of adequate visibility splays.
17. The report from the **Area Roads and Community Works** section of Highland Council also requires that drainage measures shall be in accordance with SUDS principles and satisfy the requirements of SEPA and Scottish Water. No water from the development is permitted to discharge onto the public road and in addition, the applicant is required to demonstrate that the development is free from the effects of a 1 in 200 year flood event. In further investigating the issue of potential flooding with the Roads officials at Highland Council it was indicated that "whilst the area is known to be at risk of flooding there are no recorded incidents of the main road adjacent to the site being closed as a result of flooding."⁴

⁴ A SUDS statement has been submitted to the CNPA which was prepared by the Halcrow Group. The statement indicated that checks had been done for both a 1 in 30 year and a 1 in 200 year event and flooding was not present during either event.

18. In addition to stipulating a number of detailed conditions, the consultation response also made reference to the fact that the parking provision identified on the indicative site layout plan is “significantly less than that recommended by Council Guidelines.” It is advised that in order for a departure from the Guidelines to be considered that the applicant will need to clearly demonstrate that the provision will be sufficient to meet the needs of this particular development. The issue was subsequently raised with the applicants in the course of the assessment and Albyn Housing Society Ltd. put forward the following case in response –
“The Society feels that as this development is within walking distance of the village and very near to the local shop, that it is not a necessity for the tenants who will be living at this development to have their own transport. Also, we know from past experience that the ratio of car ownership to our tenants is lower than society generally so we have also felt comfortable with the fact that if the layout of the development dictates fewer car parking spaces than TEC services guidelines then this will not cause a problem to our tenants.”
19. Further to an examination of the case put forward by Albyn Housing Society Ltd. the response received from the **Area Roads and Community Works** section expressed some sympathy with the position. The position set put by Albyn i.e. that the parking demand would be less than for conventional family accommodation, was also recognised. Nonetheless, the response ultimately referred to Council Guidelines which require 1.5 spaces per unit, thereby necessitating at least 20 no. communal parking spaces in a development of thirteen houses. In commenting on the case advanced by Albyn Housing Society Ltd., the response states that “it is unlikely the needs of residents will be entirely met within the village and should the development generate parking demand outwith the site, there is presently very limited public parking available nearby.”
20. **SEPA** has no objection to the foul drainage for the development connecting to the public sewer, provided that confirmation of the acceptability of this is received from **Scottish Water**. The initial response from **SEPA** focused to a greater extent on surface water drainage and the agency initially objected to the proposal on the basis of the lack of information on this aspect.
21. Further to the receipt of the required information a revised response was received from **SEPA**. The response notes that it is proposed to dispose of surface water from the site by means of a filter trench and from a water quality perspective this is described as being acceptable to SEPA, as it would provide the required 1 level of SuDS treatment for a small residential development such as this. **SEPA** recommend that a condition is attached in the event of the granting of planning permission requiring that detailed SUDS proposals, designed in accordance with the agreed Drainage Impact Assessment / SUDS strategy be provided

for approval by the planning authority, in consultation with SEPA and Scottish Water.

22. **Scottish Water** in their response outline their policy of not objecting to development proposals, but nonetheless highlight that any planning approval granted by the Planning Authority does not guarantee a connection to Scottish Water infrastructure until a satisfactory solution is identified. In the event that **Scottish Water** are satisfied that the development proposals are acceptable the consultation response gives a commitment to ensure that the necessary investment is allocated to Scottish Water resources in the area to meet the needs of the development.
23. In terms of specific infrastructure in the area it is stated that Blackpark Water Treatment Works currently has sufficient capacity to service the development. The Duackside Waste Water Treatment Works is however described as having insufficient capacity at present to service the development.
24. **Nethy Bridge and Vicinity Community Council** in their response express a wish that the proposed housing only be for elderly people and not amenity housing as stated on the plans.

REPRESENTATIONS

25. Three letters of representation have been received in respect of the proposed development, all of which raise some concerns. Dr. J.M. Gaukroger of Inchcailloch, Nethybridge objects to the proposal on thirteen grounds, including perceived inadequate detail; the reference to 'amenity bungalows' not being "in line with the previous favoured use of the site as being for the elderly"; the proposal constitutes overdevelopment of a site on which the community have expressed a view that it should be as open as possible in order to avoid a suburban area in the centre of the village; reference to on going problems with the waste drainage system for the four recently constructed dwelling houses adjacent to the subject site; concern that the proposed orientation of units at 90 degree angles to the B970 would present problems with drainage and flooding of the adjacent properties; the proposed 3 sided courtyard format could become a point of congregation for people from outwith the development and could therefore result in disturbance; reference to design stipulations applied to the development of houses on the adjacent site, in particular the requirement that the structures be parallel to the public road; the orientation of the two outer units shown on the artists impression would "intrude into the roadscape with loss of visual amenity for everyone"; proposed buildings forward of the building line presents possible hazards due to headlights reflecting off the windows due to the orientation of the buildings; reflected road noise due to the position of the units would result in the loss of amenity for the occupants of the

existing houses; windows of proposed houses oriented perpendicular to the public road would result in overlooking of the adjacent property and result in loss of amenity and privacy. The author of the letter requests that permission be refused.

26. Mr. David V. Carrott of Tigh na Fraoch, Nethybridge raises a number of points in his letter of representation. Whilst he welcomes the application for 'much needed amenity housing' he considers it essential that any planning permission stipulates that the housing be used exclusively for local elderly residents. The courtyard setting is described as appropriate for the proposed purpose, but concern is expressed that some of the proposed units are shown "facing away from the court yard towards the gable end of Inchcaoilach" and this is considered to be at odds with the courtyard approach. It is suggested that all the units should face the central feature. The units proposed at 90 degree angles to the public road are not considered to be in keeping with the present street scene and the author suggests the omission of the two protruding units and the consequent reduction in the number of units to eleven. A suggestion is also made that the rigid lines of the formal public footpath design fronting the proposed development is softened by the introduction of a grass verge with the footpath set back. The concluding comments of the letter are quite positive stating that "with a little creative though we have an opportunity to create a very aesthetically pleasing small development which will be an asset to the community."
27. The final letter of representation comes from Mr. and Mrs. Tim Collins and refers to concerns on two issues of principle, which they state in their letter were "commented on in Community Meetings to provide CNP with local opinion last year." Firstly Mr. and Mrs. Collins require that all development is set well back from the B970 road, referring to the fact that all houses on the left hand side of the road on the approach from Boat of Garten are set back. Allowing the development forward of the natural building line is described as detracting from the desire of the Community to rationalise the open space on the opposite side of the road and become "the natural centre of an otherwise rambling Nethybridge."
28. The second point raised by Mr. and Mrs. Collins is the expectation that the site would be used for sheltered homes for the elderly, which, through community engagement, has been demonstrated to be required. The 'amenity housing' is described as "less acceptable and if considered at all should be of a far less density than 13 units and in keeping with adjacent developments."

APPRAISAL

Compliance with planning policy

29. National level policy, as well as **Structure Plan** and **Local Plan** policy is detailed in paragraphs 8 – 14 of this report and the proposed development is generally in accordance with the applicable policies. The **Local Plan**, although identifying the site for 'new development' specifies that it has been allocated for the purposes of low-cost local needs housing. Given that the development proposal is being advanced by Albyn Housing Society Ltd., a Registered Social Landlord, it is reasonable to assume that the housing is intended as low cost housing. The concept of 'amenity housing' as detailed in the submission from the applicants states that housing of this type is mainly for people aged 50 or over and the submission also makes reference to the Housing Society being aware of the demand for elderly houses in the area. In addition to the possibility of house provision for the elderly, the details provided by Albyn Housing Society Ltd. also indicate that their allocation policy for amenity housing would also provide for those with a medical need or physical disability that requires the provision of amenity standard accommodation. The provision of housing on the site by a Registered Social Landlord, as well as the groups which amenity housing is primarily intended to facilitate, demonstrates that the proposal is in compliance with existing applicable planning policy.

Prospective occupants of the proposed housing units

30. Members will note from foregoing sections of this report the concerns expressed in letters of representation, particularly in relation to the potential occupants of the proposed structures. The expectation of the availability of housing on the subject site exclusively for use by the elderly has been raised largely due the previous outline permission on the site, which was specifically for sheltered housing and which has now expired (please refer to paragraph 5 for further details). However, the existing **Local Plan**, although suggesting that proximity to community facilities makes this site particularly suitable for the elderly, does not specifically stipulate that low cost housing on the site should be exclusively for this user group.
31. It is not within the power of the CNPA acting as Planning Authority to stipulate that all housing provided would be for the exclusive use of the elderly, when the Local Plan refers in more general terms to the use of the site for the provision of low cost housing. Low cost housing can of course include sheltered housing or other forms of housing for the elderly, as well as 'amenity housing' as proposed, and also conventional affordable housing to meet demand on the mainstream housing list. To deliberately exclude the latter category from potentially having access to available houses within the proposed development would be unacceptable and unjustified in terms of local and national level planning policy.

32. I am mindful of the depth of feeling of members of the local community that the proposed housing development should be exclusively for the elderly of the area and in the event of the development proceeding, the allocation policy of the promoters, Albyn Housing Society Ltd., may well enable the use of a significant proportion of the proposed dwellings by the elderly of the area. Indeed information provided by Albyn in the course of this application indicates, as already detailed in paragraph 7 of this report, that “the allocation policy incorporates a Community Lettings Initiative which allows for additional points to be awarded where applicants have a need to live in the community for specific reasons.” The explanation offered by Albyn Housing Society Ltd. regarding the allocation policy for ‘amenity housing’ provides a clear indication of the intentions to primarily accommodate the elderly and / or those with a medical need, with both user groups described as having priority for allocation. The allocation policy does however allow for the allocation of amenity housing to those on the mainstream housing list, although this is only after the two previously mentioned client groups have been accommodated. For the CNPA acting as Planning Authority to consider restricting the occupancy of the proposed dwellings exclusively to the elderly would be contrary to Albyn Housing Society’s allocation policy.

Securing the provision of ‘low cost housing’

33. In light of the fact that the applicants are a recognised Registered Social Landlord and their commitment to the provision of low cost housing (in the form of ‘amenity housing’) on the subject site is clear, I would not take the view that that any consideration which may be given to the granting of planning permission should be contingent upon the applicants entry into a Section 75 Agreement. The use of the site for the provision of low cost housing, and more specifically ‘amenity housing’ as defined by Albyn Housing Society Ltd., can be secured by way of an appropriate planning condition. It is an approach which has been taken in the past in relation to other developments⁵ within the National Park where there was a clear indication of the involvement of a Registered Social Landlord.

Indicative layout and design

34. Considerable concern has been expressed in letters of representation regarding the indicative layout and artists impression which forms part of the application documentation. In particular the indicative arrangement which shows housing at either side of the proposed entrance oriented perpendicular to the public road tends to ignore the existing pattern of development and the streetscape that has been created by the presence of housing either side of the subject site oriented to have its ridgeline parallel to the public road. It is a concern which was highlighted by Highland Council at the time of determining the previous, now expired application, for outline planning permission

⁵ Examples include the housing development at Aviemore North (04/296/CP refers) and the re-development of the Royal Hotel site in Kingussie (04/331/CP).

for sheltered housing on the site. The indicative layout submitted in the course of that proposal was quite similar to the current arrangement and ultimately a condition was attached to the outline permission which set aside the indicative layout and required that “the principal feature of the site’s layout as seen from the public road, shall be a building or series of buildings lying on the building line established by the property immediately to the east.”

35. It is important to bear in mind that this current planning application is for outline permission only and it should therefore be recognised that the layout submitted is only indicative and consequently it should not detract from determination of the acceptability of the principle of development on this site. In the event of the granting of planning permission the opportunity would still remain to debate the merits of particular layouts and designs at the detailed stage of an application for the approval of reserved matters.
36. A case has been advanced by the applicants agent in which it is suggested that “it is shortsighted to restrict the visual appearance of the frontage until proper detail is submitted in a Reserved Matters application” and a preference is expressed that a condition be attached in the event of the granting of planning permission “which held the front elevation and ridgelines under review with the submission of a more detailed application.” However, in the interests of respecting the existing streetscape, which is an important visual element on the approach to the core of the village, and ensuring that any development on the site assimilates with and enhances the village setting, I am in agreement with the approach adopted by Highland Council in setting parameters for the design and layout of the development at the outline permission stage.
37. The site occupies a limited site area over which to accommodate thirteen dwellings units and associated car parking, public and private open space etc.. In the event of detailed proposals being brought forward to a layout that continues to orient the end dwellings perpendicular to the public road, the overall development could regardless of design, have an insular appearance, focusing primarily on the internal courtyard area, to the detriment of successful integration with the established pattern of development and building line. Consequently in the event of consideration being given to the granting of outline planning permission I suggest that a condition, similar to that previously employed by Highland Council, be attached, requiring that the southernmost buildings are oriented to have the ridgelines parallel to the public road, in accordance with the building line established by the adjacent properties to the east in particular.

Car parking

38. The indicative layout accompanying this application for outline permission identifies the provision of a total of 16 car parking spaces on the site, arranged in groups of two and three and interspersed with localised areas of landscaping. As detailed in paragraphs 18 and 19 of this report, the level of indicative car parking provision falls below the standard requirements of Highland Council. However, based on the Council requirements of 1.5 spaces per dwelling unit, there would only be a shortfall of 4 spaces over the entire site. Having regard to the case advanced by the applicants where reference is made in particular to the proximity of the development site to the core area of the village and the services within this area, as well as the fact that the likely user groups tend not to generate as much car parking requirements as conventional housing, I consider the shortfall in car parking provision to be relatively minor.
39. I do not consider that the concerns raised by the Area Roads and Community Works Division of Highland Council are of such a magnitude as to render the overall proposal unacceptable. Indeed it is possible that the preparation of a detailed layout as part of a subsequent application for Reserved Matters could incorporate additional parking spaces to reduce the shortfall. I would not however advocate a potential situation of excessive encroachment into areas of communal open space within any proposed courtyard layout. The existence of appropriately sized and attractively landscaped areas of communal open space at the core of the layout will assist in assimilating any development on the site into the setting of the rural village of Nethybridge. The loss of such an area of open space in order to create additional car parking could potentially result in the core area of the site being dominated by hard surfacing and an excessively urbanised appearance.

Conclusion

40. In conclusion, the proposed development is on an infill site within a settlement and is on land which has been identified in the existing **Local Plan** for new development, specifically in the form of low costs housing. The proposed development of 13 units equates to an approximate density of 11 houses per acre, which is acceptable in the context of its location close to the core area of the village.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

41. The proposed development site does not have any natural heritage designations apart from being located within the Cairngorms National Park. The proposed development is not considered to have any impact on either the natural or cultural heritage of the area.

Promote Sustainable Use of Natural Resources

42. As an application for outline planning permission no definitive details are available on house design, building materials etc. and it is not therefore possible to assess whether or not the development would promote the sustainable use of natural resources.

Promote Understanding and Enjoyment of the Area

43. The proposed development is a type of infill housing proposal set amongst existing residential properties within an established settlement and although not making a direct contribution to the achievement of this aim, it is not considered to impact negatively on the promotion of the understanding and enjoyment of the area.

Promote Sustainable Economic and Social Development of the Area

44. The proposal by Albyn Housing Society Ltd. to provide 'amenity housing' either for the elderly or other parties requiring affordable housing on land within a settlement can only be positive in terms of the social and economic development of the area.

RECOMMENDATION

45. That Members of the Committee support a recommendation to :

Grant outline planning permission for the erection of 13 amenity dwellings on land to the west of and immediately adjacent to Tigh na Fraoch on the B970 at Nethybridge, subject to 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 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 of the date of final approval of all the foregoing reserved matters.
2. Unless otherwise agreed in writing with the CNPA acting as Planning Authority, the entire development hereby approved, shall comprise of 13 amenity dwellings (within the definition of 'amenity housing' as employed by Albyn Housing Society Ltd and subject to the allocation policy of that Registered Social Landlord) and shall be carried out in association with a Registered Social Landlord.

3. The illustrative layout accompanying this application is not approved and any development shall comply with the following requirements - the principal feature of the site's layout as seen from the B970 public road shall be a building or series of buildings positioned in accordance with the building line established by the properties immediately to either the east or west, with gabled ridged roof or roofs whose ridge or ridges shall run parallel to the B970; all buildings shall be between 1 and 1 ½ storeys in scale and height; roofs shall be pitched between 40° and 45° and finished in natural slate.
4. An application for approval of reserved matters shall
 - (a) incorporate a road layout which shall be in general accordance with that shown on the indicative site layout plan (Drawing No. 3198 Skethch 1-1 Rev A). The roads shall be designed and constructed to a generally adaptable standard satisfying the requirements of Highland Council's Road Guidelines for New Developments;
 - (b) include proposals for the provision of a 2 metre wide footway along the full roadside frontage of the development and also the provision of a footway or remote footpath of similar width on the south side of the public road along the full roadside frontage of the football ground;
 - (c) identify a well defined pedestrian crossing point which shall be established on the B970 road by means of appropriate road markings and signs;
 - (d) details of street lighting which shall be provided to the satisfaction of Highland Council's Senior Lighting Engineer, and also including, where necessary, proposals for upgrading existing public lighting.All of the above detailed works shall be completed and approved by the Planning Authority in consultation with the Roads Authority prior to any other work starting in connection with the development.
5. A minimum of 16 car parking spaces shall be provided within the site of the proposed development. The car parking areas shall have a durable and dust free surface, with appropriate surface water gully traps to prevent ponding of rainwater.
6. Visibility splays shall be provided and maintained on each side of the access. These splays are the triangles of ground bounded by the first 3.0 metres along the centreline of the access road (the X dimension) and the nearside edge of the main road (the Y dimension) measured, as far as possible, 90 metres in each direction from the intersection of the access road with the main road.

7. Within the visibility splays nothing shall obscure the visibility between the driver's eye height of 1.0 metres positioned at the X dimension and an object height of 1.0 metre anywhere along the y dimension.
8. No water from the development shall discharge onto the public road.
9. Drainage measures shall be in accordance with SUDS principles.
10. An application for approval of reserved matters shall include details to confirm that the development will be free from the effects of a 1 in 200 year flood event.
11. All public services for the development including electrical, communal television and telephone cables, shall be located underground throughout the site.
12. Adequate temporary car parking accommodation shall be provided on the site for the use of employees engaged in construction work on the site.
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) (Scotland) Order 1992, no house extension shall be formed, and no greenhouse, shed, garage or other structure shall be erected without the prior written consent of the Planning Authority.

Determination background

This application was called in by the Cairngorms National Park Authority at the planning committee meeting of 8th September 2006. Further to an initial assessment of the proposal and the receipt of various consultations responses, letters of representation etc., it was necessary to issue a request for further information and clarification on a number of points on 26 October 2006. Various items of information were received in January and February 2007, which allowed the application to proceed for determination.

Mary Grier

planning@cairngorms.co.uk

1st March 2007

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