



## Committee report

### Development proposed:

Erection of 6no. houses (3 blocks of semidetached) at Land 65M South of 22 Kerrow Drive, Kingussie

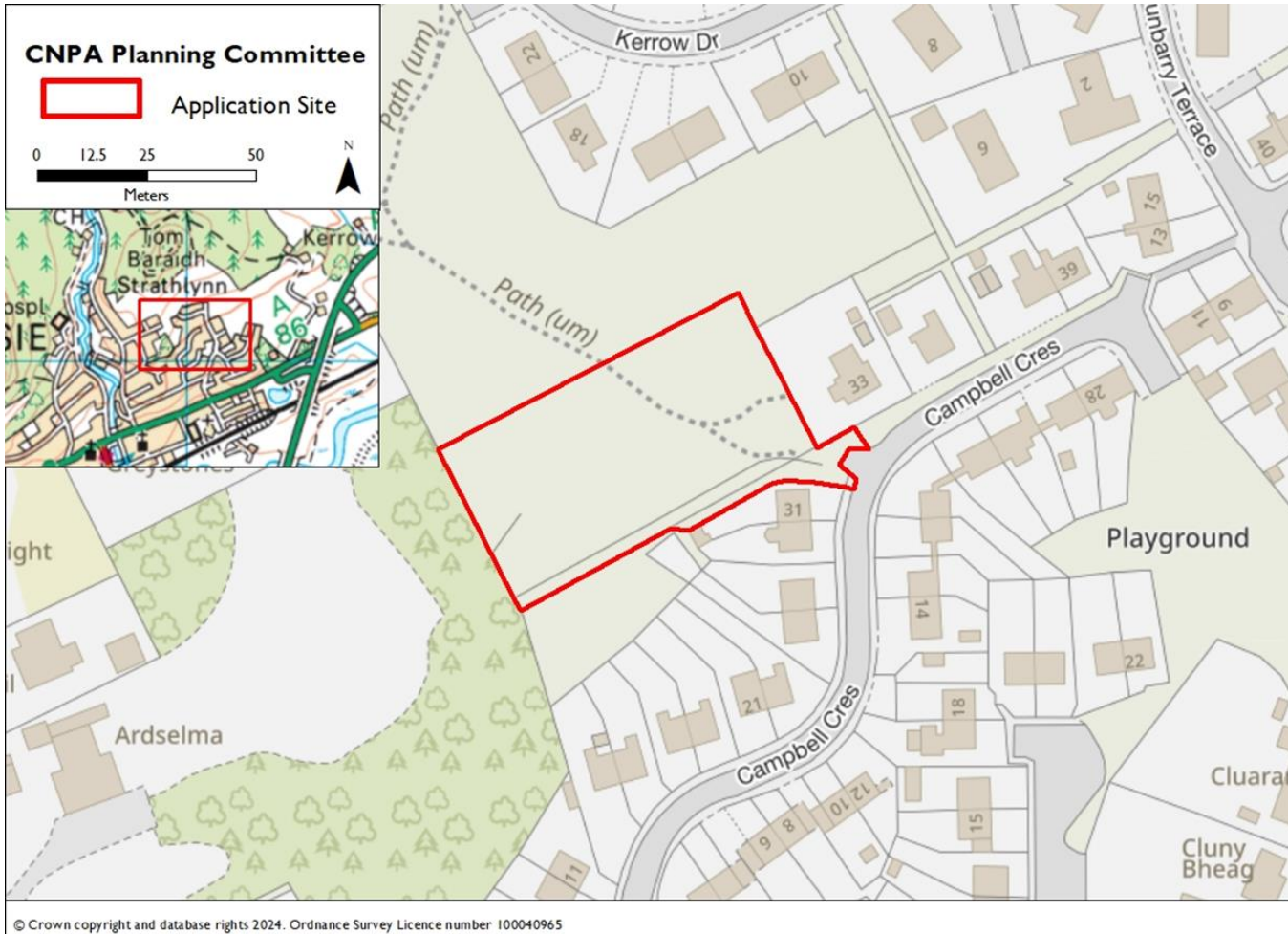
**Reference:** 2024/0005/DET

**Applicant:** Davall Developments Ltd

**Date called-in:** 15 January 2024

**Recommendation:** Approve subject to conditions

**Case officer:** Colin Bryans, Senior Planning Officer



This map has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.



## Site description, proposal and history

### Site description

1. The application site consists of 0.295 hectares of improved grazing land located on the north-west side of Kingussie.
2. The site comprises the southern most portion of a consented, but not yet constructed, residential development of 22 two-bedroom apartments with associated access, parking and landscaping (2020/0013/DET).
3. The site forms part of the wider Kingussie designated housing site H1, located between Ardbroilach Road and Craig an Darach, as designated in the Cairngorms National Park Local Development Plan 2021 (LDP). The masterplan for this wider site had permission for up to 300 houses but this permission and associated conditions has now expired (2015/0316/DET and 2015/0317/DET).
4. Vehicular access is proposed from Kerrow Drive (U3304) to the north-east which connects to Dunbarry Terrace, Dunbarry Road and the High Street. Informal paths run through the site and connect it to surrounding developments, including a connection to Campbell Crescent. To the north-west of the site runs the core path to Tombaraidh Wood (Core path ref: LBS71).
5. The site slopes from south east to north west and takes the form of a rectangle. The site sits southwest of Kerrow Drive and north of Campbell Crescent surrounded by existing houses ranging from 1 to 2 storey. Bounding the site to the west and south-west is a small woodland consisting primarily of conifer trees.

### Proposal

6. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

<https://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S71TRPSI0CP00&documentOrdering.orderBy=date&documentOrdering.orderDirection=descending>



| <b>Title</b>   | <b>Drawing Number</b> | <b>Date on Plan*</b> | <b>Date Received</b> |
|--|-----------------------|----------------------|----------------------|
| <b>Plans</b>   |                       |                      |                      |
| Plan – Location Plan   | 313553 PL<br>001      | 21/12/23             | 11/01/24             |
| Plan – Site Plan   | 313553 PL<br>002      | 20/12/23             | 10/04/24             |
| Plan – Site Plan B   | 313553 PL<br>002      | 20/12/23             | 10/04/24             |
| Plan – Semi-detached floor plans and elevations              | 313553 PL<br>003      | 21/12/23             | 11/01/24             |
| Plan – Drainage Layout                                       | 12474-004-<br>920     | 01/03/24             | 26/03/24             |
| Plan – Drainage servitude drawing                            | 12474-004-<br>926     | 01/03/24             | 26/03/24             |
| Site Plan – Land drainage                                    | 12474-004-<br>960     | 01/03/24             | 26/03/24             |
| Plan – Roads layout  | 12474-004-<br>910     | 01/04/24             | 10/04/24             |
| <b>Supporting Information</b>                                |                       |                      |                      |
| Other – Semi detached 3D views sheet 1                       | 313553 PL<br>004      | 21/12/23             | 11/01/24             |
| Other – Semi detached 3D views sheet 2                       | 313553 PL<br>005      | 21/12/23             | 11/01/24             |
| Other – Overland flow analysis underground storage 30yr only | 12474-004-<br>926     | 01/03/24             | 26/03/24             |
| Other – Site levels  | 12474-004-<br>930     | 01/03/24             | 26/03/24             |
| Other – Water main layout                                    | 12474-004-<br>950     | 01/03/24             | 26/03/24             |
| Other – Water mains servitude layout                         | 12474-004-<br>951     | 01/03/24             | 26/03/24             |



|                                       |               |          |          |
|---------------------------------------|---------------|----------|----------|
| Other – Roads adoption Plan           | 12474-004-910 | 01/04/24 | 10/04/24 |
| Other – Planning and design statement | N/A           | 01/01/24 | 11/01/24 |

\*Where no specific day of month has been provided on the plan, the system defaults to the 1<sup>st</sup> of the month.

7. Plans of the proposals are included within Appendix I.
8. The application seeks full planning permission for the erection of 6 semi-detached houses, accommodated in 3 buildings. The consented scheme for the wider site (2020/0013/DET) consists of 22, two-bedroom apartments accommodated within five 'two up two down', 2 storey blocks with four flats in a block and one, 2 storey building with two flats. The consented layout includes a spine road with 2 storey blocks to the east and south, a short cul-de-sac to the east, and a SUDs basin to the south-east of the site. This application seeks to replace one of the 'two up two down' blocks and the single block of two flats to the south west corner of the site with three blocks of semi-detached houses. Each house would have 3 bedrooms. The layout of the wider proposal site remains unchanged consisting of a spine road, with houses to the east and south, and a short cul-de-sac to the east.
9. The drainage and SuDS infrastructure serving the wider site has planning permission (2020/0013/DET) and this proposal includes only minor changes to this consented layout. The location of the surface water cellular storage area in the western part of the site has now been modified to ensure it is at an accessible location outside the plot boundaries.
10. Vehicular access will be provided through a new 5.5m wide adopted spur road from the U3304. Existing informal paths links will be formalised with 2m wide path links to Campbell Crescent to the south east.
11. Foul water from each property will drain by gravity connecting to existing foul sewer within Campbell Crescent. Surface water will be dealt with by way of below ground



storage. It is proposed that the foul and surface water sewers together will be adopted and maintained by Scottish Water.

12. Proposed finishes for all house types are indicated as being a mixture of weatherboard, timber and white render with grey concrete roof tiles. Windows will be timber framed and rainwater goods will be black uPVC.

13. A total of 6 car parking spaces have been provided.

14. A Planning and Design Statement has been provided in support of the application. The elements of this statement which relate to funding mechanisms and affordable housing have now been superseded by a supplementary statement.

## History

15. The following details of the planning history for the proposed site are as follows:

- a) **2020/0013/DET** – application for planning permission for the erection of 22 apartments, formation of access road, SUDS, landscaping – permission granted 01 September 2020.
- b) **2015/0317/DET** – application under Section 42 for variation or non-compliance with conditions 4 (haul road), 7 (landscaping) and 8 (re-seeding of plots) for Phase 1 Housing Development of 37 serviced plots and 18 affordable dwellings granted under Planning Permission Ref. PPA-001-2013 – permission granted 29 March 2017.
- c) **2015/0316/DET** – application for planning permission for a haul road – planning permission granted 29 March 2017.
- d) **2013/0190/MSC** – Part 1 – approval of a number of matters specified in conditions including a masterplan of the entire site and details of layout and servicing of Phase 1 (55 residential units – 37 serviced plots and 18 affordable houses), construction of a haul road to east of Phase 1 with new junction onto A86 trunk road and proposal for residential access (post construction) for Phase 1 to Dunbarry Road/Dunbarry Terrace – planning permission refused by CNPA. Subsequent appeal upheld by DPEA 2014 approving majority of conditions of 09/048/CP.



- e) **2013/0190/MSC** – Part 2 – Section 42 application for planning permission without compliance with Condition 4 of 09/048/CP to permit access from Dunbarry Terrace/Road and Kerrow Drive network – planning permission refused by CNPA. Subsequent appeal upheld by DPEA who issued a revised planning permission in principle reference PPA-001-2013 which included a new condition allowing 55 houses in Phase 1 to be accessed from the Dunbarry Terrace/Dunbarry Road/Kerrow Drive network but with access to the remaining phases to be taken via a single main access point onto the A86.
- f) **09/048/CP** – development for housing, economic and community uses – planning permission in principle granted on 18 January 2013 following conclusion of legal agreement.

## Habitats regulations appraisal

16. The proposals are not considered to impact upon any European sites. As such no Habitat Regulations Appraisal is required.

## Development plan context

### Policies

| <b>National Policy</b> | National Planning Framework 4 (NPF4) Scotland 2045<br><b>Officer will delete policies that are not relevant</b> |          |
|------------------------|---|----------|
| POLICY 1               | Tackling the Climate and Nature Crises  | <b>X</b> |
| POLICY 2               | Climate Mitigation and Adaptation   | <b>X</b> |
| POLICY 3               | Biodiversity  | <b>X</b> |
| POLICY 4               | Natural Places  | <b>X</b> |
| POLICY 5               | Soils   |          |
| POLICY 6               | Forestry, Woodland and Trees  |          |
| POLICY 7               | Historic Assets and Places  |          |
| POLICY 8               | Green Belts   |          |
| POLICY 9               | Brownfield, Vacant and Derelict Land, and Empty Buildings   |          |
| POLICY 11              | Energy  |          |
| POLICY 12              | Zero Waste  |          |



|           |   |   |
|-----------|---|---|
| POLICY 13 | Sustainable Transport                     |   |
| POLICY 14 | Design, Quality and Place                 | X |
| POLICY 15 | Local Living and 20 Minute Neighbourhoods |   |
| POLICY 16 | Quality Homes                             | X |
| POLICY 17 | Rural Homes                               | X |
| POLICY 18 | Infrastructure First                      |   |
| POLICY 19 | Heating and Cooling                       |   |
| POLICY 20 | Blue and Green Infrastructure             |   |
| POLICY 21 | Play, Recreation and Sport                |   |
| POLICY 22 | Flood Risk and Water Management           | X |
| POLICY 23 | Health and Safety                         |   |
| POLICY 24 | Digital Infrastructure                    |   |
| POLICY 25 | Community Wealth Building                 |   |
| POLICY 26 | Business and Industry                     |   |
| POLICY 27 | City, Town, Local and Commercial Centres  |   |
| POLICY 28 | Retail                                    |   |
| POLICY 29 | Rural Development                         |   |
| POLICY 30 | Tourism                                   |   |
| POLICY 31 | Culture and Creativity                    |   |
| POLICY 32 | Aquaculture                               |   |
| POLICY 33 | Minerals                                  |   |

|                          |   |   |
|--------------------------|---|---|
| <b>Strategic Policy</b>  | Cairngorms National Park Partnership Plan 2022 – 2027   |   |
| <b>Local Plan Policy</b> | Cairngorms National Park Local Development Plan 2021 (LDP)<br>Those policies relevant to the assessment of this application are marked with a cross |   |
| POLICY 1                 | NEW HOUSING DEVELOPMENT   | X |
| POLICY 2                 | SUPPORTING ECONOMIC GROWTH  |   |
| POLICY 3                 | DESIGN AND PLACEMAKING  | X |
| POLICY 4                 | NATURAL HERITAGE  | X |





|           |   |          |
|-----------|---|----------|
| POLICY 5  | LANDSCAPE   | <b>X</b> |
| POLICY 6  | THE SITING AND DEISGN OF DIGITAL COMMUNICATIONS EQUIPMENT |          |
| POLICY 7  | RENEWABLE ENERGY  |          |
| POLICY 8  | OPEN SPACE, SPORT AND RECREATION                          |          |
| POLICY 9  | CULTURAL HERITAGE   |          |
| POLICY 10 | RESOURCES   | <b>X</b> |
| POLICY 11 | DEVELOPER OBLIGATIONS                                     | <b>X</b> |

17. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:

<https://cairngorms.co.uk/wp-content/uploads/2021/03/CNPA-LDP-2021-web.pdf>

## Planning Guidance

18. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

|           |   |          |
|-----------|---|----------|
| Policy 1  | Housing Supplementary Guidance                          | <b>X</b> |
| Policy 2  | Supporting Economic Growth Non-Statutory Guidance       |          |
| Policy 3  | Design and Placemaking Non-Statutory Guidance           | <b>X</b> |
| Policy 4  | Natural Heritage Non-Statutory Guidance                 | <b>X</b> |
| Policy 5  | Landscape Non-Statutory Guidance                        | <b>X</b> |
| Policy 7  | Renewable Energy Non-Statutory Guidance                 |          |
| Policy 8  | Open Space, Sport and Recreation Non-Statutory Guidance |          |
| Policy 9  | Cultural Heritage Non-Statutory Guidance                |          |
| Policy 10 | Resources Non-Statutory Guidance                        | <b>X</b> |
| Policy 11 | Developer Obligations Supplementary Guidance            | <b>X</b> |



## **Consultations**

19. A summary of the main issues raised by consultees now follows:
20. **Scottish Water** advised that they have no objection to the proposed development.
21. **The Highland Council (Transport Planning Team)** has no objections to the proposal however, recommend the installation of two grit bins to serve the wider site. An informative has been included to advise the applicants of this.
22. **The Highland Council (Flood Risk Management Team)** has no objections to the proposal subject to a condition requiring the prior approval of the surface water drainage infrastructure and Scottish Water's willingness to vest the drainage network.
23. **CNPA Outdoor Access Officer** has no objections to the proposal subject to planning condition(s) ensuring that the design and specifications of private footpaths meets Highland Council guidance.
24. **CNPA Ecology Officer** advised that the site is of low ecological value and is satisfied that conditions can be applied to address potential impact on species and habitats, and the need for biodiversity enhancement.
25. **CNPA Landscape Officer** has no objections to the proposal.
26. **Kingussie Community Council** advised that they support the proposal.

## **Representations**

27. One letter of objection was received which is attached in **Appendix 2**.
28. The objector highlights issues relating to drainage, flooding, design, density, layout and ecology. A number of issues raised by the objector relate to the wider site and the development consented under application Ref: 2020/0013/DET.



## Appraisal

29. **LDP Policy 16:** Quality Homes of NPF4 supports development for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision. **NPF4 Policy 17: Rural homes** encourages the delivery of high quality, affordable and sustainable rural homes in the right locations, supported by LDP policies and allocations.
30. **LDP Policy 1: New Housing Development**, offers clear support for development on sites identified in the Plan, subject to compliance with all other relevant planning policies. The principle of housing on this site is well established by both Local Development Plan designations and previous consents. The consented scheme for the wider site is for 22, two bedroom apartments. This application proposes six semi-detached houses in place of two blocks of flats accommodating six apartments. Policy 1.4: Designing for Affordability and Specialist Needs states that residential developments will be required to provide a mix of dwelling types and sizes to help secure a balanced housing stock, with an emphasis on smaller dwellings.
31. In terms of dwelling houses, it is recognised that there is a disproportionately high number of larger, detached houses within the National Park, which has resulted in housing stock that does not satisfy local housing needs for smaller, more affordable family homes. Policy 1.4 seeks to ensure that both affordable and market housing focuses on delivering smaller dwellings in terms of numbers of bedrooms and public rooms. The proposed development would introduce a more varied choice of smaller homes onto the site.
32. Policy 1.5 Affordable housing: seeks that all new residential development of four or more units provides for a minimum of 25% affordable housing provision. The proposed development is for open market housing targeted at first time buyers by way of its scale and design. The applicants are aware of a strong local demand for homes for young working families in the local area and have deliberately designed the proposal to help/target that local market.
33. The applicant's intention was to register the Development with the Help to Buy (Scotland) scheme so that eligible purchasers could access some assistance, if



required, thus opening the development up to a wider demographic of potential purchasers. This was to be in partnership with Caledonia Housing Association and the Developer 'Davall'.

34. Caledonia Housing Association are now unable to meet the funding requirements and as such have now withdrawn the offer of funding. The proposal is now simply for six semi-detached houses to be delivered at market value. As such the proposed homes will not meet the affordable housing criteria policy requirements. However, the proposal is on the same LDP allocation as another development by the same developer of 23 affordable house units for Highland Council and affordable housing providers that is currently in construction (ref 2020/0067/DET) which will provide in excess of the 25% affordable housing requirement for the houses currently consented across in the site.
35. In addition, the house units proposed continue to be designed as starter homes specifically targeted to meet the requirements and needs of young working families in the local area. Even without the first-time buyer assistance, these homes should be within the reach of many working households in the area and would also have a degree of protection from conversion to short term let properties via the Short Term let Control Area covering Badenoch and Strathspey.
36. The proposed change from six flatted units to six semi-detached houses is considered acceptable and to accord with NPF4 Policy 16 and Policy 1.4 and 1.5 of the LDP.

## **Landscape Issues, Layout and Design**

37. **NPF4 Policy 14: Design, Quality and Place** requires development proposals to improve the quality of an area and meet the six qualities of successful places.
38. **LDP Policy 5: Landscape** presumes against development which does not conserve and enhance the landscape character and special qualities of the National Park and the setting of the proposed development.



39. This is reinforced by **Policy 3: Design and Placemaking**, which seeks to ensure that all new development meet the six qualities of successful places, namely that they are to be:
- a) distinctive;
  - b) safe and pleasant;
  - c) welcoming;
  - d) adaptable;
  - e) resource efficient; and
  - f) easy to move around.
40. **LDP Policy 3.3: Sustainable design** seeks to ensure that all new development is sympathetic to the traditional pattern and character of the surrounding areas, local vernacular and local distinctiveness.
41. The approach to the landscaping of the site is considered appropriate and is in keeping with the approved development of the wider site and its approved landscaping (2020/0013/DET). The CNPA Landscape Officer raised no objections to the proposed development having previously confirmed that the site has capacity to accommodate new housing within the landscape.
42. In terms of design, the house types are of a simple and functional design which would be in keeping with the character of the settlement and incorporate an acceptable range of materials typical of the surrounding area.
43. The proposed development is therefore considered to comply with both NPF4 Policy 14 and LDP Policies 3 and 5.

## **Environmental Impacts**

44. **NPF4 Policy 3: Biodiversity** requires that development proposals of this nature “include appropriate measures to conserve, restore and enhance biodiversity”. Measures should be proportionate to the nature and scale of development. **NPF4 Policy 4: Natural places** does not support development which will have an unacceptable impact on the natural environment.



45. **LDP Policy 4: Natural Heritage** seeks to ensure that there are no adverse effects on European Protected Species and other biodiversity interests.
46. NatureScot had previously confirmed for the proposed site that the land is not within or adjacent to any site designated for its natural heritage and it is unlikely that there will be any European protected species (bats, otters, wildcats) which would be affected directly or indirectly from the development in this location.
47. The CNPA Ecology Officer advised that there would be no likely significant effects on biodiversity interests subject to an appropriate planning condition and that biodiversity enhancement could be secured through the application of an appropriate condition.
48. The proposal is considered to comply with NPF4 Policy 3 and Policy 4 of the LDP subject to the recommended conditions.

## **Flooding and Surface Water Drainage**

49. **NPF4 Policy 22: Flood risk and water management** creates a presumption against all development at risk from flooding and seeks to ensure that there is no risk of surface water flooding to others, and that all rain and surface water is managed through sustainable urban drainage systems (SUDS) with area of impermeable surfaces minimised.
50. **LDP Policy 10: Resources** requires that all development should be free from medium or high risk of flooding, not increase the risk of flooding elsewhere, not add to the area of land requiring flood prevention measures and not affect the ability of the functional flood plain to store or move flood waters. This policy also requires that all development should avoid detrimental impacts on the water environment, with existing and potential impacts up and downstream of the development, particularly in respect of potential flooding, to be addressed. It presumes against unnecessary culverting of watercourses and any unnecessary engineering works in the water environment. This policy also requires that surface water be treated in accordance with the SUDs manual.



51. The drainage infrastructure serving the wider site has been approved through 2020/0013/DET. This application includes only minor changes to this consented layout with the location of the surface water cellular storage area in the western part of the site has now been modified to ensure it is at an accessible location outside the plot boundaries.
52. Highland Council Flood Management Team raised no objection to the proposal.
53. The proposed development is considered to comply with NPF4 Policy 22 and LDP Policy 10.

### **Servicing and Access**

54. **LDP Policy 3:** Design and Placemaking promotes sustainable travel methods and active travel, including making provision for storage of bicycles and reducing the need to travel. It further seeks maintaining and maximising all opportunities for responsible outdoor access, including links into the existing path network.
55. Planning permission 2020/0013/DET was granted subject to conditions for cycle storage for the wider site and for the detailed design of a proposed path link from the development to Campbell Crescent. Given that the proposed path is within the redline boundary it is appropriate that this condition also is applied to this proposed development.
56. Some of the finer details raised will be addressed through the separate Roads Construction Consent (RCC) process that the applicant will need to apply for separately.
57. Subject to appropriate conditions, the proposed development is considered to comply with LDP Policy 3: Design and Placemaking of the LDP.

### **Developer Contributions**

58. **LDP Policy 11: Developer Contributions** sets out that where development gives rise to a need to increase or improve public services, facilities or infrastructure or mitigate



adverse effects then the developer will normally be required to make a fair and reasonable contribution towards additional costs or requirements.

59. Developer contributions were originally considered for the original planning application for the site. It was concluded that the development would not impact on the capacities of Kingussie High School or Kingussie Primary School, and no increase or improvement to public services, facilities or infrastructure was considered necessary. The current proposal will not increase the number of units on the site and as such no contributions are required.

60. As such the development is considered to comply with LDP Policy 11: Developer Contributions.

## **Conclusion**

61. The proposed development is of a design, scale and location where it will help meet an identified local need. The site is considered capable of being developed and serviced without significant landscape or environmental effects. The remaining points of detail that have not been sufficiently addressed through the application can be resolved by applying conditions to ensure that they are satisfactorily addressed within an appropriate timeframe.

62. Subject to those conditions, the proposed development is considered to comply with policies within both NPF4 and the LDP, and approval of the application is recommended, subject to the recommended conditions

## **Recommendation**

**That Members of the Committee support a recommendation to APPROVE the Erection of 6no. houses (3 blocks of semi-detached) at Land 65M South Of 22 Kerrow Drive Kingussie subject to the following conditions:**

## **Conditions**

Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.





1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted.

**Reason:** The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. No development shall commence on site until full details of the final drainage scheme, including confirmation that Scottish Water are willing to adopt the network, have been submitted to and approved in writing by the Cairngorm National Park Authority acting as Planning Authority in consultation with the Highland Council Transport Planning and Flood Management teams.

The approved drainage scheme shall be implemented and maintained in accordance with the approved details in full prior to the occupation of any dwellings within the development.

**Reason:** To ensure that satisfactory arrangements for the disposal of surface water are provided in accordance with the approved details in full prior to the occupation of any dwellings within the development.

3. No development shall commence on site until a finalised Reptile Species Protection Plan is submitted to and approved by the Cairngorm National Park Authority acting as Planning Authority. This shall include the following information:
  - a) Results of the reptile survey.
  - b) Methods to translocate reptiles/encouraging reptiles off the site prior to site clearance.
  - c) Proposals to create hibernation and shelter habitats off-site in terms of type and position.
  - d) Location of reptile fencing, should this be required.
  - e) Details of an appropriately qualified ecologist to undertake and supervise reptile surveys, translocation and implementation of mitigation measures.
  - f) A programme for the delivery of the plan and for monitoring reports at appropriate stages of development.



Thereafter reptile translocation and mitigation shall be carried out in accordance with the details approved in this Plan. A monitoring report on the translocation process shall be submitted to the CNPA.

**Reason:** To ensure the development does not have a detrimental impact on the reptile community in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2024 and NPF4 Policy 3.

4. **No development shall commence on site until a biodiversity enhancement plan is submitted and approved by the Cairngorm National Park Authority acting as Planning Authority. This shall include the following information:**
  - a) **Identify all measures to enhance biodiversity.**
  - b) **A timeline for implementation of those measures identified.**
  - c) **A monitoring and maintenance plan of those measures implemented.**

The agreed measures shall be implemented in advance of the development being occupied and maintained/monitored throughout the lifetime of the development, in accordance with the agreed details.

**Reason:** To ensure the development does not have a detrimental impact on the reptile community in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2024 and NPF4 Policy 3.

5. **No development shall commence on site until details of the provision of a suitably designed path from the development to Campbell Crescent are submitted to Cairngorms National Park Authority acting as Planning Authority. The design for this link path shall be submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority. Thereafter no houses shall be occupied until the path has been implemented in accordance with the approved plans.**

Thereafter the path shall be retained and maintained in accordance with the approved plans.



**Reason:** To ensure that all residential units are served by an adequate path network in the interests of promoting walking, in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2021.

6. **No development shall commence on site until a detailed site specific Construction Method Statement (CMS) has been submitted and approved in writing by Cairngorms National Park Authority acting as Planning Authority. This CMS shall make reference to the Reptile Species Protection Plan and how this will be adhered to during construction including reference to clearance works not being undertaken during winter months in order to avoid disturbing hibernating reptiles and conducted in a manner that allow reptiles to be safely removed from site. The CMS shall also provide details as to arrangements to protect the drystone dyke during construction.**

**Construction shall thereafter proceed in accordance with approved CMS.**

**Reason:** To ensure the development does not have a detrimental impact on the reptile community in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2021.

7. **No residential unit shall be occupied until the access road (including associated footpaths) and parking serving it has been constructed and surfaced in accordance with the approved details.**

**Reason:** To ensure that all residential units are served by an adequate road network in the interests of road safety, in accordance with Policy 3 Sustainable Design of the Cairngorms National Park Local Development Plan 2021.



## **Informatives**

1. The development hereby approved must commence within 3 years of the date of this decision notice. If development has not commenced within this period, then this planning permission will lapse.
2. The person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.
3. Following completion of the development, a notification of the completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.
4. The person undertaking the development is advised that Road Construction Consent will be required from the Roads Authority (Highland Council) as per the comments of the Highland Council Transport Planning Team available on the CNPA website.
5. The person undertaking the development should consult with the Roads Authority (Highland Council) as per the comments of the Highland Council Transport Planning Team available on the CNPA website concerning the location of grit bins within the vicinity of the development site.



6. It is recommended that all new housing incorporates integrated flexibility for home-working and high speed fibre broadband connections.
7. Construction work on the application site (including the loading/unloading of delivery vehicles, plant or other machinery) should not take place out with the hours of 0800 hours to 1900 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays or at any time on Sundays or Bank Holidays in order to minimise disturbance to residents in the area.
8. The person undertaking the development should note that they will require to apply to Scottish Water for formal connection to public water supplies at which time the Agency will review capacity –further details available in their consultation response. They will also require to contact Scottish Water’s Assets Impact Team with regard to any Scottish Water infrastructure on the application site – contact: [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk)