

## **09/155/CP An Camas Mòr**

### **Terms of Approval by CNPA Planning Committee 11 June and 25 June 2010**

#### **Planning Permission in Principle subject to:**

##### **A. Section 75 Agreement to cover the following:**

- Affordable housing provision
- Community facilities
- Education provision
- Health Care provision
- Waste Management provision
- Contribution to paths and the funding for a bridge on the foot/cycle path link to Aviemore via River Spey
- Provision of other foot/cycle paths
- Provision of distributor road before 201 residential units to satisfaction of Highland Council TEC Services including any off site works
- Upgrading of existing B970 Coylumbridge junction to satisfaction of Highland Council TEC Services including any off site works to serve up 200 residential units
- A contribution to improvements to Grampian Road to the satisfaction of the Highland Council TEC Services
- Green Transport Plan with funding for infrastructure involved and provision of an accessible public bus service
- Off-site compensatory habitats to be monitored at the development review points and their effectiveness linked to development proceeding
- The development review points to include monitoring the impact on the road network in the vicinity of the site
- Arrangements for maintenance of all non-private space

##### **B. The following planning conditions:**

1. Plans and particulars of the matters listed below shall be submitted for the consideration of the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No works shall begin until the written approval of the authority has been given, and the development shall be carried out in accordance with that approval.

**Reason:** In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. Notwithstanding the description on the application as submitted, this permission is for up to 1500 residential units only with a full review of the impact of the development on landscape and ecology to be undertaken upon the completion of 630 units and interim reviews at timescales to be stipulated thereafter by CNPA acting as planning authority. All reviews will be undertaken against the site baseline of nil development. After each review further development will only take place with the approval of the CNPA acting as planning authority.

**Reason:** In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and because the site is considered only to have capacity for 630 to 1500 units without having a prolonged significant adverse impact both on the special qualities of the National Park (contrary to the first aim of the National Park) and on the integrity of the National Scenic Area.

3. Prior to the submission of any detailed application for this site a Masterplan shall be submitted for the approval of the CNPA acting as planning authority. The Masterplan shall be based on the principles established in the approved Landscape and Ecology Masterplan under Condition 4 and shall be the subject of wide community consultation of a type to be agreed with the CNPA prior to any consultation being carried out. The Plan shall include the following:
  - Statement of Community Consultation.
  - Sustainable Design Guidelines for the overall site covering layout, residential/business/community uses, building forms and proportions, densities, building heights, orientation, materials and colour, private and community spaces, surface and boundary treatments.
  - Detailed phasing proposals and provisions for regular review, with options to pursue actions should they be required, in terms of the timing, status and impact of development and progress on the measures undertaken at the off-site compensatory habitat areas.
  - Mechanisms for ongoing delivery and long term management of the An Camas Mòr project.
  - The contribution of An Camas Mòr in terms of both finance and active involvement in the community led partnership to facilitate delivery of a direct foot/cycle path link to central Aviemore via a bridge over the River Spey in tandem with the initial phase of development.
  - Mechanisms, including regular review, for providing the number and mix of housing types and tenures including the full range of affordable housing to meet local needs over the period of development.
  - Mechanisms for ensuring that the development has provision for individuals and local small builders.
  - Mechanisms for controlling level of second and holiday home use.
  - Mechanisms, including regular review, for providing the amount and types of employment, shops and other services to meet the needs of the community over the period of development.
  - Surveys to monitor the impact of the development on services, retailing and employment in surrounding settlements.
  - Opportunities for provision for further and higher education
  - Proposals to make the development accessible to all abilities, including design of buildings, road and path surfaces and edges, lighting, audio and visual information at bus stops, employment and facilities for young and older people in consultation with a qualified Access Consultant.
  - Provision for a school site, playing fields, community hall and health facility.
  - Street Hierarchy Proposals to accord with, as a minimum, the principles of Scottish Government Policy contained in Designing Streets 2010.
  - A strategy and measures to minimise light pollution.

- Provision for treatment and disposal of sewage on site or details of means of connection to the public sewerage system to satisfaction of SEPA and Scottish Water to include provision for waste water treatment to agreed standards at each phase of development.
- An assessment of the presence of contaminated land and measures to deal with any identified.
- Provision for a SuDS Scheme to the satisfaction of SEPA.
- Provision for water and electricity supplies to meet the needs of the community, including a water storage system for commercial premises.
- An Environmental Management Plan with arrangements for storage, segregation and collection of waste including location, access, maintenance arrangements and screening to satisfaction of SEPA.
- A Sustainability Statement including measures for carbon reduction, energy conservation, generation of renewable energy (including a district heating system), water conservation, waste recycling and disposal, local sourcing of materials and labour.
- Provisions for a high specification of telecommunications technology connections to all properties and premises.

**Reason:** In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that a clear framework is identified for the future development of this new community within a National Park and a National Scenic Area.

4. Prior to the submission of the full Masterplan for the development referred to in Condition 3. a separate Landscape and Ecology Masterplan shall be submitted for the approval of the CNPA acting as planning authority. This Plan shall have a primary aim of reducing landscape and visual impacts to 'not significant' by 20 years of commencement and include the following:
  - Woodland retention, new planting, street trees and open space, formal and informal footpaths, potential desire lines, links into potential and actual routes accessible from An Camas Mòr, integration with proposals for surface water drainage and lighting.
  - An evidence-based and objective driven Landscape Method Statement which underpins and accompanies the Landscape and Ecology Masterplan and includes, a survey of existing tree cover and associated vegetation on the site, a soil survey, on site management and reuse of soil during development, site protection proposals during and after construction, planting proposals (species, ground preparation), maintenance during establishment, a long term management plan.
  - Adhere to the concepts and principles of biotope strips, peripheral planting and management of existing woodlands, green crossings and back garden nature reserves as described in the application.
  - Strategies for each phase of development to mitigate the potential impacts upon local habitats from the development and increased human disturbance.
  - Details of the monitoring regime for habitats and species with provision for ongoing monitoring and specific surveys to be carried out before and after each phase of development all against the site baseline of zero development.

- Surveys to be undertaken during the optimum survey period, by specialists in the particular species field and to take account of protected species and UKBAP and Cairngorms LBAP.
- Specific surveys to include detailed habitat and botanical (including lichen), invertebrate survey (2 visits during each month May – September), mammal survey, bird survey (breeding and winter as required by CNPA), fungi survey, reptile and amphibian survey.
- Retention and new planting on and around the west side of the site to create an area of woodland linking plantations to the north of the site to the ancient and semi-natural woodland in the south, and including the semi-mature plantation in the south west corner, to ensure both acceptable landscape screening and a robust woodland network providing for recreational needs, ecological connectivity, species dispersal and resistance to fragmentation.
- Retention of the area of lowland heath in the south west corner of the site and augmentation of the habitat with measures to encourage expansion to the west.
- Retention of kettle holes as water bodies with as much peripheral vegetation as necessary to provide a resilient habitat.
- Retention and new planting on and around the site to create a woodland corridor adjacent to the B970 linking woodland to the north and south of the site to ensure both acceptable landscape screening and a robust woodland network providing for recreational needs, ecological connectivity, species dispersal and resistance to fragmentation.
- Retention and new planting of woodland on and around the site to create two north-south woodland corridors and one east-west woodland corridor that dissect the site and link areas of open green space to ensure both acceptable landscape screening and a robust woodland network providing for recreational needs, ecological connectivity, species dispersal and resistance to fragmentation.
- Creation of a wetland area of habitat in the marsh area within the fields to the west of the development area.

**Reason:** In accordance section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that a clear landscape and ecology framework is identified to provide a basis for the masterplan for the future development of this new community within the National Park and National Scenic Area.

5. Prior to any development commencing on site the following shall be submitted for the approval of the CNPA acting as planning authority:
  - A construction procedures handbook for delivery of the method statement and management plan to which all parties and subsequent developers are signed up.
  - Evidence that the Landscape and Ecology Masterplan and Landscape Method Statement form part of a contractual obligation with developers on site.
  - Evidence that all necessary legal structures and agreements are in place for ongoing site management.
  - Evidence that measures are in place to ensure appropriate site restoration by the CNPA should the proposals be abandoned or delayed for a protracted period.

- Evidence that appropriately qualified and experienced landscape and ecology professionals have been and will continue to be retained for the duration of the development to ensure implementation and compliance with the Landscape and Ecology Masterplan, the Landscape Method Statement, the construction procedures handbook and all other conditions of any planning permission.
- Details of measures during construction and the life of the development to ensure that invasive non-native species are not introduced to the site either in their own right or within contaminated topsoil.

**Reason:** In accordance section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that all necessary structures and measures are in place to underpin development of this new community within the National Park and National Scenic Area.

6. Notwithstanding that it is shown in the submitted application, no approval is given for the realignment of the B970 Coylumbridge junction. Before the first residential units in An Camas Mor are occupied the existing Coylumbridge junction and the B970 from there to the main development site shall be upgraded in keeping with the established character of the road to the satisfaction of the CNPA in consultation with the Highland Council TEC Services. Thereafter the upgraded road and junction can be used to access the development of up to 200 residential units.

**Reason:** In accordance section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and because the works to provide a realigned junction would potentially damage valuable habitat and protected species within the National Park. In addition it is possible to service the new community by other means.

7. The new distributor road from the substation site to the east of Rothiemurchus Fisheries shall be provided before development can proceed beyond 200 residential units in accordance with details to be submitted to and approved by the CNPA acting as planning authority in consultation with the Highland Council TEC Services. In addition, a review of all site access and road arrangements shall be undertaken once the development level of 200 residential units has been reached and the review shall be submitted for the consideration of the CNPA acting as planning authority in consultation with the Highland Council TEC Services.

**Reason:** In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and because the early introduction of the new distributor road will benefit the new community and minimise disturbance to residents at Coylumbridge.

8. Before development commences a construction road into the site shall be formed on the line of the new distributor road from the substation site to the east of Rothiemurchus Fisheries in accordance with details to be submitted to and approved by the CNPA acting as planning authority in consultation with the Highland Council TEC Services. When development commences all construction traffic shall thereafter use this road.

**Reason:** In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and because the introduction of this construction road from the outset will minimise disturbance to residents at Coylumbridge and Inverdrue.

9. Detailed design and construction methods for the bridge (including culverts for backwater channels) over the River Druie, along with a flood risk analysis, compensatory storage scheme, pre-construction surveys for European Protected Species, measures for protection of European Protected Species during and after construction, arrangements for an ecological Clerk of Works, Construction Environmental Management Plan (including management of runoff from construction in accordance with SEPA pollution prevention guidelines PPG's 05-06)), timescales for construction activity shall all be submitted for the approval of the CNPA acting as planning authority in consultation with Scottish Natural Heritage and SEPA before any works take place.

**Reason:** In accordance section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to protect the integrity of the River Spey Special Area of Conservation and European Protected Species within it.

10. Prior to the commencement of development, a programme of works for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development, including a timetable for investigation, all in accordance with the submitted specification, shall be submitted to and agreed in writing with the CNPA acting as planning authority. The agreed proposals shall be implemented in accordance with the agreed timetable for investigation.

**Reason:** In accordance section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to safeguard any archaeological and historic interest on the site in accordance with the first aim of the National Park.

**Advice Notes:**

1. Emergency overflow from any pumping station requires authorisation under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 and an application for a water license must be submitted to SEPA.
2. Road Construction Consent will be required in respect of all areas intended for adoption by Highland Council, as roads authority; only roads serving more than 4 dwellings, designed and constructed in compliance with the requirements of Council Guidelines will be considered for adoption; also only strategic pedestrian/cycle links satisfying Council Guidelines will be considered for adoption.
3. Planning permission does not guarantee a connection to the service – application and appropriate details must be made to Scottish Water for this and should include a Development Impact Assessment.
4. The developer is advised to discuss deviation and undergrounding options with SSE in relation to existing plant in and around the area.
5. Upon receipt of detailed plans BT will issue proposals to the developer where the developer would be required to lay all boxes/duct etc. within the site.
6. Scottish Natural Heritage is to be consulted on any proposals for the construction of a bridge over the River Spey.

**Don McKee**  
**12 July 2010**