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## CAIRNGORMS NATIONAL PARK AUTHORITY

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

**Prepared by:** MARY GRIER, PLANNING OFFICER  
(DEVELOPMENT CONTROL)

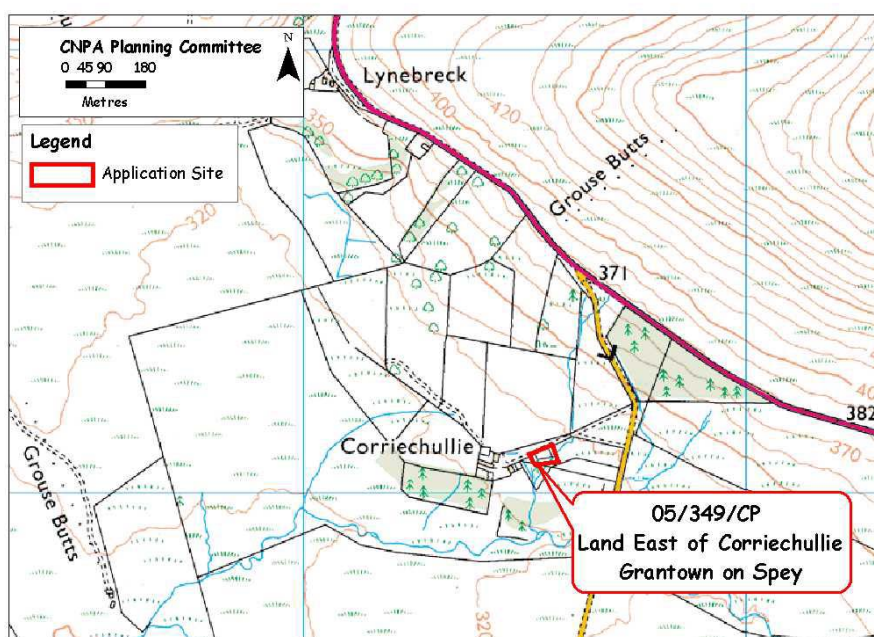
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**DEVELOPMENT PROPOSED:** OUTLINE PERMISSION FOR A DWELLING HOUSE ON LAND AT CORRIECHULLIE, GRANTOWN-ON-SPEY

**REFERENCE:** 05/349/CP

**APPLICANT:** MR. GEORGE GRANT,  
C/O A.W. LAING LTD.,  
110 HIGH STREET,  
GRANTOWN ON SPEY, PH26 3EL

**DATE CALLED-IN:** 12<sup>TH</sup> AUGUST 2005



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**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. Outline permission is sought for the erection of a dwelling house on lands to the east of Corriechullie Farm. The proposed site, which consists of a broadly rectangular parcel of land is located along a private access track off the minor road linking the A939 to the settlement of Nethy Bridge. The access track currently serves the farmhouse at Corriechullie, as well as providing access to a number of farm buildings and agricultural land. The existing farmhouse is a traditional 1 ½ storey property located approximately 55 metres to the west of the proposed site. The proposed site is flat and is currently used for the storage of agricultural materials, including straw bales, and is bounded on three sides by wire fencing. To the rear of the proposed site is a small plantation of mature trees, which is of benefit in providing an immediate backdrop for any potential structure at this location. A short distance further south is a larger plantation.



**Fig. 2 : View towards proposed site (approximately at current position of wrapped straw).**

2. The proposed site and the surrounding land is in the ownership of the applicant and his family and is part of an overall landholding extending to 2117 acres. The applicants existing residence (Corriechullie farmhouse) is the only residential property in the immediate vicinity. Other residential properties in the area are located approximately 780 metres to the north-west at Lynbreck and in excess of 1 km to the east at Dirdhu, all of which are located on the A939.
3. This is an application for outline permission and as such the details provided are limited, with only a red line identifying the extent of the site boundary. Access to the site is proposed off the existing private access lane adjacent to the site. No indication is provided as to the type of dwelling house envisaged, although assurances are given in submission documents that “careful consideration will be given in the traditional design to ensure the dwelling will be sympathetic to existing rural properties” in the area. In addition it is stated

that the use of locally grown timber and sustainable materials will be considered for a new dwelling at this location. Drainage is proposed to a new septic tank and soakaway or perforated pipe system. In accordance with a request from SEPA, trail hole investigations and percolation tests have been carried out. A private water supply, to be taken from a spring at Sgor Gaoithe, is proposed to serve the dwelling house. The spring already serves the existing farm and house.

4. The applicant has long associations with the Corriechullie landholding, as his family have farmed the land for over half a century. Mr. Grant currently resides in the existing dwelling house at Corriechullie. Information submitted in support of this application details his plans to retire from farming activity over the coming years. He intends to “hand over the farm workload and it’s management completely” to his son Craig and his young family. It is intended that the applicants son and his family would reside in the original farmhouse, while the applicant hopes to retire to the proposed new dwelling and is of the view that its location on the landholding would allow him to support and advise his son regarding the daily running of the farm. The 2,117 acre farm is mainly hill farm and according to information submitted with this application is capable of supporting a family, having the potential to sustain a flock of 800 sheep and 39 cattle, with approximately 55 acres put to arable use for barley and silage.
5. The applicant had previously applied for outline planning permission for one dwelling house a short distance to the north east of the subject site, remote from the existing farm complex and in an elevated and highly exposed position. The application was called in for determination by the Cairngorms National Park Authority (planning ref. no. 05/223/CP refers) and was refused on the basis of the adverse impact on the rural character of the area, the fact that it could adversely affect the general public’s enjoyment of the special qualities of this area of the National Park, and also the fact that it was located in a Restricted Countryside Area. Despite a land management case being made, it was not considered sufficient to justify a disregard for the principles of good siting and design in the elevated and exposed location in which it was proposed. Following the refusal of planning permission discussions were undertaken on site to ascertain whether or not the selection of an alternative location could overcome much of the previous concerns. In the course of the site visit, it was advised that the currently proposed site was perhaps one of the more appropriate options, in conjunction with the advancing a case as to why consideration should be given to a dwelling in this Restricted Countryside Area.

## DEVELOPMENT PLAN CONTEXT

6. **Highland Structure Plan 2001, Policy H3** states that housing will generally be within existing and planned new settlements. New housing will not be permitted unless it can be demonstrated that it is required for the management of land and related family purposes. **Policy L4 Landscape Character**, states that the Council will in the consideration of development

proposals have regard to the desirability of maintaining and enhancing present landscape character. **Policy G2 Design for Sustainability**, lists a number of criteria on which proposed developments will be assessed. These include service provision (water and sewerage, drainage, roads, schools, electricity); accessibility by public transport, cycling, walking and car; energy efficiency in terms of location, layout and design (including the utilisation of renewable energy sources) and impacts on resources such as habitats, species, landscape, cultural heritage and scenery.

7. Highland Council's **Development Plan Policy Guidelines (April 2003)** provides more detailed guidance on the interpretation of specific policies contained in the 1997 Local Plan, in the light of the subsequently approved Structure Plan of 2001. This document states that new housing in the open countryside will be exceptional, and will only be permitted (in accordance with National guidance and the approved Structure Plan policy) where, amongst other specific circumstances, it is required for the management of land, or it is required for family purposes related to the management of land (retired farmers and their spouses). In relation to land management criteria the **Development Plan Policy Guidelines** stress that "new housing will only be regarded as essential where it is related to material planning considerations" and that the "personal preferences or financial circumstances of any individuals involved are not material planning matters." It further details the fact that any proposal for new housing in the countryside associated with land management activities "must demonstrate that a sequential approach to identification of the need for that house has been followed", and this should involve consideration of alternatives such as the potential to use existing accommodation in the area or the renovation or replacement of an existing dwelling house.
8. **The Badenoch and Strathspey Local Plan (September 1997)** – the subject site is on land that has been identified in the Local Plan as a restricted countryside area. Accordingly, section 2.1.2.3 of the Plan reconfirms the sentiments of the Structure Plan policy stating that a "strong presumption will be maintained against the development of houses" in all sensitive areas. Exceptions will only be made where a "house is essential for the management of land, related family and occupational reasons." It further stresses that adherence to the principles of good siting and design will be required.

## CONSULTATIONS

9. **SEPA** have examined the proposal in detail and initially requested further information regarding an assessment of the suitability of ground conditions. Percolation tests and trail hole investigations were duly carried out, and on the basis of the results **SEPA** have confirmed that they have no objection to the proposed development.
10. The **Area Roads and Community Works Manager** of Highland Council was consulted and has recommended that a number of conditions be attached in

the event of planning permission being granted. The conditions include the upgrading of the access track linking the site with the public road and the achievement of adequate visibility in each direction, as well as the provision of parking and manoeuvring space for at least two vehicles within the curtilage of the site.

## REPRESENTATIONS

11. No representations have been received in respect of the proposed development.

## APPRAISAL

12. The proposed development is essentially for a dwelling house in a restricted countryside area. The key issues to assess in this application relate to the principle of a dwelling house on this site in relation to development policies, and the suitability of the proposed site in terms of general siting, visual impact, amenity, road access and the precedent which such development may set.
13. As referred to in the discussion of the Development Plan Context earlier in this report the proposed development is located in a restricted countryside area where there is a strong presumption against the development of houses, except in instances where the house is essential for the management of land, related family and occupational reasons. Para. 4 of this report provides details of the background to the proposed development (see also copy of letter attached from applicants agent). The applicant is a retiring farmer, although his retirement plans are slightly long term, as opposed to the immediate future. Members may recall in the course of the previous refusal of planning permission on the landholding that the applicant had indicated that he planned to retire within the next ten years. The applicant's son is intended to assume responsibility for the operation of the farm at Corriechullie, and would also take up residence in the original farmhouse with his family. It would appear that the intentions of the applicant and his family to pursue this course of action are genuine, and in the event of the granting of planning permission for the proposed development, would not result in a situation whereby the existing dwelling house would be sold. Mr. Grant, the applicant, has indicated that he is "willing to enter into an occupancy agreement for both the existing farmhouse and the new dwelling." On the basis of the information provided the circumstances of the application are considered to constitute an exception, which would allow consideration to be given to the granting of planning permission for a dwelling house in this Restricted Countryside Area.
14. Section 2.1.2.3 of the **Badenoch and Strathspey Local Plan 1997** requires "adherence to the principles of good siting and design" in all cases. It is a requirement that was highlighted to the applicant at the outset of pre-application discussions prior to the submission of the previously refused application on a more elevated part of the landholding. The advice offered in the CNPA's written response suggested in the event of the applicant wishing

to pursue an application for a dwelling house that “it should be located somewhere on the lower ground adjacent to the existing group of buildings at the existing farm” as the location would be less prominent in the wider landscape and would be seen within the context of both trees and existing buildings. The currently proposed site adheres to this advice and a suitably designed dwelling house at this location has the potential to visually assimilate into the surrounding landscape and effectively read as a coherent part of the farmstead at Corriechullie. The proposed site is on relatively level ground and is not prominently located. It has the benefit of using an established access lane. In addition, the position of the site relative to the existing dwelling house offers the potential to create an interesting site layout, with the proposed dwelling house oriented almost perpendicular to the existing dwelling house, which would have the dual benefit of achieving privacy for both the new and the existing property, as well as avoiding the inappropriate appearance of a linear, almost suburban settlement pattern. In terms of the siting, layout and access arrangements, the proposal is considered to be in accordance with the advice issued in PAN 72 on Housing in the Countryside, although the full impact of the development cannot be assessed in the course of an application for outline permission. The purpose of PAN 72 is to “create more opportunities for good quality rural housing which respects Scottish landscapes and building traditions” and the proposed development cannot be fully gauged against this in the absence of design details for the dwelling house. It is therefore recommended in the event of the granting of planning permission that a detailed condition be included requiring a high quality design specific to the proposed site, and capable of establishing a good visual relationship with existing properties in the surrounding rural area.

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

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

15. There are no natural heritage designations affecting the proposed site, and having regard to the relatively unobtrusive location proposed, it is not considered that a new dwelling house at this location would have an adverse impact on the conservation and enhancement of the natural and cultural heritage of the area.

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

16. No details of the proposed new building have been provided and it is not therefore possible to assess compliance with this aim.

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

17. It is not considered that the development would have the potential to interfere with the promotion of the understanding and enjoyment of the area by the general public.

## Promote Sustainable Economic and Social Development of the Area

18. A case has been put forward for the proposed dwelling house on the basis of family purposes related to the management of land and as such could be considered to promote a form of social development in the area. In addition, the motives behind the applicants wish to develop a new dwelling house i.e. to allow his son and his family to reside at the existing dwelling house in conjunction with assuming responsibility for the operation of the farm, could be considered to assist in ensuring the on-going economic development of agricultural activities in this area.

## RECOMMENDATION

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

**Grant Outline Planning Permission for a New Dwellinghouse on land at Corriechullie, Grantown on Spey, subject to completion of a S75 Legal Agreement which restricts the occupancy of both the existing dwelling house and the new dwelling house to the applicant or any person employed (or last employed) in land based management activity on the landholding at Corriechullie and restricting the sale of the existing and proposed dwelling houses except as one overall unit in conjunction with the landholding, and also subject to the following planning 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 from the date of final approval of all the foregoing Reserved Matters.
2. The proposed dwelling house shall be designed in accordance with the traditional vernacular architecture of the area and shall be a maximum of 1 ½ storeys in design, and shall incorporate the use of external materials that visually compliment existing properties in the vicinity.
3. The access road linking the site to the public road shall be upgraded to the satisfaction of Highland Council acting as Roads Authority. Construction shall consist of a minimum of 40mm thick Close Graded Wearing Course on 60mm Dense Basecourse on a minimum thickness of 350mm Type 1 sub base, all on a sound formation, for a distance of at least 6 metres from the nearside edge of the public road. Thereafter the access shall be at least 3.0 metres wide and construction shall consist of at least 350mm Type 1 sub base on a sound formation.
4. The gradient of the access shall not exceed 5% for the first 5 metres and thereafter shall not exceed 10%.

5. 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 150 metres in each direction from the intersection of the access road with the main road.
6. Within the visibility splays nothing shall obscure visibility between a driver's eye height of 1.0 metres positioned at the x dimension and an object height of 1.0 metres anywhere along the y dimension.
7. Parking and manoeuvring space for at least 2 no. vehicles shall be provided within the curtilage of the property such that each vehicle may enter and leave the site independently in forward gear.
8. No surface water shall discharge on to the main road.

**Advice note :** Prior to any work of excavation or surfacing starting within 2 metres of the public road edge a road opening permit must be obtained from the Roads Authority.

#### **Determination background :**

The application was called in by the Cairngorms National Park Authority at its Planning Committee meeting of 12<sup>th</sup> August 2005. Letters requesting further information regarding the justification for the proposal in this Restricted Countryside Area, clarification of the water supply and information required by SEPA, were issued on 25<sup>th</sup> August 2005 and 22<sup>nd</sup> September 2005. A partial response was received on 21<sup>st</sup> September 2005. The remainder of the information was received on 1<sup>st</sup> December 2005, following which the re-consultation process was initiated with SEPA.

**Mary Grier,  
Planning Officer, Development Control  
21 December 2005**

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The map on the first page of this report 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.