
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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

DEVELOPMENT PROPOSED: FULL PLANNING PERMISSION FOR THE ERECTION OF A DWELLINGHOUSE AND SITING OF A TEMPORARY RESIDENTIAL CARAVAN ON A SITE NORTH OF MAINS OF GLENCARVIE, STRATHDON

REFERENCE: 09/267/CP

APPLICANT: MR. AND MRS. ROBERT TAYLOR C/O STEWART ANDERSON, MONALTRIE AVENUE, BALLATER

DATE CALLED-IN: 4TH SEPTEMBER 2009

RECOMMENDATION : APPROVAL, SUBJECT TO CONDITIONS

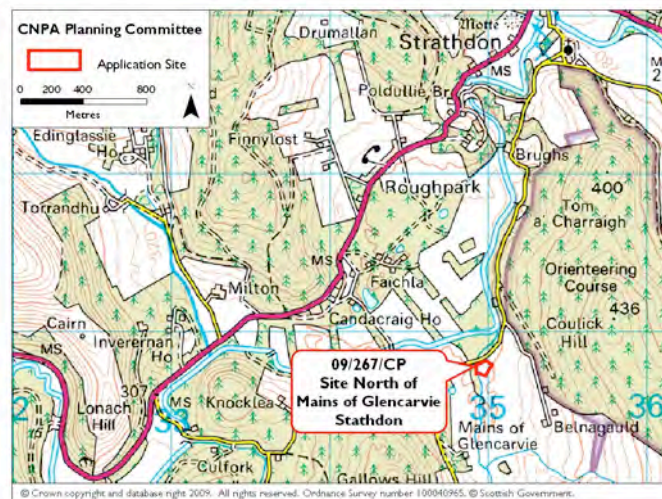


Fig. I - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Planning permission is being sought for the erection of a dwelling house and also the siting of a residential caravan on a temporary basis on land which lies to the north of Mains of Glencarvie, Strathdon. Members may recall an earlier proposal on an adjacent site by the applicants for outline planning permission. Further details on the planning history on the site will be provided later in the report. The currently proposed site area extends to approximately 0.31 hectares. It is part of an 8 acre landholding which the applicants have recently acquired from Mr. Taylor's parents. Prior to this all of the land formed part of a larger landholding of over 500 acres at Birkford and Belnagauld.
2. The dwelling is an L shape, incorporating a traditional open porch feature (pitched roof canopy supported by tree trunk feature pillars) on the front and rear elevations. It is proposed to have a vertical timber clad finish, under a corrugated iron roof, which would be a slate grey colour. Internally, the dwelling would accommodate the living areas in the main element of the structure (lounge, dining room, family room / kitchen), with the four bedrooms and bathroom facilities located in the rear projection of the L shape.

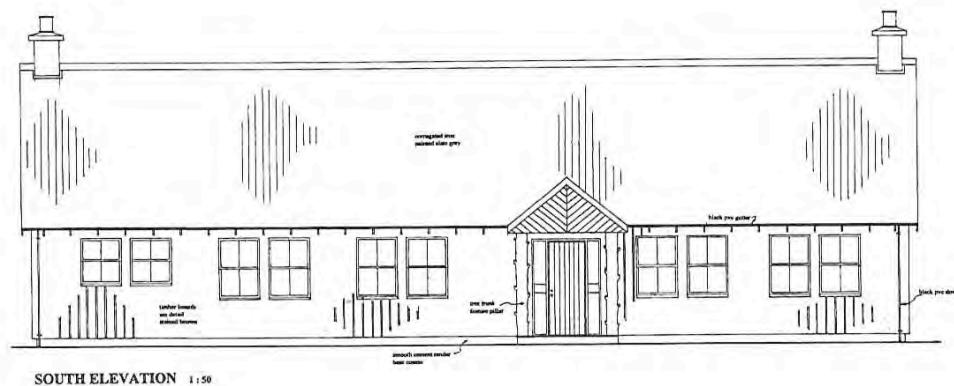


Fig. 2 : Front elevation of proposed dwelling house

3. Permission is also sought for the temporary siting of a residential caravan. This is required to provide living accommodation for the applicants and their young family for the duration of the house construction and would be removed upon occupation of the dwelling house. The proposed site layout plan indicates that it would be positioned in the northern part of the site, next to the vehicular access and close to the northern boundary of the site.
4. Access to the site would be provided in the same position as an existing agricultural access gate, with the parking and turning area located immediately to the west of the house, just to the north of the indicative position shown on the plans for the future agricultural building. The agricultural building does not however form part of the current proposal.

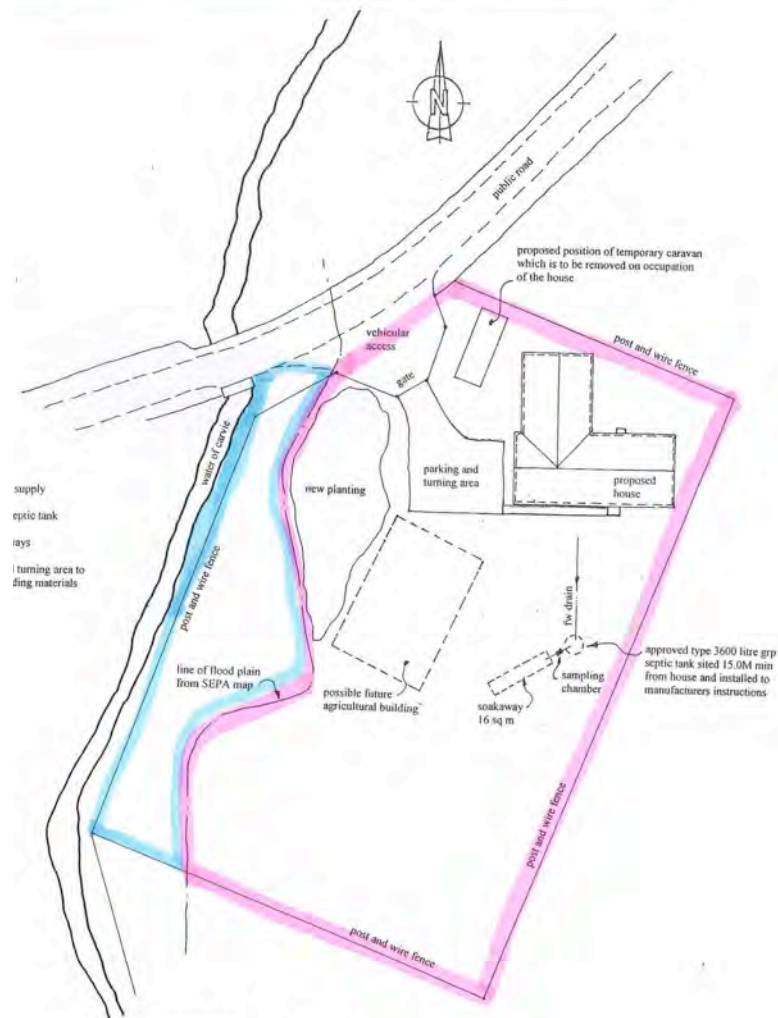


Fig. 3: Proposed site layout plan

5. The proposed dwelling would be serviced by a septic tank and soakaway and the water supply would be taken from an existing private supply.
6. The proposed site lies in the western corner of the applicants' 8 acre landholding. The landholding comprises an area of agricultural grassland and is currently one large field, with the site being located in the least elevated position. A minor public road runs adjacent to the northern western boundary of the landholding, while a small burn known as the Water of Carvie forms the western boundary of the landholding and application site. The south and east of the landholding is surrounded by land which is in the ownership of Mr. Taylor's parents and is part of the aforementioned 500 acre landholding and application site.
7. The submitted site layout plan includes proposals for an area of new planting on land close to the western site boundary adjacent to the vehicular access and proposed parking and turning area. The planting proposals include a mix of native trees species, including rowan, whitebeam, wild cherry, silver birch and aspen.

Site History

8. Mr. and Mrs. Taylor applied for outline planning permission in September 2007 for the erection of a dwelling house and the erection of an agricultural building on an adjoining part of the field (CNPA planning reference number 07/360/CP refers). There were initially some concerns regarding the prominence of the proposed siting and as a result the site boundaries were amended to ensure that a dwelling house could be more appropriately sited on the lower ground, in an area which largely corresponded to the site identified in the current planning application.
9. As Policy Hou/4 - Housing in the Countryside in the Aberdeenshire Local Plan applied to the site, the applicants were required to provide justification for their proposed dwelling in this area. The case advanced centred on the applicant, Mr. Taylor's, engagement in agricultural activity on the 500 acre landholding owned by his family. A labour requirement report prepared by the Scottish Agricultural College Farm Business Service was provided in support of this. Mr. Taylor was the primary worker in the agricultural business,¹ with his father, who is past retiring age, was referred to as assisting only at occasional, busy times of the year, such as at lambing time or during silage making. At the time of making the application, the applicants were residing in Strathdon and work on the farm necessitated travel to and from the landholding on a daily basis. The SAC report recommended that "in the interests of animal welfare and security, it would be desirable to have a stockman resident on the farm." The report also identified the need for 1.72 labour units on the farm. The applicants advanced the case that the construction of a family home on the landholding would ensure that Mr. Taylor would be on hand for essential animal welfare at all times, regardless of weather conditions.
10. In response to queries raised by the CNPA regarding the potential availability of other suitable buildings on the landholding for residential use, the applicants provided details to verify that there were no suitable buildings available.
11. On the basis of the justification presented at that time, the proposal was deemed to be in compliance with **Policy Hou/4** of the Aberdeenshire Local Plan on Housing in the Countryside in the Aberdeenshire Part of the Cairngorms National Park. The applicants initially agreed to enter into a Section 75 legal agreement to restrict the occupancy of the new dwelling house to the applicants or any person employed (or last employed) in agricultural activity on the 211 ha. landholding on which it was proposed, to restrict the sale of the proposed dwelling house separate from the landholding, and also to ensure the payment of development contributions in respect of planning gain.
12. The applicants subsequently expressed concern regarding the terms of the Section 75 agreement, due primarily to a variety of complex family related

¹ Farming operations included a mix of rotational grassland and rough grazing, a small herd of suckler cows and also a flock of ewes in Spring.

land ownership issues and issues regarding the potential future involvement of other family members in the agricultural business. As a result, the application was reconsidered by the CNPA Planning Committee on two further occasions (2nd May 2008 and 3rd January 2009). On the most recent consideration in January 2009 the Planning Committee resolved to grant outline planning permission subject to the completion of a more generalised Section 75 agreement to restrict the occupancy of the new dwelling house to the applicants or any person employed (or last employed) in 'the farm business' at Birkford and Belnagauld and restricting the sale of the proposed dwelling house separate from the farm business, and also to ensure the payment of development contributions in respect of planning gain. The applicants subsequently felt unable to complete the Section 75, primarily due to the fact that although Mr. Taylor works in the farm business, he is not the owner. The planning application remains live at the present time.

Applicants Case

13. The applicants circumstances have altered somewhat since the submission of the outline planning application in 2007 and in the interests of clarity and expediency they have taken the decision to apply for full planning permission and provide details of their current circumstances in order to justify the development proposal. The applicants now own an 8 acre portion of the original family landholding, with their land being the field which encompasses the proposed site. Mr Taylor remains involved in the family farm business and is in fact the only worker on the 500 acre unit. As he undertakes all of the farm work without drawing a salary, he has also developed his own agricultural digger business – RJT Services. The business has been operating for the past 4 years. It was established in 2005, with the assistance of a start up grant from the Business Gateway and now provides the applicants main family income.
14. Mr. Taylor divides his time between his digger business and work on the farm, estimating a split of 70% and 30% respectively. Work undertaken in the digger business is in the rural area and includes farm water supplies, field drainage and ditching, maintenance of forestry roads, construction of core paths and the digging of foundations for farm buildings. The future agricultural building indicated on the site layout plan is intended to accommodate the machinery associated with the digger business. Evidence has been provided to verify the nature of the work undertaken by RJT Services in the rural area.
15. In addition to work on the family farm and the operation of the digger business, Mr. Taylor is also in the process of developing his own agricultural business and has recently purchased a flock of pure-bred sheep. He is also renting an additional 15 acres adjacent to his own land to develop the new sheep enterprise.
16. In terms of the applicants housing requirements, they sold their previous accommodation in Strathdon in 2008 and are currently residing in temporary accommodation in a static caravan.

17. The information submitted by the applicants in support of the current application refers to other circumstances outlined in support of their earlier application, which remain applicable at the present time. The issue of proximity to the public road network has also been highlighted as being of importance to the applicants as Mr. Taylor is a retained firefighter in Strathdon and is trained as one of the drivers. He is also chairperson and a founding member of the Lonach First Aid Responders. In both instances he is frequently 'on call' and is required to respond within minutes and therefore requires immediate access to the public road network. In addition, Mrs. Taylor is a self employed reflexologist and primarily operates from home. A dwelling house on the proposed site would provide easier access for her clients and the dwelling would also provide adequate space for her to carry out her work.
18. The applicants have confirmed that they are willing to enter into a Section 75 legal agreement to link the proposed dwelling house to RJT Services, the agricultural digger business.

DEVELOPMENT PLAN CONTEXT

National Planning Context

19. At national level, Scottish Planning Policy 3 (Planning for Housing) (February 2003) considers design in new housing developments to be an important issue when planning for housing development in both urban and rural areas. **Planning Advice Note 44 (Fitting New Housing Development into the Landscape) (March 1994)** states that "*In seeking to protect and enhance the quality of the environment, developers should aim for a high standard of design and landscaping in new housing development.*" Particular emphasis is given to the shape, layout and form of the development and its impact on the surrounding area; the choice of materials, with colours and textures that complement development in the locality; well designed schemes that respect both the local environment and the landscape setting; and the visual impact of new developments as seen from major roads and rail routes.
20. **Planning Advice Note 67 (Housing Quality) (February 2003)** emphasises the essential role that the planning process can play in ensuring that the design of new housing reflects a full understanding of its context in terms of both its physical location and market conditions; the design of new housing reinforces local and Scottish identity; and new housing is integrated into the movement and settlement patterns of the wider area. It refers in the main to more urban housing developments but it nonetheless emphasises the importance of general issues such as landscape and visual impact, topography, building height, relationship with adjacent development, and views into and out of a site.
21. **Planning Advice Note 72** contains advice from central government on **Housing in the Countryside, (February 2005)** and on design it states "High quality design must be integral to new development and local area

differences must be respected”. Furthermore it states “In some areas, such as National Parks, National Scenic Areas and Conservation Areas, there may be a case for more prescription and a preference for traditional design, but it is also important to encourage the best of contemporary designs. There is considerable scope for creative and innovative solutions whilst relating a new home to the established character of the area. The overall aim should be to ensure that new housing is carefully located, worthy of its setting, and is the result of an imaginative, responsive and sensitive design process.” In its concluding remarks, it states “Every settlement should have its own distinctive identity. This is determined in part by the local characteristics of the area's architectural style of individual buildings and the relationship of these buildings to each other.”

22. **NPPG 14 Natural Heritage, Paragraph 13** recognises that the scale, siting and design of new development should take full account of the character of the landscape and the potential impact on the local environment. Particular care is needed in considering proposals for new development at the edge of settlements or in the open countryside.

Structure Plan

23. **Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 North East Scotland Together, (NEST) Section 3.18** directs new development towards towns and villages and to meet market demand in existing settlements in preference to isolated development in the open countryside.
24. Policy 12 of **NEST**, entitled House Building in the Countryside Beyond the Green Belt states that there will be a presumption against house building in such areas except
- (a) rehabilitation or extension of an existing house; or
 - (b) replacement on the same site of the largely intact house; or
 - (c) a new house which is essential to the efficient operation of an enterprise, which is itself appropriate to the countryside.

Policy 12 also includes the caveat that “all such development must be of the highest quality particularly in terms of siting, scale, design and materials.

25. Policy 19 of **NEST** refers to Wildlife, Landscape and Land Resources and outside of designated sites it is the general policy that “all new development should take into consideration the character of the landscape in terms of scale, siting, form and design. Design concerns are further expressed in Policy 20 relating to the Built Heritage and Archaeology, with section 4.12 highlighting the fact that national trends towards standard forms of construction can threaten the distinctive character of the North East and emphasising that good design has an important contribution to make towards achieving sustainable development.

Aberdeenshire Local Plan

26. The **Aberdeenshire Local Plan** includes more detailed policies. The main policy applicable to the proposed development is **Policy Hou\4 on New Housing in the Countryside including the Aberdeenshire Part of the Cairngorms National Park**, where it is stated that a single new house will be approved in principle if :
- (a) it is for a full time worker in an enterprise which itself is appropriate to the Countryside;
 - (b) the presence of that worker on-site is essential to the efficient operation of that enterprise;
 - (c) there is no suitable alternative residential accommodation available;
 - (d) the proposed house is within the immediate vicinity of the worker's place of employment; AND
 - (e) it conforms with Appendix I (The Design of New Development in Aberdeenshire).
27. The primary aim of **Policy Hou\4** is to support a long term sustainable pattern of development. It is intended to prevent sporadic development in the countryside and assist in directing new housing development into cohesive groups of houses. The Plan recognises that for some people it is essential to live in countryside because of economic need. The Plan aims to ensure that any new house approved under Part I of Policy Hou\4 is never sold to a non essential worker, and as a result developers would be required to enter into a Section 75 agreement.
28. Chapter 7 of the **Aberdeenshire Local Plan** details General Development Policies, with **Policy Gen\2** on the Layout, Siting and Design of New Development being of particular relevance in the context of the proposed development. The main aim of the policy is to achieve high quality new development, which respects the environment and provides a sense of place. The policy sets out a number of fundamental layout, siting and design principles, including the need for the development to fit successfully into the site and respect the character and amenity of the surrounding area; the scale, massing, height and design should be appropriate and display a high standard of design, materials, textures and colours which should be sensitive to the surrounding area; it respects existing natural and built features on or around the site; and it respects the characteristics of the landscape in which it is proposed.
29. Other relevant policies include **INF\4A Foul Drainage Standards** which is to achieve satisfactory disposal of sewage and thereby maintain and improve standards of public health, amenity and the quality of the environment; **GEN\1 Sustainability Principles** which is to ensure that all new development is as sustainable as possible and that developers give increasing consideration to sustainability aspirations in their proposals; and **Appendix I, The Design of New Development in Aberdeenshire**. The appendix provides design guidance on a variety of issues, including location, site layout, building design and also a specific section on housing design in the countryside.

30. The **Aberdeenshire Local Plan** also includes a specific policy on residential caravans. **Policy Hou\II** states that the siting of a single residential caravan will be refused unless
- (a) the developer proves that there is an economic need for the caravan which is both urgent and temporary;
 - (b) the caravan provides accommodation appropriate to the use to which it will be put;
 - (c) it is sited to respect the character and amenity of the surrounding area; and
 - (d) it can be satisfactorily serviced.

The aim of the policy is to protect the environment from the unnecessary and inappropriate siting of individual residential caravans. It is recognised in the policy justification that there are certain situations where the siting of a residential caravan is acceptable as a means of providing temporary accommodation, specifically giving an example of building a new house on a site. In such circumstances the impact of a caravan would be expected to be reduced to a minimum through careful placement on the site. It is also advised that conditions would be imposed to limit the period of permission and ensure the caravan is removed and that the site is made good after the permission lapses.

Cairngorms National Park Plan (2007)

31. The recently adopted **Cairngorms National Park Plan** highlights the special qualities of the Cairngorms, stating that the “Cairngorms is widely recognised and valued as an outstanding environment which people enjoy in many different ways.” It recognises that there is a wide diversity of landscape, land-uses, management and community priorities across different parts of the Park. In a section entitled ‘Living and Working in the Park’ the subject of ‘housing’ is explored. The Plan refers to the need to ensure greater access to affordable and good quality housing in order to help create and maintain sustainable communities as one of the key challenges in the National Park. Reference is also made to the quality and design of new housing which is expected to meet high standards of water and energy efficiency and sustainable design and also to be consistent with or enhance the special qualities of the Park through careful design and siting.

CONSULTATIONS

32. **Scottish Environment Protection Agency (SEPA)** initially raised concerns relating to the proximity of the proposed site to the 1:200 year flood zone. Following further discussions between SEPA and the applicant, they advised that the development site is to be located on higher ground outwith the functional floodplain. Also the bridge near the site incorporates two large culverted pipes which appear to provide adequate capacity for the watercourse. In addition, if the bridge was to overtop it seems unlikely that floodwaters would reach the proposed dwelling. As such SEPA are now in a position to WITHDRAW their objection on flood risk grounds.
- It should be noted that since this comment, the house has been moved further away from the watercourse on slightly higher ground.*

33. **Aberdeenshire Council, Flood Prevention and Coast Protection Unit**, advise in their most recent comments of 29th October 2009, that assuming the site lies outwith the 1:200 year floodplain and as the proposal lies within a rural area, it is unlikely to increase the risk of flooding at the site. There is also unlikely to be any decrease in the overall floodplain volume due to this development. The proposed house finished floor levels are 1.3m above bank level and the topography of the area suggests that the field adjacent to the eastern bank of the Water of Carvie would flood only in extreme events. This is also indicated in the photographs received dated 22.10.09 although the return period of this flood event is unknown. Given the size and nature of the proposed development, the Planning Service should consider whether the risk of flooding of the proposed property is proportional to the cost of carrying out a flood risk assessment to confirm the functional floodplain.

Again it should be noted that the house has been moved further away from the watercourse onto slightly higher ground. Therefore, given the view of SEPA that the site lies outwith the functional floodplain and coupled with the comments of the Flood Prevention Engineer, in terms of the height relationship between the floor levels of the house and the bank level of the Water of Carvie, and as this proposal relates to the erection of a single house, it is not considered necessary to provide a Flood Risk Assessment, as the professional advice received indicates that it is unlikely to be affected by flooding.

34. The **Transportation and Infrastructure** (Roads) department of Aberdeenshire Council assessed the proposal and has no objection, subject to the inclusion of a number of conditions in the event of the granting of planning permission. The recommended conditions include requirements that the access is located as shown on the site layout plan; at least the first 5 metres of the public road shall be fully paved and not surfaced with loose material; the provision of off street car parking within the site, with the area surfaced with hard standing; the formation of a lay-by along the frontage of the site, incorporating the proposed vehicular access; the achievement of the required visibility splays; and the formation of a suitable vehicle turning area within the site in order to enable all vehicle movement onto and from the public road to be carried out in a forward gear.



Fig. 4 : Site entrance

35. **Aberdeenshire Council Environmental Health** advise that the water supply has been sampled and meets the prescribed chemical parameters. However, as an untreated private supply, this supply is at risk from bacterial contamination. In this case, they recommend that a condition be attached to any consent, requiring that the water be subject to sterilisation by means of UV light, or such other suitable means, prior to the occupation of the development (house and caravan) and that a sample of water shall be taken to confirm that the water supply complies with The Private Water Supplies (Scotland) Regulations 2006.
36. The **Planning Gain Co-Ordinator** at Aberdeenshire Council has prepared a consultation response recommending that financial contributions are required towards affordable housing provision, secondary education and public art.
37. **Donside Community Council** have been consulted on the application but to date have not responded.

REPRESENTATIONS

38. The proposal was advertised in the Piper and Herald on Friday, 28th August 2009, as a result of neighbour notification requirements. No letters of objection have been received, however one letter of support from NFU Scotland has been received. NFU Scotland advise that it is imperative to support all young people such as Mr Taylor within our rural communities. Without these individuals our villages and remoter rural areas would become 'ghost-like'. They and their families keep our environment healthy, vibrant and attractive. Their hard working and responsible attitude should be nurtured and encouraged. Mr Taylor's daily duties include family and contracting activities, all of which contribute to the immediate and long-term financial sustainability of the local economy. This work ethic only serves to benefit the potential growth and health of the population living within the locality, as well as those visiting. They hope Mr Taylor's application is successful and look forward to seeing the community benefits unfold thereafter.

APPRAISAL

39. The main issue to consider in this application is whether or not the principle of a dwelling house is acceptable and whether or not it complies with the planning policy applicable to the area. Despite the fact that the CNPA Planning Committee previously resolved to grant outline planning permission to the applicants for a dwelling house on an adjacent site, the justification provided at that time differed from the case currently presented, as the details provided at that time related solely to the applicant, Mr. Taylor, working on the farm owned by his family. It is therefore necessary in this

application to reconsider the principle of the development and its compliance with planning policy.

40. As detailed earlier in this report Policy 12 of **North East Together, Aberdeen and Aberdeenshire Structure Plan 2001 – 2016 (NEST)** advocates a presumption against house building in the countryside unless the proposed new house is essential to the efficient operation of an enterprise, which is itself appropriate to the countryside. This concept is further reinforced in Policy Hou\4 of the **Aberdeenshire Local Plan**. The case had been made by the applicants that Mr. Taylor's work, both paid and unpaid, is in activities appropriate to the rural area. The majority of his work is in his agricultural digger business, in which his service is availed of for a variety of activities in the rural area; he is in the process of establishing a pure bred sheep business and in addition to utilising his own 8 acre landholding for this purpose he is also renting adjacent land to assist in developing that enterprise; and the remainder of working time is taken up as the sole worker on his parents 500 ha farm. On the basis of the information provided I accept the case that the applicant is involved on a full time basis in a combination of enterprises, all of which are appropriate to the rural area. The need for the presence of Mr. Taylor on his own landholding and in the immediate vicinity of the adjacent family farm in order to ensure the efficient operation of the agricultural enterprises is also a valid consideration. In addition, as explored in the course of the previous application for outline planning permission on this site, there are no suitable alternative residential accommodation options available in the immediate vicinity of the landholding. Based on all of the foregoing factors I consider that a sufficient case has been made to demonstrate that the development proposal is in compliance with Structure Plan and Local Plan policies on housing in the countryside.
41. On the subject of siting, layout and design, the dwelling house is proposed in a relatively low lying area of the 8 acre field which is owned by the applicants. I am satisfied that the proposed siting would satisfactorily minimise the visual impact of the dwelling house. The natural contours of the land, where the land is more elevated on the eastern side, already provide some degree of screening of this lower lying western area of the field. The siting of the proposed dwelling house towards the front of the site allows for the potential future development of an agricultural building in a more concealed position to the rear. As referred to earlier in the report, there are also proposals for the creation of an area of landscaping, consisting of native species, between the parking and turning area for the house and the possible future agricultural building and the burn, excluding the floodplain area. When viewed from the higher ground on the eastern approaches to the site, the landscaping would form an appropriate backdrop to the dwelling house. Despite being separated by the Water of Carvie, the landscaping belt would have the appearance of merging with the woodland on the west of the burn.
42. The design of the proposed dwelling house is a simple L shape, with a relatively traditional elongated front elevation, incorporating an open porch feature which is commonly found on properties, particularly in the Aberdeenshire part of the National Park. The choice of materials – vertical

timber cladding and a corrugated iron roof also appropriately reflect materials commonly used in this rural area, and subject to an appropriate choice of colour, should blend with the surrounding landscape.

43. The final aspect to consider in assessing the proposal is the siting of a residential caravan for a temporary period on the site. The applicants have confirmed that it would be required to serve as their accommodation for the duration of the construction period and would be removed from the site immediately upon occupation of the dwelling house.



Fig. 4 : Proposed temporary caravan

44. Based on all of the foregoing factors, I consider that the development proposal is in accordance with planning policy and is acceptable.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

45. Other than its location within the Cairngorms National Park, the subject site does not have any other natural heritage designations, nor is the proposal of significance to the cultural heritage of the area. The proposal would not have any impact on this aim.

Promote Sustainable Use of Natural Resources

46. The exterior of the dwelling house is proposed to be timber clad. Timber is a sustainable resource. The source of the timber has not been identified although there should be the potential to source this from within the country.

Promote Understanding and Enjoyment of the Area

47. The proposal would not make any direct contribution to the promotion of the understanding and enjoyment of this area by the general public.

Promote Sustainable Economic and Social Development of the Area

48. The location of another single house in the countryside has the potential to add to servicing costs for the local community in terms of services such as school transport, refuse collection, fire and health etc. and would tend to promote reliance upon the private car. However the applicant's business and family will help support and add to the economic and social activities in the Park.

RECOMMENDATION

That Members of the Committee support a recommendation to:

Grant full planning permission for the erection of a dwelling house and the siting of a temporary residential caravan on a site to the north of Mains of Glencarvie, Strathdon, subject to completion of a S75 Legal Agreement which restricts the occupancy of the new dwelling house to the applicants or any person employed (or last employed) in the agricultural digger business known as 'RJT Services' and restricting the sale of the proposed dwelling house separate from the 8 acre landholding on which it is sited, and also to ensure the payment of development contributions in respect of planning gain; and also subject to the following planning conditions:-

1. The development to which this permission relates must be begun within three years from the date of this permission.

Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. The following requirements related to access shall be adhered to :
 - (a) the access shall be located as shown on the site plan drawing (dwg. no. RT/09/01A);
 - (b) visibility splays, measuring 2.4 metres by 90 metres shall be formed either side of the proposed vehicular access and thereafter shall be kept free of all permanent obstructions above the adjacent carriageway level. Visibility splays shall be provided prior to building work starting on site;
 - (c) a lay-by measuring 8.0m x 2.5m with 45° splays shall be formed on the site frontage and the proposed vehicular access shall be taken from this. The lay-by shall be constructed in broken stone bottoming,

blinded and compacted to 225mm thickness and surfaced with 75mm of dense bituminous macadam sealed with pre-coated grit;

- (d) at least the first 5 metres of access from the public road shall be fully paved;
- (e) off street parking spaces shall be provided within the site in accordance with the Aberdeenshire Council's car parking standards, and surfaced in hardstanding materials;
- (f) a suitable vehicle turning area, measuring not less than 7.6 metres x 7.6 metres, shall be formed within the site to enable all vehicle movements onto or from the public road to be carried out in a forward gear.

Reason : In the interests of traffic safety.

- 3. Adequate provision shall be made for internal surface water drainage in order to ensure that surface water does not run from the site onto the public road and vice versa.

Reason: In the interests of traffic safety.

- 4. Prior to the first occupation of the proposed dwelling house, the water supply shall be improved by the installation of appropriate treatment and satisfactory samples to demonstrate this improvement shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Environmental Health section of Aberdeenshire Council.

Reason: In order to achieve a wholesome water supply to the property.

- 5. All public services for the development, including electrical, cable television and telephone cables, shall be located underground throughout the site.

Reason: In the interests of the amenity of the surrounding area.

- 6. Details of the septic tank and soakaway shall be submitted to and agreed in writing with the CNPA as Planning Authority, prior to any work commencing on site. Thereafter the approved scheme shall be implemented prior to the house being occupied and maintained in accordance with the approved details.

Reason: In order to ensure a satisfactory drainage solution for the development.

- 7. The temporary caravan hereby approved shall be removed from the site within 2 months of the house hereby approved being occupied and the site of the caravan restored to grassland.

Reason: To ensure the removal of a temporary structure and to ensure the site is restored to a satisfactory condition.

8. Prior to any work commencing on site, a detailed landscaping scheme shall be submitted to and agreed in writing with the CNPA as Planning Authority. Thereafter the approved scheme shall be implemented in the first planting season following occupation of the house. In the event of any specimens becoming dead, diseased or removed within 5 years of this date, they shall be replaced by equivalent samples.

Reason: In order to enhance the landscape setting of the proposal.

9. No works shall take place or additional material shall be deposited in the area delineated in blue on the site plan, comprising the floodplain area, without the prior written consent of the CNPA or Planning Authority.

Reason: In order to protect the floodplain and not to increase the risk of flooding in the surrounding area.

Advice notes :

1. All works within the limits of the public road shall be carried out in accordance with the requirements of Transportation and Infrastructure, and application should be made for a Road Opening Permit prior to the commencement of the works. For information and application forms, please telephone (01569) 768455.
2. *With reference to condition no. 4 of this permission, the water supply at present does not comply with the Private Water Supplies (Scotland) Regulations 2006 by reason of the presence of coliform bacteria and low pH.*
3. *The following are the minimum distances acceptable - in the interests of protecting surface waters a minimum distance of 10 metres from a soakaway to a watercourse (including ditches and field drains) and 50 metres from soakaway to a well or abstraction is required. In the interests of protecting groundwater a minimum distance of 1 metre from the bottom of distribution pipes of a soakaway to the seasonally highest water table is required.*

Mary Grier
06 November 2009

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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.