
CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Erection of 13 residential units (8 cottage flats, 4 semi-detached houses, 1 bungalow) (affordable homes) at Land 150M NW Of Beachen Court, Grantown On Spey

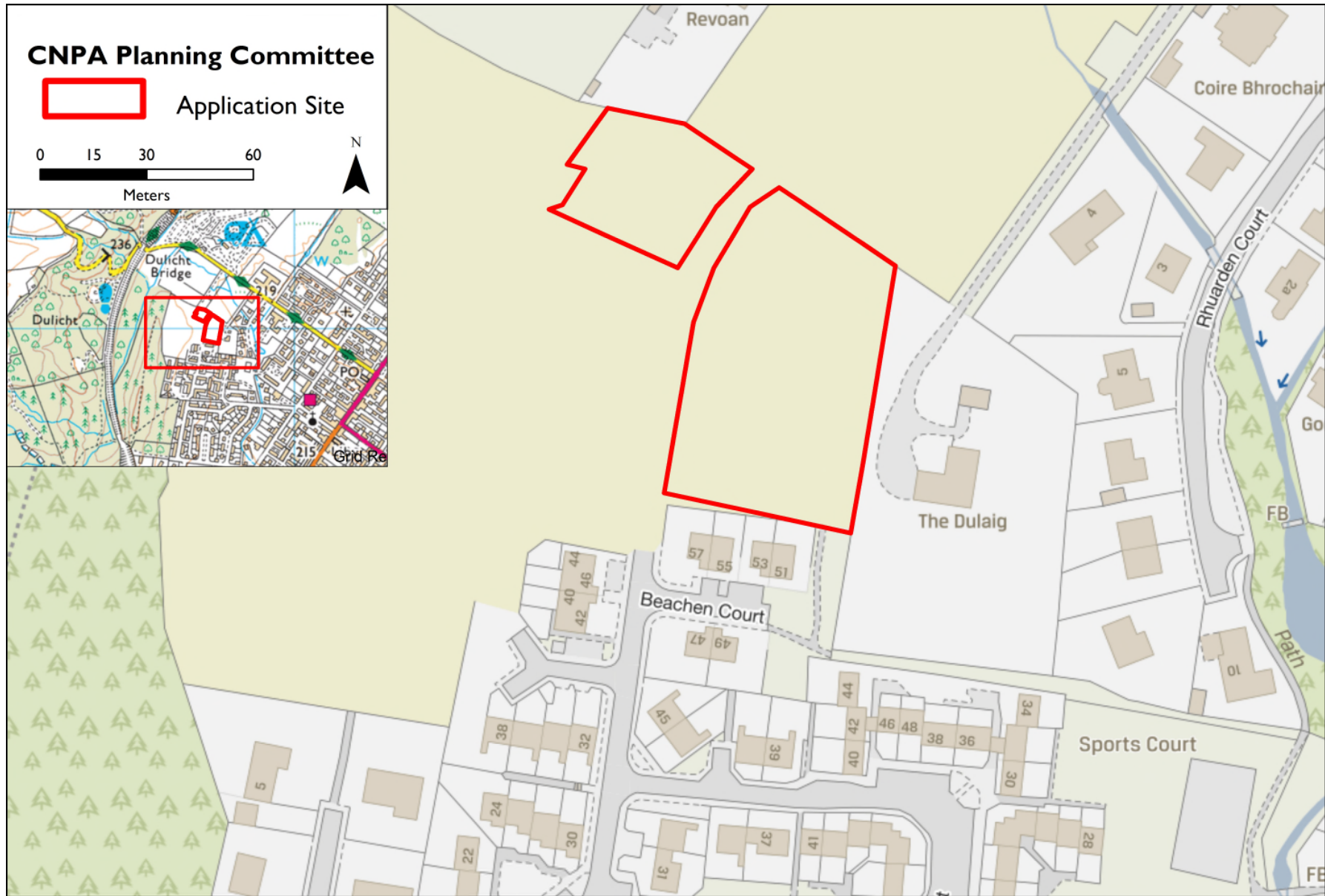
REFERENCE: 2019/0275/DET

APPLICANT: Highland Housing Alliance

DATE CALLED-IN: 2 September 2019

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

CASE OFFICERS: Katherine Donnachie, Planning Officer, Robbie Calvert, Graduate Planner



© Crown copyright and database rights 2019. Ordnance Survey Licence number 100040965

SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The application site was originally grazing land and is located on the north-west side of Grantown-on-Spey. It is situated within a wider housing development site at Beachen Court/Seafield Avenue which was approved in 2016 in terms of the road, plot layout, infrastructure and landscaping for a total of 43 units (reference 2016/0060/DET). A copy of this originally approved layout is attached as **Appendix 1**.
2. The site itself is “L” shaped, bisected by an access road which is now constructed across the wider site from Seafield Avenue, and it is currently disturbed land related to the ongoing construction site. It is located towards the eastern side of the larger housing site, bounded to the south by recently constructed social housing beside Dulaig Court approved in 2016 (reference 2015/0394/DET) and to the east by the grounds of the Dulaig, a large detached property in its own grounds which contains mature trees. To the west the site is bounded by a proposed ‘village green’ common area connecting the current application site to the rest of the development and approved as part of the wider plot layout. There is further woodland beyond this to the far west within which the former railway line now a core path runs. To the north of the site is landscaped amenity land leading down to Seafield Avenue, and the grounds of Revoan another large detached property set within its own grounds. This site location is shown in more detail in **Appendix 2 Plans** which contains plans of the proposed development.
3. In terms of the overall context of the application site, the lower part of the wider development site here is bounded to the west by the Kylintra Burn which leads into the River Spey Special Area of Conservation (SAC). This burn also runs along the roadside to the north boundary along Seafield Avenue, and within the wider site. The overall site access runs through this land. A SUDS pond has been constructed here too, to the immediate west of the drive to the Dulaig.
4. Land to the far west on the other side of the former railway is Ancient Woodland. On the other (east) far side of Grantown lies Anagach Woods, which are designated as a Special Protection Area (SPA) for Capercaillie interest. The River Spey Special Area of Conservation (SAC), designated for its Atlantic salmon, lamprey, fresh water pearl mussel and otter interest lies to the south of Grantown, distant from the development site. The River Spey is also designated as a Site of Special Scientific Interest (SSSI) for these interests.

Proposal

5. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:
<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PWZSU7SI0BY00>

Title	Drawing Number	Date on Plan*	Date Received
Site Layout Plan	PL-90-100 Revision D	May, 2019	21/10/2019
Section Plan	PL-00-200 Revision B	June, 2019	21/10/2019
Proposed Location Plan	PL-90-101	01/07/19	23/10/19
Landscape Plan	100.19 SL-01 Revision C	21/06/19	08/10/2019
General Arrangement 2B4P Flats	00_100 Revision D	March, 2018	21/10/2019
General Arrangement 2B 3P Detached Bungalow	BT4_RT1_00_100 Revision B	May, 2019	21/10/2019
5 year Maintenance Plan		07/10/19	08/10/19
Supporting Information from agent		20/10/19	20/10/19
Supporting Design Statement		01/07/19	01/07/19

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

6. As noted earlier the overall plot layout, infrastructure and landscaping has been previously approved and the current application now seeks full planning permission for 13 residential units on part of this wider site. These units comprise 8 cottage flats, 4 semi-detached houses and one bungalow across two housing areas of this “L” shaped site with parking facilities, new “spur” roads and car parking connecting the development to the approved main access road network, bike storage and an extension to the existing path network. It is proposed to locate one block of 4 cottage style flats in the north-west part of the site on the other (west) side of the main access road, and another block of 4 cottage style flats on the eastern side of the main access road. Two blocks of 2 semi-detached dwellings are proposed on the eastern part of the site, along with a 1 detached bungalow. This layout is shown in **Appendix I – Plans**.

7. Landscaping is proposed to the north and east of the residential units generally in accordance with the previously approved strategic landscaping layout, although more landscaping is being provided as a result in changes to the previous parking layout which has now reduced the extent of roadway and turning areas behind plots 25-27 as shown on the site plan. Within this landscaped area a path link is proposed to join onto at the rear of the recently constructed affordable houses to the south, so connecting both sites. A landscape scheme has been provided.

8. Vehicular access will be proposed of the main access to the wider site as approved with the original application here from Seafield Avenue. This will be via new non-adopted roadways providing access and communal parking for the flatted units and single storey house, and by individual driveways to the semi -detached units.

9. In terms of servicing, connection is proposed to existing public water and drainage supplies with surface water to be treated by means of connection to the existing sustainable urban drainage system (SUDS) located to the west of the Dulaig and as approved with the original consent.

10. 4 two storey, two bedroom pitched roof 'cottage style flats' are proposed in the north west part of the site to the rear of Revoan, dissected by the main site access road from the rest of the application site. The height of the roof pitch is just over 8.5 metres. These units are served by off street communal parking totalling seven spaces, visitor bike parking totalling four spaces and two bin uplift areas. They will each have seven metre deep rear gardens located directly north-west behind the properties with communal landscaping beyond, separating the properties from Revoan.
11. In the north-east part of the site a block of 2 two storey, three bedroom semi-detached pitched roof houses are proposed. The height of the roof pitch is just over 8.5 metres. These units are served by two off street parking spaces for each unit. They will have rear gardens with landscaped area beyond this separating the properties from the Dulaig to the east.
12. To the east of the main access road, another set of 4 two storey, two bedroom pitched roof 'cottage style flats' are proposed. The height of the roof pitch is just over 8.5 metres. These units are served by off street communal parking totalling seven spaces and visitor bike parking totalling four spaces and two bin uplift areas beside the main access road. They will each have rear gardens located directly south-east behind the properties, with landscaped area beyond this.
13. South of the proposed spur road into this eastern part of the site 1 single story two bedroom pitched roof bungalow is proposed. This unit will be served by the communal parking area and will have rear garden with landscaping beyond.
14. At the southern boundary of the application site proposals include a further set of 2 two storey, three bedroom semi-detached pitched roof houses. The height of the roof pitch is just over 8.5 metres. These units are served by two off street parking spaces for each unit. They will have private rear gardens with landscaping beyond.
15. Site sections have been submitted to show how the units will sit on the site and also to show the proposed roof heights compared to the profile of a 1³/₄ storey unit to try and demonstrate the likely difference. This illustrates a slight increase of around 500mm in roof height. These sections are contained within **Appendix I- Plans**.
16. Proposed finishes for all house types are indicated as being a mixture of Siberian larch cladding and white render with grey roof tiles. Each unit will include photovoltaic panels on the roof. Provision for bat and bird roosting boxes is also indicated. Driveways and parking areas will be finished in permeable paviers.
17. The application is supported by a design statement and supporting statement. This explains that the cottage style flats on plots 15-18 and the single storey bungalow on plot 29 will be managed by the Highland Council for social rent with the remaining properties to be for mid-market rental managed by the Highland Housing Alliance. It also explains that the two storey units will be some 0.5 metres higher than 1³/₄ storey units but that none of the proposed units will be higher than units already constructed on the wider site. Also that the siting of the single storey unit was chosen to take account of open views from the village green area to allow continuation of these views throughout the site and create a sense of openness. In addition this single storey level

access house will have ready access to the adjacent car park. The design statement outlines that the house styles have been designed to complement and respond to existing dwellings and two storey properties have been chosen to minimise construction costs.

18. During the consideration of the application further information was sought to address points made by the Highland Council Transport Planning Team and the CNPA Landscape advisor in relation to road layout and tree planting. Other information provided included comparative site sections to illustrate ridge heights of the two storey units as compared to 1¾ units, and clarification of final floor levels.

History

19. 2016/0060/DET - Creation of residential plot layout (43 units), Roads, Drainage and Strategic Landscaping at Land 150M NW of Beachen Court, Grantown-on-Spey which was approved at October 2016 Planning Committee. At this time an overall plot layout was approved and the current application fits into this utilising the approved servicing. This development is under construction in terms of the new access roads and SUDS drainage along with houses approved with other more recent consents. (The approved layout is attached as **Appendix I**) The details of individual houses on the scheme were to be the subject of further full planning applications as set out in Condition 28 which stated as follows:
- a) Applications for full planning permission shall be required for all residential units and these shall include full details of siting, design, layout, landscaping, external finishes, boundary enclosures, access, drainage (foul and surface water), waste management and parking arrangements. These details shall reflect the principles of the approved Design Code and the principles set out in the Cairngorms National Park Authority approved Development Brief for the site together with the following requirements:
 - i. Incorporation of integrated flexibility for home-working and high speed fibre broadband connections within all units;
 - ii. Landscaping within the plots to reflect the principles and details established in the approved landscape plan and maintenance regime;
 - iii. Parking provision within plots at ratio of two private spaces per single residential unit (up to four bedrooms) and 1.2 residents and 0.3 visitor spaces per flatted unit;
 - iv. Cycle storage provision for units;
 - v. Parking provision for resident and visitor cycling;
 - vi. Details of bin storage and recycling facilities;
 - vii. Details of existing and proposed ground levels and final floor levels;
 - viii. Details of any bird/bat box provision;
 - ix. Boundary enclosures designed to retain an open feel to the development avoiding enclosure of front gardens; and
 - x. Maximum height of new development 1¾ storey.

20. 2015/0394/DET - Immediately to the south of the above application site, beside Beachen Court, permission was granted at the October 2016 Planning Committee meeting for the erection of ten affordable houses and these houses are under construction. They initially shared their construction access road with the access road being formed for 2016/0060/DET, but now take vehicular access through Beachen Court to the south.
21. 2017/0286//DET Consent was granted at the December 2017 meeting of the Planning Committee for the Construction of 16 Private Homes comprising of 8 Blocks of Semi-Detached Dwellings and Access Roadway at Land 150M NW Of, Beachen Court, Grantown On Spey on land within the wider housing site to the west. This consent was for two storey housing and one pair of 1¾ storey semi-detached houses. Some of these houses have been constructed and other are currently under construction.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014	
Strategic Policy	Cairngorms National Park Partnership Plan 2017 - 2022	
Local Plan Policy	Cairngorms National Park Local Development Plan (2015) 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	SUSTAINABLE DESIGN	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	X
POLICY 8	SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER CONTRIBUTIONS	

22. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan (LDP). The full wording of policies can be found at:
<http://cairngorms.co.uk/uploads/documents/Park%20Authority/Planning/LDP15.pdf>
23. The application site is expressly designated for housing in the Local Development Plan settlement statement for Grantown on Spey located within the site designated as H1. A Development Brief has also been approved which covers the site setting out the design principles, constraints and key issues to be considered when developing the site. This informed the original planning application for 43 plots and is non-statutory planning guidance.

24. The LDP settlement statement for Granttown on Spey also highlights the importance of maintaining the visual permeability of the settlement and replicating this in new development.

Planning Guidance

25. 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	New Housing Development Non-Statutory Guidance	X
Policy 2	Supporting Economic Growth Non-Statutory Guidance	
Policy 3	Sustainable Design Non-Statutory Guidance	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	X
Policy 8	Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance	

Cairngorms National Park Local Development Plan 2020

26. The emerging Cairngorms National Park Local Development Plan (“Proposed Plan”) which will cover the period 2020 – 2025 is currently being progressed. The proposed plan has been through a public consultation process and the formal responses have been assessed and submitted along with all other relevant materials to Scottish Ministers for examination. As the examination of the Proposed Plan is yet to start, the Proposed Plan and its contents currently carry limited weight. In addition, proposals and policies which received heavy objection following the public consultation process are afforded even less weight.
27. Within the Proposed Plan, Granttown-on-Spey H2 site remains allocated for housing and the 1.3ha site has an indicative residential capacity of 53 units. The Plan states “The site has an approved Development Brief and an existing planning permission for 53 dwellings. It is currently under construction. Any future/amended development proposals should be in general accordance with the principles in the Development Brief.”

CONSULTATIONS

Summary of the main issues raised by Consultees

28. **The Highland Council Housing Service** has no adverse comments.

29. **Scottish Water** advised that they had no objection to this application but noted that there is proposed infrastructure within the boundary of the site whereby the applicant will require to contact their Asset Team for advice. They further note that the applicant will require to make a formal connection application for water and sewage connections and the Agency will review capacity at that time.
30. **The Highland Council (Transport Planning Team)** commented on the original plans to seek clarity on the arrangements for the buildout on the access road serving the wider development and recommended that any permission granted included a suitably worded informative clarifying that a formal variation to the existing Road Construction Consent (RCC) should be sought for any changes to the road network.
31. On receipt of further information clarifying that the build outs were to be removed the Team has confirmed that they have no objections to the development but recommend that as the access serving plots 25-29 will not be adopted and is a private parking court they recommend that the junction crossing be changed to a footway crossing similar to that proposed for units 15-18 which would retain the linear integrity of the footway here so promoting safe active travel. This would also require a variation to the RCC. They finally note that they understand that cycle provision can be made within private gardens. This is satisfactory with the visitors cycle provision welcomed.
32. **CNPA Landscape Officer** considers the scheme is acceptable in landscape terms, noting that the landscape details use previously approved specifications. However more information was requested in regards to the species of trees in the plan as not all were labelled and therefore could not be cross referenced to the corresponding schedule. This matter could have been covered by a planning condition but the applicant has now submitted revised material to address these points.
33. **CNPA Access Officer** advises that the scheme is acceptable in that it both incorporates and extends the footpath link into the site from the completed units neighbouring Dulaig/Beachen Court with details of path maintenance provided.
34. **CPNA Ecology Officer** provided advice on the location of artificial bat and bird next/roost sites to be installed in each plot to enhance opportunities for biodiversity.
35. **Grantown-on-Spey and Vicinity Community Council** was consulted but have not provided any comments at the time of writing.

REPRESENTATIONS

36. Two letters of objection have been submitted which are attached in **Appendix 3**. The writer has requested to be heard at Committee. The applicant has also requested to be heard at Committee.
37. The objector highlights that they have no objection in principle to the 13 units but have objections to the detail of the plans and supporting information. The main points of concern are summarised below:

- a) **Proposed design of houses** – proposals for two story building heights for 12 of the 13 proposed homes are not in accordance with design principles set out with the Development Brief for the CNPA Local Development Plan 2015, which specifies an acceptable building height of 1.5 stories and the design does not complement and respond to existing dwellings around the site. Concern is raised that the current submission indicates the proposed two storey units will be lower than 1¾ storey units which is contrary to submissions on previous applications which indicated they would be higher. This needs to be clarified as do the final floor levels and statements that the 2 storey units will be cheaper to build – the writer submits this costs should not be a design driver, instead quality should be. The writer concludes that designs similar to those used for the 1¾ storey affordable housing to the south would be more appropriate here.
 - b) **Tree protection** – the planning application form incorrectly states that there are no trees adjacent to the application site. The tree protection plan referred to in the Landscape Planting Proposal Plan is not the tree protection plan approved by CNPA and adequate root protection, notably for tree 15 (*Tsuga Heterophylla*) has not been provided with the Landscape Proposals Planting Plan highlighting the existing deficiency of existing root protection. The writer considers that the tree survey on which tree root protection plan is based is out-of-date and requires renewal prior to the production of a new tree root protection plan. Clarification is also sought on the site boundary on the Eastern edge with a perceived variation between the Landscape Proposal Planting Plan and the Site Layout Plan.
 - c) **Cut-off drain** – a condition is required to protect and maintain the cut off drain approved within this part of the site under planning permission 2016/0060/DET.
 - d) **Working Hours** – concern are expressed that construction works on the wider site are taking place outside of the constructions hours set out in the informatives on the relevant planning consents and the writer requests that an enforceable planning condition be attached to address this now.
38. As noted earlier, following ongoing consideration of the application, the applicants submitted additional information and sections to clarify the height of the proposed units compared to 1¾ units and also to address points made by the Roads Service.
39. The objector was advised of these plans and has provided additional comments that reinforced concerns over the proposed 2 storey building heights and the potential increase in roof height of 500mm from the neighbouring 1¾ storey houses built for The Highland Council under planning permission 2015/0394/DET.

APPRAISAL

Principal

40. The principle of housing on this site is well established by both the Local Development Plan designation which allocates the site for residential development and by the existing consent for plot layout, landscaping roads and infrastructure here. The servicing in terms of the main road layout and surface water drainage was covered by this previous application, as was developer contributions.

41. In addition Local Development Plan Housing Policy I.1: Housing in Settlements offers clear support for development on sites identified in the Plan, subject of course to compliance with all other relevant planning policies.
42. In these circumstances the principle of developing this land is welcomed and it is the detail of the house types, their layouts on the site and the accompanying landscaping which falls to be considered with this application.

Landscape Issues

43. A fundamental consideration with this development is the impacts on the landscape character of the area in order to consider whether the requirement of Local Development Plan policy 5: Landscape to conserve and enhance the landscape character and special qualities of the National Park is met.
44. In this regard landscaped areas in line with the approved landscape layout have been provided, with the details of landscaping in terms of species and layout considered to be satisfactory subject to the landscape scheme being updated to clearly show protection for existing trees bordering the site as highlighted by the objector. This can be readily addressed by planning condition in the event of the application being supported.
45. Also with regard to landscaping it is noted that the eastern part of the site is being retained as open space, apart from parking facilities, path link and a new “spur” road with this area of landscaping larger now than that shown at the original plot layout stage. This is due to the removal of larger turning and parking areas arising out of a move to a private access road for plots 25-29.
46. It is therefore considered that in terms of landscaping the application readily complies with Policy 5: Landscape.

Layout and Design

47. Local Development Plan Policies 3: Sustainable Design and 5: Landscape seek to ensure that new development conserves and enhances the landscape character and special qualities of the National Park and is sympathetic to the character of the area.
48. In this regard the area surrounding the application site at Dulaig Court and Beachen Court is characterised by a mixture of housing types, terraces and semi-detached with a winding road layout with cul-de-sacs and communal parking evident whilst on the wider housing site here a mixture of 2 storey and 1¾ storey housing has been approved and largely built. The proposed layout reflects this, providing a simple layout of four blocks of housing/flats and one single storey house looking onto a village green common area and towards the ongoing housing development here. The new development is separated by landscaped swathes from the larger detached properties at the Dulaig and Revoan which are set in their own landscaped/wooded grounds.

49. At the time of the original plot layout consent here effort was made to secure a layout which created a good landscaped setting for new residential units to sit within. This has been reflected with the current submission which now offers a larger landscaped area to the east of the site as a result of changes to the internal road/parking layout. This is greatly welcomed and over time will create a good landscape setting as well as creating biodiversity corridors. The proposed layout is “permeable” with good links for non- vehicular traffic to the south east to surrounding housing areas.
50. There is a reasonable mix of housing types proposed and site sections demonstrate that the units will sit satisfactorily on the site which slopes slightly. Whilst the single storey unit varies in scale from the two storey properties proposed on either side this is not considered to be unduly incongruous and its location relates well to the village green aspect and the open aspect of this part of the site.
51. In terms of the overall design the houses types are considered to be functional and satisfactory, of simple design incorporating an acceptable range of materials. Full details by way of samples can be controlled by planning conditions in the event of the application being supported. The house types are also considered to be appropriate in an area of mixed house types and complementary to the style of houses approved elsewhere on the wider development site.
52. In terms of scale the building heights, although slightly higher than 1¾ ones would be, are considered to be in keeping with the scale and siting of existing development on the wider site. It is appreciated, as noted by the objector, that the guidance contained in the non-statutory development brief for this site set out that development should be up to 1½ storeys. This was amended in the subsequent application for the wider site where 1¾ storey development was put forward in the accompanying design and access statement.
53. The applicant is now putting forward the case for 2 storey housing on the application site. The financial reasons behind this are not considered to be an overriding planning consideration, but simply an explanation from the developer as to why they have gone down this route. The land use planning consideration here is simply whether or not on this particular site two storey properties as proposed are acceptable.
54. Given that the house designs are satisfactory, there are no adverse impacts on amenity of neighbours and sections demonstrate that the houses will sit acceptably on the sites there is no planning policy reason to refuse the application simply because it does not comply fully with the guidance contained in the design brief and development brief. It is also noted that the height of the proposed two storey houses to ridge at highest point will be around 8.5 metres as compared to the height to ridge of around 8 metres for the 1¾ storey units - a difference as noted by the applicants of around 0.5 metres. In these circumstances the scale of difference in ridge height arising from the use of two storey units on the application site is not considered to be significant.
55. In these overall circumstances the application is considered to comply with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms Local Development Plan 2015.

Residential Amenity

56. **Policy 3:** Sustainable Design of the Cairngorms Local Development Plan 2015 seeks to protect the amenity of neighbours. In this regard the houses are located sufficiently far from existing houses so as to ensure that existing residential amenity and privacy is retained with a wide landscape strip separating the proposed development from the residential property on the east boundary (the Dulaig) and similarly a landscaped buffer is proposed on the north boundary protecting the amenity of the property to the north (Revoan). The proposed residential units have appropriate garden and open space provision and are located and orientated sufficiently far from neighbouring properties to the south to safeguard the privacy and amenity of these properties. The development is therefore considered to comply with Policy 3: Sustainable Design of the Cairngorms Local Development Plan 2015.
57. Finally with regard to residential amenity whilst there will inevitably be a degree of disturbance from the construction of new development, particularly for those properties closest, any undue disturbance can be controlled through Environmental Health legislation. This Service has not sought to duplicate such controls or to impose conditions relating to construction operational hours on planning consents in the National Park, or indeed on this overall development site, but instead has used standard informatives on construction hours. Consequently it is not considered appropriate to impose additional conditions on this development.
58. Accordingly, the application is considered to comply with Local Development Plan Policy 3: Sustainable Design.

Environmental Impacts

59. **Local Development Plan Policy 4:** Natural Heritage seeks to ensure that there are no adverse effects on European Protected Species and other biodiversity interests.
60. Satisfactory surveys were submitted with the original application here to demonstrate that there will be no adverse impacts on habitats and general species with suitable enhancement and mitigation opportunities provided which will ultimately enhance biodiversity along with the proposed landscape provision within the site which can provide biodiversity as well as landscape benefits.
61. In terms of European Protected Species, a satisfactory Species Protection Plan was previously provided to secure that there will be no harm or disturbance to otter which use the Kyntra Burn here, together with re-design of the culvert proposed under the new road which has been designed to ensure the safe passage of otter.
62. The proposed landscaping will deliver biodiversity benefits over time as will the provision of bat and bird boxes on site all of which is welcomed. Recommendations made by the CNPA Ecology Advisor for bat or bird box provision for each unit can be readily addressed by planning conditions, whilst the impacts of the wider site on designated sites in the area was fully considered with the previous application with a Habitats Regulation Appraisal undertaken then and mitigation measures required (site

specific construction method statement) followed during construction of the associated infrastructure.

63. It is therefore considered that the application complies with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

Environmental Impacts – Flooding and Surface Water Drainage

64. **Local Development Plan Policy 10:** Resources requires that all development should be free from significant 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.
65. The issue was considered fully at the time of the original planning consent here. As part of this consideration a cut off drain was provided within part of the current application site and as noted by the objector it is important that this is protected during the construction of the new houses on the current site. This matter can be readily addressed by planning condition in the event of the application being supported.
66. Otherwise in terms of surface water drainage the current site will connect to the approved SUDS arrangements and pond constructed on the site.
67. In these circumstances and subject to an appropriate condition regarding the cut off drain the proposed development is considered to comply with Local Development Plan Policy 10: Resources.

Servicing

68. **Local Development Plan Policy 3:** Sustainable Design requires that all development should include appropriate access and off street parking arrangements, as well as promoting sustainable travel methods including provision for bicycle storage and reducing the overall need to travel whilst Policy 10: Resources requires that there are no adverse impacts on the water environment.
69. The site is well located in terms of its proximity to the services and facilities of Grantown, within ready walking/cycling distance of the town centre thus reducing the need to depend on cars for travel. Furthermore, the proposed development makes suitable provision for path links to the surrounding residential areas which will help support the desired move to sustainable travel which does not depend on cars.

70. The roads layout is considered to be satisfactory by the Highland Council Transport Planning Team, subject to provision of a footway crossing as opposed to formal junction at the access point to plots 25-29 in order to give priority to non-motorised users of the network here. This can be readily addressed by an appropriate planning condition in the event of the application being supported. Similarly an informative can be attached advising the applicants to contact the Transport Planning Team regarding any changes required to their Road Construction Consent.
71. Overall, the site can be satisfactorily serviced, connecting to the previously approved roads and surface water drainage arrangements, and to public water and sewage services, with conditions covering this attached to the wider consent.
72. Finally in relation to servicing it is proposed to use photovoltaic panels on the development This type of energy provision is in line with the Cairngorms Local Development Plan policy 3 Sustainable Design which seeks to minimise the effect of development on climate change and with Policy 8: Renewable Energy of the Cairngorms National Park Local Development Plan 2015.
73. In these circumstances the development is considered to comply with Policy 3: Sustainable Design and Policy 10: Resources of the Cairngorms Local Development Plan 2015.

Affordable Housing

74. **Local Development Plan Policy 1:** New Housing Development requires that for developments of 4 or more open market houses there should be a level of affordable housing provided of not more than 25% of the total number of units.
75. The matter of affordable housing provision for the wider site was fully considered with the previous application 2016/0060/DET when it was agreed that the adjacent ten house affordable housing development (2015/0394/DET) formed part of the 25% provision. This approach was also confirmed with the Highland Council Housing Service. The agreed provision was based on 25 % of the entire development site at the time (53 plots) being affordable – a total of 14 units. As ten units were provided on the Highland Council site this left four more to be provided on the 43 plot site. These ten units are now completed and occupied and an accompanying condition on the original consent sets out that no more than 30 houses can occupied on the wider 43 plot site until details of the delivery of the four affordable units are provided.
76. This current submission will deliver a further 5 social rented houses resulting in delivery of more than the prescribed requirement for the overall site. In addition a further 8 mid-market rented properties will be provided. This mix of tenure is greatly welcomed and it is considered that the development complies fully with Policy 1 Housing of the Cairngorms Local Development Plan 2015, now providing in excess of the affordable housing requirement at the wider Beachen Court site.

Other Issues Raised in Consultations and Representations

77. The objector to this application has raised concern regarding the adequacy and accuracy of the application and its supporting documentation. It is considered that sufficient information has been provided to assess the application.
78. It is considered that all other points raised by the objector have been considered in the wider assessment and appraisal of this proposed development.

CONCLUSION

79. It is considered that the proposed development complies fully with Local Development Plan policies and will facilitate the development of a designated housing site in Grantown-on-Spey and provide further affordable housing in excess of the overall requirement of the designated site. Accordingly, the development is welcomed in principle.
80. The detail of the layout considered to be satisfactory deliver a good level of landscaping provision and ecological mitigation, with the design and scale of the houses appropriate to their location. Finally, the site can be satisfactorily serviced and accessed and there are not considered to be any other material land use planning considerations which would justify refusing the application. Approval is therefore recommended subject to appropriate planning conditions.

RECOMMENDATION

That Members of the Committee support a recommendation to the Erection of 13 residential units (8 cottage flats, 4 semi-detached houses, 1 bungalow) (affordable homes) at Land 150M NW Of Beachen Court Grantown On Spey, subject to the following conditions:

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

Conditions

- 1. No development shall commence on site until a revised Landscape Plan has been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority. This plan shall reflect the requirement for tree protection for all trees adjoining the site. No development shall commence on site until the tree protection measures have been implemented on site in accordance with the approved plan and retained throughout the duration of construction unless otherwise agreed in writing by the Cairngorms National Park Authority acting as Planning Authority**

The approved landscape scheme, including path construction, shall be implemented in the first planting season following occupation or completion, whichever is the sooner, of the last house on the development hereby approved unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority. The scheme shall thereafter be maintained in accordance with the approved soft landscape maintenance and management regime document number

Thereafter all trees shall be retained and maintained in accordance with the approved scheme and landscape maintenance programme throughout the lifetime of the development hereby approved

Reason: To ensure that trees on and around the site which contribute to the landscape character and biodiversity of the area are appropriately protected during construction works in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

- 2. No development shall commence on site until details of the provision of a footway crossing at the junction of the access point serving plots 25-29 have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority in consultation with the Highland Council Transport Planning Team. The access shall thereafter be constructed in accordance with the approved plans.**

Reason: To ensure that a suitable crossing point for pedestrians and cyclists is provided in the interests of pedestrian safety and to promote active

travel in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

- 3. No development shall commence until details of the measures to protect and maintain the cut off drain approved under planning permission 2016/0060/DET which is located within the site have been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority.**

The drain shall thereafter be protected and maintained in accordance with the approved details throughout the lifetime of the consent.

Reason: To prevent overland surface flows from the site affecting existing properties to the east of the site, minimising any risk of flooding which may affect persons or property in accordance with Policy 4: Natural Heritage, Policy 5: Landscape and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

- 4. No construction shall commence on the erection of any residential unit until details of the proposals for bat or bird nesting/roosting provision on each unit have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The residential units shall not be occupied until the provision has been made in accordance with the approved plan. This provision shall then be maintained and retained in situ throughout the lifetime of this consent.**

Reason: To ensure the provision of enhanced opportunities for bat roosting and enhanced nesting opportunities for birds in accordance with Policy 4: Natural Resources of the Cairngorms National Park Local Development Plan 2015.

- 5. No construction shall commence on the erection of any residential unit until samples of the proposed external materials have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority.**

Reason: To ensure that the new development conserves and enhances the landscape character of Grantown-on-Spey and is sympathetic to the character of the area in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015

- 6. No residential unit shall be occupied until the parking, access, bin and cycle storage provision, and turning provision pertaining to the unit have been constructed in accordance with the approved site plan.**

Reason: To ensure that suitable parking, bicycle storage and waste management provision is made for residents in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

7. The residential units on plots 15-18 and 29 shall be retained as social rented housing throughout the lifetime of this consent unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure that provision is made for affordable housing and that the tenure remains as considered in this application in accordance with Policy 1: Housing Development and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

8. The development shall be constructed in accordance with the approved sections.

Reason: To ensure that the new development conserves and enhances the landscape character of Grantown-on-Spey and is sympathetic to the character of the area in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

Informatives

1. Planning permission for the creation of residential plot layout (43 units), roads, drainage and strategic landscaping (reference 2016/0060/DET) was granted on 27 October 2016. The 13 unit development covered by this planning permission will be situated on part of the site covered by the permission 2016/0060/DET. This permission builds on permission 2016/0060/DET and reflects condition 28 thereof. The 13 house development permitted by this permission will therefore be subject to both this permission and its conditions and permission 2016/0060/DET and its conditions.
2. 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.
3. 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.
4. 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.

5. 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.
6. The person undertaking the development should note that they will require to apply to Scottish Water for formal connection to public water and drainage 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.
7. The person undertaking the development will require to contact the Highland Council Transport Planning Team to seek a formal variations to the Road Construction Consent (reference V17/02) covering this site to cover the changes arising from this planning permission. Approval from the Highland Council must be achieved before being implemented.
8. With regard to Condition 4 (bat and bird boxes) it is recommended that reference be made to the detailed comments of the CNPA Ecology Officer dated 11 October 2019 which provides detailed advice on the provision of bat and bird boxes/tiles.

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.