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## CAIRNGORMS NATIONAL PARK AUTHORITY

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

**Prepared by:** **NEIL STEWART (PLANNER, DEVELOPMENT CONTROL)**

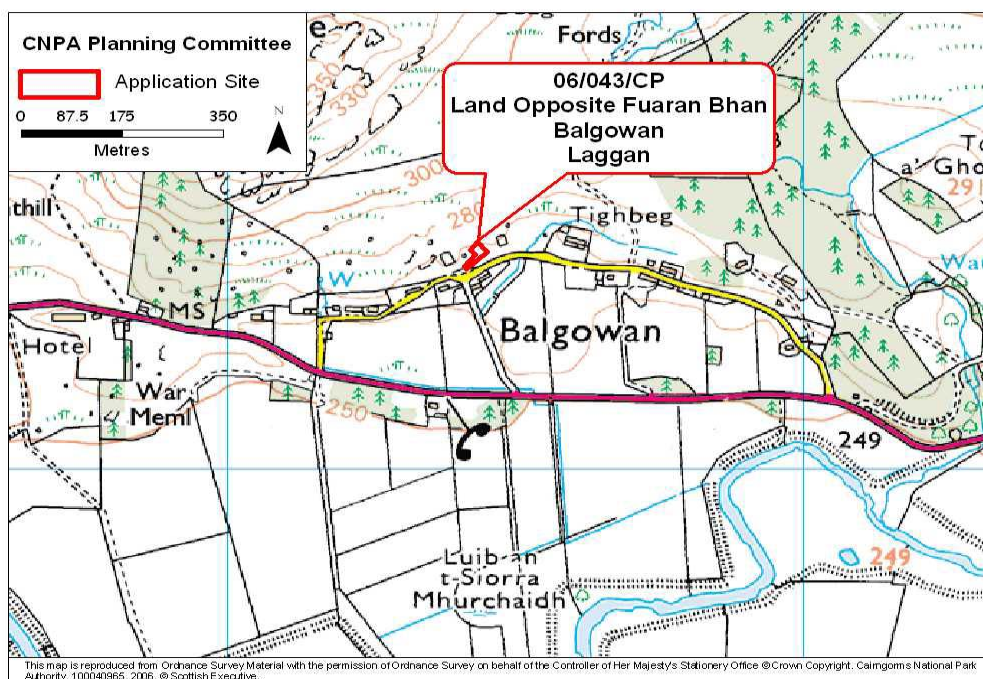
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**DEVELOPMENT PROPOSED:** **FULL PLANNING PERMISSION FOR ERECTION OF DWELLINGHOUSE, LAND OPPOSITE FUARAN BHAN, BALGOWAN, LAGGAN**

**REFERENCE:** **06/043/CP**

**APPLICANT:** **MR. & MRS. FALCONER, c/o RAVENSCROFT DESIGN, MAIN STREET, NEWTONMORE**

**DATE CALLED-IN:** **24 FEBRUARY 2006**



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. The site to which this application relates is located on the north side of the loop road which serves the Balgowan crofting township which is situated approximately one and a half kilometres to the east of Laggan (see Fig. 1).
2. The site is raised above the public road but constitutes a levelled plateau where it is understood a house/building once stood. The proposed house position is set back from the road by approximately 50m and there are two existing pine trees, on the south east boundary (but outwith the site). To the north, north west and north east, rough uncultivated grassland rises to provide a sheltered landform for the site, although there are open aspects across the croftlands to the south. Further to the east, on elevated land above the road, sits a semi-detached pair of cottages. On the south side of the loop road, there is the existing croft house known as “Fuaran Bhan”, and the associated croft buildings (see Figs. 2 & 3). The site forms part of a shared apportionment of inbye hillground at the location.



Fig.2. Site from road looking north



Fig. 3. Site from above looking south towards Fuaran Bhan

3. The proposal is to construct a new 3 bedroomed dwellinghouse centrally located on the plot. The house, **as amended**, is one and half storey with a slate roof, grey wet harled walls and timber framed windows. A former access track to the site is to be reinstated and upgraded. The house will be served by the existing private water supply at Balgowan and by a new septic tank and soakaway system.
4. The applicants, Mr & Mrs. Falconer, have provided a considerable amount of background information to support the application and aid the assessment of the proposal. They have two children (aged 7 and 4) and resided in Kingussie until last year when they decided to move back to the Laggan area when Mrs. Falconer's father, who owned the croft at "Fuaran Bhan", was beginning to find it increasingly difficult (because of some health problems) to manage the crofting enterprise. The applicants are currently living with Mrs. Falconer's father in the existing croft house at "Fuaran Bhan" but are seeking to build their own property.
5. The croft at "Fuaran Bhan" has now been sub-divided, with Mrs. Falconer's father retaining the existing croft house and a quarter share of the croft land. The remainder and larger portion of the croft has now been transferred to Mrs. Falconer. This new croft is known as "Coirilidh" and Mrs. Falconer has qualified for assistance under the Highlands and Islands Croft Entrant Scheme. She has also qualified for assistance from the Scottish Executive Croft House Grant Scheme. It is stated that the new croft, which will be worked on a part-time basis, (Mr. Falconer works in his family's haulage firm and Mrs. Falconer works at Kingussie High School) will operate, as at present, on a traditional basis with a flock of 50 purebred sheep and cropping.

## DEVELOPMENT PLAN CONTEXT

6. In the **Highland Council Structure Plan 2001, Policy G2 (Design for Sustainability)** advises that proposed developments will be assessed on the extent to which they, amongst other things; are compatible with service provision (water, drainage, roads etc.); are accessible by public transport, cycling and walking as well as by car; make use of brownfield sites, existing buildings and recycled materials; impact on resources including habitats, species, landscape, scenery, freshwater systems and cultural heritage; demonstrate sensitive siting and high quality design; and contribute to the economic and social development of the community. **Policy H3 (Housing in the Countryside)** states that housing development will generally be within existing and planned new settlements. In countryside areas outwith the hinterland of towns, housing of an appropriate location, scale, design and materials may be acceptable where it supports communities experiencing difficulty in maintaining population and services. In crofting townships, new housing will need to respect the existing pattern of development.

**Policy L4 (Landscape Character)** states that regard will be had to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.

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 emphasises the point that outwith the hinterland of towns, Policy H3 of the Structure Plan allows for the development of housing in the countryside where it supports the viability of rural communities experiencing difficulties in maintaining population and services. The approval of individual applications would, however, be subject to other Structure Plan policies, including **Policy G2 (Design for Sustainability)**, and in particular those aspects relating to infrastructure, siting, and quality of design and materials.
8. In addition, the **Policy Guidelines** states that for justification for a new house based on croft management it is recognised that a degree of flexibility will be required, for example, in such circumstances it may not be possible to sustain full time employment and this will be taken into consideration. Any application for a house associated with crofting should be accompanied by confirmation from the Crofters Commission of the *bone fides* of the crofting application. Regard should also be had to the history of previous housing development on the croft and the density of development. Any new housing must support and respect the traditional settlement pattern and not compound sporadic suburban type development.
9. The **Badenoch and Strathspey Local Plan 1997** indicates that, at Balgowan, some areas to the north and all of the croftlands to the south of the loop road fall within a "**Fragile Countryside Area**" (**Policy 2.1.2.2.**) This policy encourages new housing and associated building in areas which are continuing to experience depopulation, or require further development to maintain their viability. Only in cases where severe road safety, servicing, heritage or amenity constraints exist will proposals be resisted. Close attention to the principles of good siting and design will be required and the policy states that opportunities exist in particular for sites which relate well to established settlement patterns. Land outwith this policy zone in the area is covered by **Policy 2.1.2.3. (Restricted Countryside Area)**. This provides a strong presumption against the development of new houses except where a house is essential for the management of land, related family and occupational reasons. Restrictions on the subsequent occupancy of such houses will be enforced. Adherence to the principles of good siting and design will be required. **Policy 2.1.2 (Design)** states that single houses outwith recognised settlements will require to be; properly located in harmony with the landscape; compatible in scale and character with local buildings, where appropriate; and designed

and constructed to a high standard with particular emphasis on proportions, roof pitch, fenestration and selection of materials.

10. **For information purposes only**, the recently published **Draft Cairngorms National Park Plan: Priorities for Action 2007-2012** promotes 7 priorities for action. One of these is “Making Housing Affordable and Sustainable”. This priority recognises that the lack of access to affordable and good quality housing has been identified by many communities as a key issue facing the Park. Young people and those on low incomes in particular have difficulty in securing suitable accommodation in their communities. Work within this priority includes increasing supply and accessibility, promoting effective co-ordination and co-operation, and improving the quality and sustainability of design. The **Draft Plan for the Future**, sets out objectives for the National Park for the next 25 years. Under “Conserving, Enhancing and Managing the Park”, one of the strategic objectives is to encourage the continued development of crofting because it provides opportunities for small-scale and part-time land management and production in addition to the mainstream farming sector. **Please note the Draft Park Plan is not a land use development plan and carries no material weight at this stage.**
  
11. **Again for information purposes only**, the **Consultative Draft Cairngorms National Park Local Plan** identifies Balgowan as a “zoned” settlement area and draws a boundary around existing development along the Balgowan loop road but excludes the croftlands between the loop road and the A86 to the south. The proposed site lies outwith the proposed settlement boundary of Balgowan on its north side. The housing section of the Laggan Bridge, Gergask & Balgowan settlement statement says that there has been a long history of isolated housing in the area that was traditionally related to land-based employment and it helps to contribute to the character of the Laggan area. Whilst housing in the countryside for residents and for specific needs should help sustain the community, large numbers of new dwellings scattered throughout the area could erode the character of the area that makes it special. It is important therefore that new housing in the countryside reflects the existing patterns of development, and the scale, setting, orientation and massing of development in the area. This means that houses should normally overlook the Strath and face south, which makes the most of direct solar gain, and reflect the general east-west alignment of buildings in the area. However, prominence of new housing located in such a way means that new buildings will also need to be designed in such a way as to mirror the characteristics of the local architecture.
  
12. In the **Consultative Draft CNP Local Plan**, the site therefore lies in a **General Policy 1** area where development will be permitted if it is unlikely to have a significant adverse effect on the aims of the National Park or any of its special qualities. **Policy 4 (Landscape)** states that development that is likely to have an adverse impact on the special

landscape qualities of the National Park including: landscape character; scenic qualities; natural beauty; amenity; historic landscape elements; cultural components; or wild land character will not be permitted. **Policy 11 (Water Supplies)** states that developments will not be permitted if they would adversely affect public or private water supplies. In areas not served by the public mains water supply, development will be permitted where the identified private supply is certified by the Local Authority Environmental Health Service as of adequate volume and fit for consumption and where the abstraction will not lead to a reduction in supply or quality for existing users. **Policy 12 (Foul Drainage)** states that in areas that are not served by public sewerage systems, development that requires private infrastructure, will only permitted where the infrastructure can be installed and used without adverse impacts on public health, other existing users or the wider environment.

13. **Policy 39 (Proposals for Housing Outwith Defined Settlements)** states that outwith established settlement boundaries proposals for new houses will be favourably considered where the proposal complies with at least one of three criteria. These are; the applicant has lived and/or worked in the area for at least 3 years, and is currently un-/inadequately housed; the proposal can be justified as essential to house worker(s) for long term economic activity which is specific to that locality, with a full reasoned case why housing elsewhere is not suitable – occupancy conditions will be required; or the proposal is for a new house which will be linked by a section 75 agreement to the active management of a crofting/agricultural unit or other land-based industry based in the specific locality. In each case, the application must be for a single house for permanent occupation and must either join an existing group of at least three houses; or be sited to complement the existing pattern and character of development.

## CONSULTATIONS

14. **Highland Council's Area Roads Manager** has no objections but recommends the imposition of planning conditions relating to access configuration and surfacing, provision and retention of visibility splays, and provision of parking space on site.
15. **SEPA** notes that the proposed house will connect to a septic tank and soakaway system for foul drainage. They do not object to the application if the proposal is for a full soakaway and confirmation is provided that the proposals meet established guidance in relation to ground and percolation testing and minimum distances to watercourses. Percolation tests have been carried out and submitted for a full soakaway positioned the south west of the plot and it has been confirmed by the applicant that it meets the required distances from the roadside ditch.

16. **Highland Council's Archaeology Service** have advised that the site overlies recorded historic settlement – two structures and a number of associated enclosures are depicted on the first edition OS map of c1870. They would welcome photographs of the remains of any features should they survive. Although any structures may have since been demolished, there remains the potential for sub-surface historical remains to be discovered. During construction, if the applicants find anything of possible historic or archaeological interest, the Archaeology Unit should be notified so that records can be made and analysed.
17. **Highland Council's Environmental Health Officer** has advised that he has sampled the water supply serving the adjacent properties and he has no real concerns regarding its quality. Initially, he did though have concerns about the sufficiency of the supply. The owner of one of the neighbouring properties approached him for grant assistance to provide a new water supply to serve his own property as the existing supply was prone to air locking and he had experienced problems regarding quantity of water available. As such the EHO required the applicants to demonstrate that the water supply was adequate for their needs and those of other properties on the supply. Following receipt of representations from residents of neighbouring properties served by the supply, and information from the applicants and the landowner (**see representations section below**) the EHO has now confirmed that he has no further objections on the quantity issue. He feels that those currently using the supply are likely to have the best knowledge of its sufficiency.
18. **The Crofters Commission** has advised that the application is for a croft house on a newly created croft. Mrs. Falconer's father subdivided his croft retaining the croft house and a small area of croft land. The remainder and larger portion of the croft was transferred to his daughter. She and her husband intend working the croft in a traditional manner, maintaining a flock of high quality purebred sheep stock and cropping. They confirm that the Falconers have already moved into "Fuaran Bhan" with Mrs. Falconer's father so that they can be on hand to work the croft. This being the case the Crofters Commission can confirm operational need for a new croft house and fully support this application.

## REPRESENTATIONS

19. A total of 14 letters have been registered as representations. These include 2 in support from the applicants, 5 in support from the residents (Mr. & Mrs Spencer) of Pitagown House, Balgowan, (Mr. & Mrs. Spencer) and 7 from other Balgowan residents.
20. **Copies are attached for the Committee's consideration**, but the points raised include:

**Applicants (2 No. letters)** – confirmation of their justification for a house, including crofting need and personal circumstances. Also, evidence that there was a house on this site in the late 1800s/early 1900s. Proposed house on the site in 1980s with the site being levelled and an access formed – this fell through. Confirmation of water supply situation.

**Mr. & Mrs. Spencer, Pitagown House, Balgowan (5 No. letters)** – confirmation of ownership of the site but that it is subject to crofting tenure. Site outwith proposed CNPA Local Plan settlement boundary but suggest that the boundary be revisited. Confirmation of applicants “crofting” status – confirmed by Crofters Commission. Benefit the Balgowan crofting community and the Laggan area will get from having a young family continuing to operate an existing croft. Other sites within “Fragile Countryside Area” to the south of the loop road are suitable for cultivation unlike the proposed site. Applicants have no intention of selling. Croft has been in the applicant’s family for several generations. Current accommodation in the existing croft house with the applicant’s father is unsuitable for a young family of four. Applicants proposal fits the aims of the Park. Site relates very well to the established settlement pattern. Plot is for low-cost accommodation for local people which is designed to safeguard crofting activities. Confirmation of water situation including resolution of previous problems. Background to crofting situation in the area. Applicants cannot convert existing building because it is used for sheltering stock etc. Agreement, as owner (although due to crofting tenure legislation they have no control over it) to provision and maintenance of visibility splays. Confirmation that a house used to exist on this site.

**Residents of Balgowan (7 no. letters)** – provide confirmation that they have no objections to use of the existing Balgowan private water supply by the applicants.

21. **There has been a request to address the Committee in support of the application by Mrs. Spencer, on behalf of the applicants.**

## **APPRAISAL**

22. The issues that require assessment in the determination of this proposal include the principle of a house in this location in terms of planning policy and the aims of the Park, the impact of the house in terms of landscape character and design, and the technical issues of water, foul drainage and access.

### **Principle, Planning Policy and Aims of Park**

23. At the time of the call-in of this application it was not clear from the Badenoch and Strathspey Local Plan if the site lay within a “Restricted Countryside” or a “Fragile Countryside” area. It seemed that the



boundaries of the site indicated on the submitted plans, may have straddled the line drawn on the very small scale "Housing in the Countryside" maps in the Local Plan. Bearing this in mind, and the unknown justification for a house at that time, a "precautionary" but consistent approach was taken to the issue of a house in this countryside area and its significance to the aims of the Park. The Committee agreed that the application should be called-in.

24. Following a request, the applicants have provided a considerable amount of information about the crofting need for a house. The landowner has also provided information. It is the case that Mrs. Falconer is the registered crofter for a new croft that has been created by subdividing an existing long established croft which has been in her family for several generations. There is confirmation that the applicants have been accepted into the Highland and Islands Croft Entrant Scheme (this required the approval of a 3 year development plan) and that they have been successful in qualifying for the Scottish Executive Croft House Grant Scheme. The existing croft house at Fuaran Bhan is to remain with Mrs. Falconer's father and with his smaller portion of the original croft. There is therefore no house available for the new croft which is larger. There is full support from the Crofters Commission in terms of need, based on the applicants situation and the way in which they plan to operate the croft. Planning policy supports the principle of a house for a croft where it is demonstrated that there is a need, and it is accepted that work on a croft may have to be part-time. **In my mind, taking all these factors into account, if the proposed house site was clearly situated in "Restricted Countryside Area", there may well still be supportable justification for a new house in terms of planning policy, and the aims of the Park. In such an instance though, it would be necessary to impose an occupancy condition on the house restricting its occupation to someone working the croft and that it would not be sold off separately from the crofting enterprise.**
25. Notwithstanding the above though, the need for crofting justification and any subsequent requirement for an occupancy restriction in this instance, depends on the statutory land use policy ("Fragile" or "Restricted") that relates to the actual site. Despite as much effort as possible, the small scale, unclear nature of the relevant map in the Local Plan makes it impossible to determine, without any doubt, whether the site lies within or outwith the "Fragile Countryside Area". As at the time of the call-in, my conclusion is that on a purely map based assessment, the site probably straddles the line drawn between the "Fragile Countryside" and the "Restricted Countryside" areas. My best assumption is that the larger part of the site is within the "Fragile Countryside" area.
26. However, without an unambiguous conclusion on this, the logical process is to assess the actual on site situation, in order to seek a clearer picture of whether the site could logically be included within the

physical area where the “Fragile Countryside” policy aspirations of permitting single houses, to support a rural crofting community, would apply. The first conclusion is that the line drawn on the Local Plan map does not relate to any clear physical feature or boundary on the ground. The second is that, historically, there is evidence on the ground and on maps that there was once a house or a building on this site. It would be logical therefore to assume that such a house or building would have been part of, and associated with the Balgowan crofting township. The third conclusion is that the land in question is related to the pattern of existing development along the loop road, where some older houses are located on the north side. The fourth is that the land is not used for cultivation and therefore is not of the same quality as the land to the south of the loop road. As such, it would be logical to build on “non-productive” land rather than “productive” land. Finally, the fifth conclusion is that, because of the nature of the slope behind, the site, as with the rest of the Balgowan settlement, is “contained” within the landform here. A site, for instance, further to the north, on the steeper slope or at the top of the slope, where the “Restrictive Countryside” policy applies, would be visually detached from the other established developments along the road, and as such could be argued to be outwith the established boundaries of the crofting township. **My conclusion therefore is that the proposed site is logically within what is the Balgowan township, as represented on the ground. As such, it follows that the site is viewed as constituting part of the community area that the “Fragile Countryside” policy seeks to support by permitting single houses.**

28. As stated before, I believe that there is a genuine case for a need for a new house related to the crofting enterprise. As such, in the interests of the aims of the Park, careful consideration has been given to the necessity to impose an occupancy condition on the house. However, from the assessment of what the site actually represents on the ground, as detailed in Paragraph 26 above, my conclusion is that the “Fragile Countryside” policy is, in this instance, the most appropriate and logical one in terms of material planning policy. **I therefore take the view that significantly more weight should be attached to its relevance to the proposal and the site, than the “Restricted Countryside” policy. On this basis, I do not feel that there is significant justification to be able to sustain a requirement for an occupancy condition in this instance, particularly if the need for this was challenged at an appeal. In this respect, I do not see this as acting as a precedent for other similar proposals elsewhere in the countryside areas of the Park. This is an assessment based purely on the merits of this case.**

### **Landscape Impact and Design**

29. The physical characteristics of the site have been described in the sections above. Any house on this site will sit above the road in an

elevated position. However, because of the degree of containment afforded by the curved sloping landform on the north side I do not believe that an appropriately designed house would have a detrimental impact on the landscape character of the area. The established pattern of development at Balgowan is linear in form, following the line of the loop road on the north and south sides. The site, in my view, conforms with this pattern, especially when you take into consideration the position of the semi-detached pair of cottages further to the east (see Figs 4 & 5 below).



Fig. 4. View from above site looking east towards existing development



Fig. 5. Existing development above the road to the east of the site

30. The original house showed a house design of one and three quarters height with slate, white harl and contrasting corner quoins, centralised door (no porch), single chimney, and sizeable “picture” type windows on the ground floor. Following negotiation with the applicant and their agent, a revised design has been submitted. This reduces the height to one and a half storeys, adds a central porch, revises the harl to a grey colour, adds a second chimney to provide balance, and amends the window designs. In my view, the design shows a more traditional scale and sympathetic appearance which conforms more closely with

the scale and characteristics of other houses in the township. It is now a design which will sit comfortably on its site and within the context of established development at Balgowan (see Fig. 6. below). There are no planning policies therefore compromised in relation to the issues of landscape impact, siting and design.



Fig.6. Front and rear elevations of revised house design

### Water, Foul Drainage and Access

32. The main technical issue that has required some clarification is that of water supply. The proposal is to connect the new house to the existing Balgowan township private supply. It is known that there has been some problems with the quantity of this supply in the past and therefore Highland Council's Environmental Health Officer wished to be assured that this development would not have further impacts. Information has been provided by the applicant and the landowner and other users of the supply in Balgowan have submitted letters which state that they have no concerns about the impact of another house being served by the supply. On the basis of the information supplied and the support from local residents, the Council's EHO is now satisfied with both the quality and quantity of the proposed supply.

33. Initial foul drainage concerns from SEPA have been overcome by the submission of percolation test pit results and clarification of the position of the soakaway.
34. Confirmation has been received that roads conditions can be complied with and the fact that there is already some on-site evidence of an access track serving the plot, means that there are no road safety concerns.

### **Conclusion**

35. **Taking the view that, the site logically fits within the “Fragile Countryside” policy area of the Local Plan where single new houses can be permitted in principle, there is a genuine local need and crofting justification in any case, the siting and design of the revised house is found to be appropriate, and there are no technical concerns, I provide my support for the application.**

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

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

36. The development of a house on this site will not impact on any natural heritage resource and any historical features found on the site during construction can be recorded through the imposition of an appropriate planning condition. A house within this established crofting settlement, to help support the viability of the community, is seen as positive in terms of conserving and enhancing the cultural heritage of the Balgowan area.

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

37. There are no significant implications for this aim.

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

38. Again, there are no implications for this aim.

#### **Promote Sustainable Economic and Social Development of the Area**

39. The provision of a house to provide suitable accommodation for a local family, which will also help sustain a crofting heritage, is seen as positive in terms of sustaining the viability of a community which has found difficulty in maintaining a population. The proposal is seen as positive in terms of promoting the economic and social development of the area.

## RECOMMENDATION

40. **That Members of the Committee support a recommendation to:**

**Grant Full Planning Permission for the Erection of a Dwellinghouse, at Land Opposite Fuaran Bhan, Balgowan, Laggan, subject to the following conditions:**

1. The development to which this permission relates must be begun within five years from the date of this permission.
2. That prior to the commencement of works on site, a photographic record of the site and any historical features remaining shall be submitted to Highland Council's Archaeology Unit, for their further written approval.
3. That during construction works, any sub-surface historical or archaeological features or remains, of any type or period, shall be reported to Highland Council's Archaeology Unit, for recording and analysing. If any feature or remnant is found, work shall cease until the formal further written approval has been given by the CNPA, acting as Planning Authority, following consultation with Highland Council's Archaeological Unit.
4. The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by the CNPA acting as Planning Authority before development commences. The scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of the development and shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and to the extent of any areas of earthmounding, and shall ensure:-
  - a. Completion of the scheme during the planting season next following the completion of the development, or such other date as may be agreed in writing with the CNPA acting as Planning Authority.
  - b. The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the CNPA acting as Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
5. That prior to the commencement of the wall rendering works, a sample panel, approximately 1 metre square in size, of the wet harling shall be prepared on site for the inspection and further written approval of the CNPA acting as Planning Authority.

6. That prior to the commencement of works on site, exact details of all boundary enclosures, (which unless otherwise agreed in writing with the CNPA acting as Planning Authority, shall be post and wire fencing and/or dry stone dykes and/or hedging of a native species), shall be submitted for the further written approval of the CNPA acting as Planning Authority.
7. That prior to the commencement of any other works on site, the approved access at its junction with the public road shall be upgraded in accordance with the following and to the satisfaction of the CNPA acting as Planning Authority, following consultation with Highland Council's Area Roads Manager;
  - a. The access having an edge radii of at least 5 metres and a throat width of a least 3 metres.
  - b. Construction of the first 6 metres of the access consisting of a minimum of 40mm thick Close Graded Wearing Course on 60mm Dense Basecourse on a thickness of 350mm Type 1 sub base, all on a sound formation. Thereafter, the access shall be at least 3 metres wide and construction shall consist of a minimum of 350mm thick Type 1 sub base on a sound formation.
8. That prior to the occupation of the dwellinghouse hereby approved, visibility splays of not less than 3 metres x 70 metres shall be provided in both directions at the junction of the new access with the existing public road and thereafter maintained free from any obstructions exceeding a height of 1 metre above the adjacent road channel levels.
9. No surface water shall be allowed to discharge on to the public road. The applicants are responsible for the provision of any additional drainage measures necessary to fulfil this requirement to the satisfaction of the CNPA acting as Planning Authority, in consultation with Highland Council's Area Roads Manager.
10. That prior to the occupation of the dwellinghouse hereby approved, parking and manoeuvring space for at least two cars shall be provided within the curtilage of the property such that all vehicles may enter and leave the site in forward gear.

**Neil Stewart**  
**Planner – Development Control**

**10 May 2006**

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