
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(DEVELOPMENT MANAGEMENT)

DEVELOPMENT PROPOSED: OUTLINE PLANNING PERMISSION FOR ERECTION OF DWELLINGHOUSE INCLUDING THE FORMATION OF AN ACCESS AT DELL COTTAGE, DELL ROAD, NETHY BRIDGE

REFERENCE: 08/203/CP

APPLICANT: MR AND MRS C. PATON C/O KB ARCHITECTURE AND DESIGN LTD. 2 BELFORD ROAD EDINBURGH

DATE CALLED-IN: 5 JUNE 2008

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS

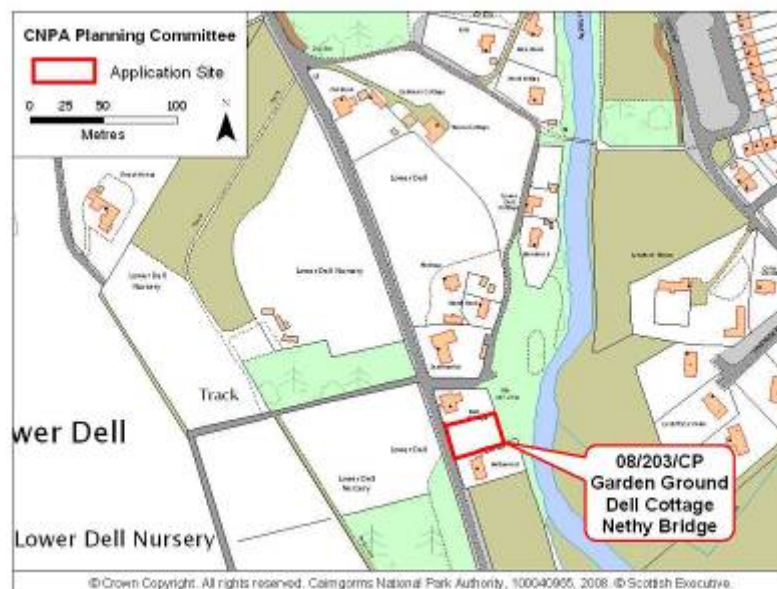


Fig. 1 - Location Plan
SITE DESCRIPTION AND PROPOSAL

1. The site is located close to the South Eastern end of the built up part of Dell Road. The site comprises the side garden of Dell Cottage and is presently in rough grass with a single mature Sycamore tree located to wards the rear. The site slopes gently from the road towards the rear. The site fronts onto Dell Road with the frontage being marked by a dense Beech Hedge about 2 metres high. To the South is a bungalow with a pyramidal roof and a window and a door at ground floor level, facing towards the site. The boundary is marked by a dense high hedge and is well screened. The bungalow is a slightly lower level and enjoys its main amenities to the South side, away from the site. The bungalow is situated 9 metres from the road. Beyond the bungalow lies open countryside and a low level field adjacent to the River Nethy. To the North side of the site lies Dell Cottage. This is a traditional building with a large rear extension containing roof accommodation and a dormer facing the site. Dell Cottage is situated 4 metres from the road side and enjoys considerable amenity from windows and a patio door facing South, towards the site. Access is presently to the rear of Dell Cottage from a private access lane.



Figure 2 Site viewed from public road looking North



Figures 3 and 4 Views of the site looking South from the rear garden of Dell Cottage

2. Over Dell Road to the front is dense Fir plantation woodland. A local marked circular walk runs close to the North side of Dell Cottage, through woodland, across the public road and then along the private access lane, continuing back to the village centre via the river bank. To the East (rear) of the site is a high hedge, shrubs and trees on the embankment gently sloping to the river.
3. The Southern part of Dell Road, (moving towards Nethy Bridge village centre), in the vicinity of Lower Dell, is characterised by a loose but fairly continuous and informal arrangement of houses of many different ages and designs, These are largely set in woodland garden ground. A more formalised ribbon of development only ensues approximately 500metres closer to Nethy Bridge centre.
4. It is proposed to erect a single dwelling house in the side garden of Dell cottage. The plot would measure 33 metres from front to rear with a width of 23 metres. The application is in outline only therefore permission is sought only for the principle of development and the sitting and layout of a new access road directly on to Dell Road. No house design details are indicated. The Beech hedge on the frontage would be removed, with that at Dell Cottage lowered to 1 metre in height. A sewer crosses the site and would be diverted.

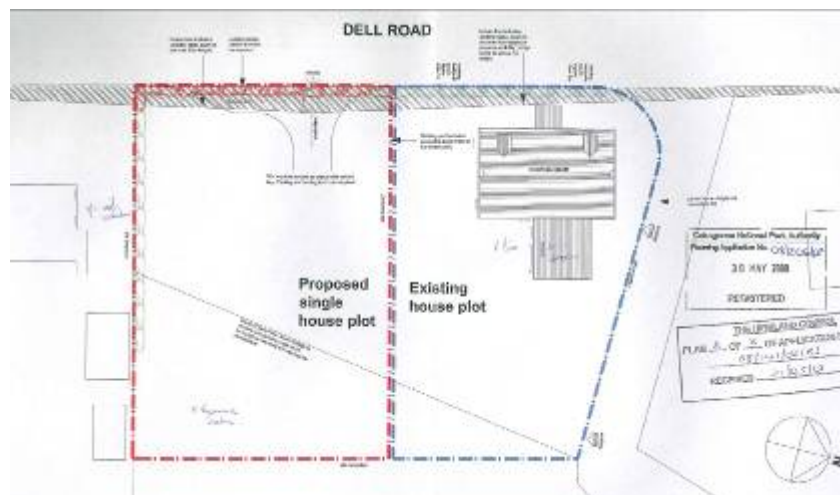


Figure 5 Proposed Site Plan

DEVELOPMENT PLAN CONTEXT

Cairngorms National Park Plan 2007

5. Strategic objectives for Landscape, Built and Historic Environment include; ensuring that development complements and enhances the landscape character of the Park; and new developments within settlements and surrounding areas complementing and enhancing the character, pattern and local identity of the built and historic environment. Strategic objectives for Sustainable Communities include making proactive provision to focus settlement growth in the main settlements. Strategic objectives for Housing include increasing the accessibility of rented and owned housing to meet the needs of communities throughout the Park; and ensuring that there is effective land and investment for market and affordable housing to meet the economic and social needs of communities throughout the Park.

National Planning Policy

6. **SPP3 (Planning for Housing)** encourages the efficient use of land. Para 49 notes that, traditionally, planning policy has sought to restrict new housing in the countryside to maintain rural character and amenity and safeguard agricultural production. Where possible therefore, new housing requirements should be met by developments within or adjacent to settlements. Paras. 60 and 61 encourage the efficient use of land, the use of existing infrastructure. Density should be appropriate to the character of the place and its relative accessibility.

Highland Structure Plan 2001

7. **Policy G2 (Design for Sustainability)** considers that proposed developments will be assessed on the extent to which they are compatible with service provision, are accessible by public transport, cycling and walking, maximise energy efficiency, make use of brown field sites, existing buildings and recycled materials, impact on individual and community residential amenity, impacts on landscape, habitats, species, cultural heritage, promote varied, lively and well used environments and contribute to the economic and social development of the community. In relation to **housing** the structure plan's strategic objectives aim to steer housing development to appropriate locations within existing settlements.

Badenoch and Strathspey Local Plan 1997

8. The site is defined as amenity woodland on the local plan for Nethy Bridge. Policy objectives for the settlement include maintaining a scale and form of development compatible with

the village character, avoiding encroachment into open land and protecting adjoining semi-natural woodland and river edges. The main areas of amenity woodland should be safeguarded. Policy 4.1.3. (Infill) is also relevant. In the interests of safeguarding the character of established residential areas, this policy provides a presumption against the sub-division of existing plots where development would involve inappropriate scale, design or orientation, inadequate plot size and spacing, the breach of established building lines, tree felling, loss of privacy and amenity of neighbours and substandard access.

Highland Council Development Plan Guidelines 2003

9. The Guidelines indicate a garden ground requirement of a minimum of 100m². Existing natural site features should be incorporated and landscape features and boundaries finished in traditional local styles.

CONSULTATIONS

10. **Highland Council's Area Roads Manager** has no objection subject to conditions relating to sight lines, surfacing, gates and on site parking. The road outwith the site is straight and all the conditions can be met subject to the removal/trimming of hedges. Sight lines on adjacent drives/roads would also be improved.
11. **The Nethy Bridge Community Council** objects to the application on the grounds that it is splitting the garden and would spoil the character of the original property.

REPRESENTATIONS

12. The application has been advertised as a potential departure from the Badenoch and Strathspey Local Plan. No representations have been received.

APPRAISAL

13. The issues that this development raises are the principle of a subdivision to form a new dwelling house at this location, the suitability of the site in terms of its size, impact on neighbours and the wider amenities of the area, potential loss of trees and the suitability of the access.

Principle

14. The site is designated as amenity woodland in the Badenoch and Strathspey Local Plan but it is clear that it has been cleared of trees and formed into a cottage garden for some time. There are few if any other sites of this nature along the southern part Dell Road or side roads therefore the development is unlikely to be a precedent for any further subdivisions in the area. Any such proposals would require to be considered on their own merits in the context of the prevailing Local Plan. The Local Plan designation and the objectives to protect open countryside, semi-natural woodland or the margins of the River Nethy would not be affected by the proposal.
15. The proposal is not subject to planning gain contributions at this site.

Plot size, Spacing, Privacy and Amenity

16. The site is well integrated into the Lower Dell area where an informal layout at a variable but medium density is characteristic. The site measures 759 square metres and is rectangular in shape. It is well capable of accommodating a single house that can be designed and positioned to respect the privacy and amenities of the immediate side neighbours and fit in with the character of the area. The site is bounded by hedging which can be reinforced and replaced where necessary to enhance the privacy and the setting of the house. The single Sycamore tree in the rear garden is a good quality specimen and should be retained. The house can be positioned further back from the road than Dell Cottage, to protect the appearance of the cottage as seen from the nearby public footpaths to the North. The total distance between the existing houses is 36 metres and with a plot width of 23 metres, adequate spacing of the proposed house can be achieved. The proposal is unlikely to be detrimental to the essential amenities of the neighbours or the wider amenity of the area.
17. The garden ground remaining for Dell Cottage is adequate, with access to the adjacent private road to be retained. There is an existing planning permission for an extension to Dell Cottage (04/00388/FULB). This has not been implemented and will require to be checked for compatibility with the layout and design of the proposed house, at the Reserved Matters stage.

Access

18. The proposed access, including a service bay off the public road, is satisfactory to the Highland Council as Roads Authority, subject to the conditions recommended below. It is essential to the soft landscape and semi-rural qualities of Lower Dell, that the access is formed with soft edges and no hard kerbs. The Beech hedge on the frontage will be removed in its entirety so this should be replaced behind the sight lines.

Conclusions

19. A subdivision within the existing settled area provides an opportunity for a house plot on already developed land that can utilise existing services. The plot is within walking distance of the village centre and its services. The site is capable of accommodating a single dwelling house within the terms of the development plan and without detriment to the essential amenities and privacy of neighbouring property. A safe and visually acceptable access can be formed.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

20. The proposal does not involve a Greenfield site or the removal of native trees so there are no implications for this aim

Promote Sustainable Use of Natural Resources

21. The application is in outline only therefore there are no details of the materials proposed or energy plans for the site

Promote Understanding and Enjoyment

22. There are no implications for this aim.

Promote Sustainable Economic and Social Development

23. An infill house site utilising existing infrastructure and close to existing services forms a sustainable contribution to local housing provision.

RECOMMENDATION

That Members of the Committee agree to a recommendation to:

Grant Outline Planning Permission for the erection of a single dwelling house and the formation of an access at Dell Cottage, Dell Road, Nethy Bridge, subject to the following conditions;

1. A formal planning application and detailed plans indicating all matters relating to the siting, design and external appearance of all buildings, means of enclosure and landscaping proposals shall be submitted for the prior approval of the Planning Authority within 3 years of the date of this consent and the development must be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all the foregoing Reserved Matters.
2. The detailed plans submitted following this Outline Planning Permission shall clearly illustrate, in cross-section form, the existing ground level, the finished floor level of the proposed development and the extent of any under building involved. The floor levels shall clearly relate to a Fixed Datum Point on the site which shall be clearly identified on the submitted plans.
3. The development shall be limited to a single storey or 2-storey (attic) development as defined by the Planning Authority's Policy, i.e. 2 storeys of accommodation is permissible with the first floor (upper storey) accommodated in the attic or roof space by utilising roof lights, gable windows or dormer windows.
4. The main front wall of the proposed house in relation to the public road and any garaging, shall be positioned a minimum of 4 metres behind a line formed by the main front wall of Dell Cottage.
5. That from the date at which this planning permission is granted, no trees or hedging on the site shall be uprooted or damaged, other than the works to form the required sightlines to the access. The Sycamore Tree on the site shall only be felled, lopped or topped with the prior written approval of the Planning Authority.

6. That no development shall commence on this site until the Sycamore Tree has been protected around the extremities of the crowns of these trees to the satisfaction of the Planning Authority, and in accordance with BS5837:2005, Trees in Relation to Construction.

7. The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by the Planning Authority before development commences. The scheme shall include indications of all existing trees and landscaped areas on the land, and details of items to be retained, and shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, and hedges to be planted. Landscaping proposals shall include proposals for hedging on the North boundary and replacement hedging on the frontage. The scheme 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 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 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.
8. Prior to any other works commencing, a combined access service bay as per the approved drawing shall be formed at the point of access to the site. Construction from at least the first 6 metres measured from the nearside of carriageway edge of the public road shall consist of a minimum of 40mm thick close Graded Wearing Course on 60mm Dense Base Course on a minimum thickness of 350mm Type 1 sub base, all on a sound foundation.
9. Visibility splays of not less than 2.5 metres along the centre line of the access measured from the nearside edge of the public carriageway and 70 metres from the centre line of the access road when measured along the nearside edge of the public carriageway, 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 within the visibility splays exceeding a height of 1 metre above the adjacent road channel level.
10. Any gates that are provided shall open into the property only.
11. Prior to any other works commencing, parking and manoeuvring space for at least 2 cars shall be provided and maintained within the curtilage of the site such that each vehicle may enter and leave the site independently.

ADVICE NOTE

Prior to any work of excavation or surfacing starting within 2 metres of the public road edge a road opening permit shall have been obtained from the Roads Authority.

Hilary MacBean *Date 26 August 2008* planning@cairngorms.co.uk

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