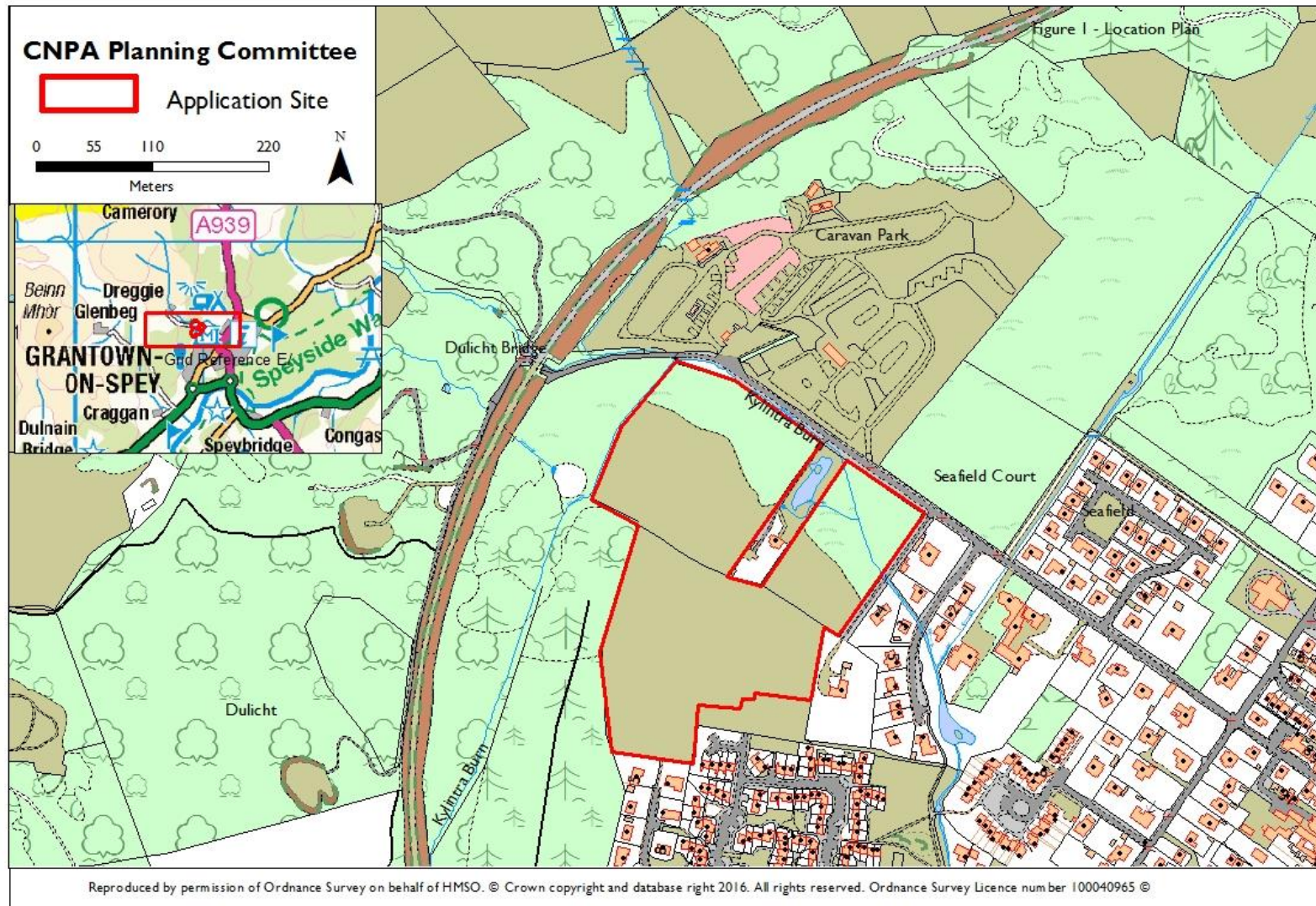

CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:	
Creation of residential plot layout (43 units), Roads, Drainage and Strategic Landscaping at Land 150M NW of Beachan Court Grantown On Spey.	
REFERENCE:	2016/0060/DET
APPLICANT:	Mr Andrew Norval, Seafield and Strathspey Estates
DATE CALLED-IN:	29/02/2016
RECOMMENDATION:	APPROVE WITH CONDITIONS
CASE OFFICER:	Katherine Donnachie, Planning Officer



SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The application site comprises grazing land located at the North West side of Grantown on Spey. It is bounded to the east by housing at the Dulaig and Rhuarden Court and to the south by a proposed ten house affordable housing site which is the subject of the next item on the agenda (Reference 2015/0394/DET) and housing at Revoan Drive. On the lower part of the site it 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 of the site along Seafield Avenue and through the site itself. There is woodland to the west, with further woodland beyond this within which the former railway line, a core now path runs. The wider area of Beachan Woods is a very popular walking area.
2. Access is proposed from Seafield Avenue to the north via a new access point. Seafield Avenue runs along the northern site boundary and leads to the Grantown Caravan Site which lies to the north of the site. This road then heads south west towards Dreggie and Gorton. The northern part of the application site is bisected by a large detached residential property, Revoan. This site location is shown in more detail in **Appendix I** which contains plans of the proposed development.
3. The site slopes in both north-south and east-west directions, and there is a steeper embankment leading down from the area proposed for house plots toward the lower lying land beside Seafield Avenue (where the SUDS ponds and access road are proposed). This part of the site is crossed by watercourses and is designated in SEPA's flood maps. Remains of a stone dyke cross the site to the south and west of Revoan, and there are also some aspen trees here too. Around the edge of the site within other properties, and in particular the Dulaig and Revoan, there are also mature trees. At present there are a number of informal path links into, and through, the site from the surrounding residential areas and to the woodlands.
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/#searchApplications>

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Title	Drawing Number	Date on Plan	
*Location Plan	P001	Nov 15	
*Overall Site Plan	016 Revision F	31.08.16	
Landscaping Layout	020	17.02.16	
Phasing Drawing	021	19.02.16	
*Proposed Soft Landscape Maintenance and Management Regime	HLD K240.16 Revision H	31.08.16	
Soft landscape proposals –Roads and strategic landscaping areas	HLD K240.16/SL-01 Revision I	05.10.16	
Soft Landscape Proposals Sections 1-7 through site	HLD K240.16/SL-02 Revision A	31.08.16	
Tree Protection Plan	HLD K240.16/TP-01 Revision A	31.08.16	
*Otter Species Protection Plan by Alba Ecology Ltd.		29.08.16	
*Flooding and SUDS Statement by Arch Henderson LLP	147132	September 2016	
Transport Assessment by Waterman Infrastructure and Environment Ltd	CIV 15808 - A03	02.02.16	
*Roads Layout	147132/02 Revision H	22.08.16	
*Roads Longitudinal Profiles	147132/03 Revision E	14.06.16	
*Foul Drainage Layout	147132/04 Revision F	23.08.16	
*Foul Drainage Longitudinal Profile	147132/05 Revision B	27.05.16	
*Surface water layout	147132/06 Revision F	22.08.16	
*Culvert Crossing Details	147132/07 Revision C	23.08.16	
Areas for Adoption	147132/08 Revision B	05.02.16	
*Surface water longitudinal profiles	147132/09 Revision C	14.06.16	

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Swept Path Analysis	147132/12	01.02.16	
*Site Entrance Visibility Splay	147132/13 Revision B	29.08.16	
Cut and Fill Area	147132/14 Revision C	23.08.16	
Site Cross Sections	147132/15 Revision B	29.08.16	
*SUDS Pond 1 Plan and Sections	147132/20 Revision B	30.08.16	
*SUDS Pond 2 Plan and Sections	147132/21 Revision B	30.08.16	
*SUDS and Proposed Mitigation	147132/100 Revision F	17.12.14	
*Cut off Drain Detail	147132/22 Revision I	05.08.16	
Attenuation Basin 1 and Associated Flow Control Manhole	147132/101	17.12.14	
Attenuation Basin 2 and Associated Flow Control Manhole	147132/102	17.12.14	
Topographical survey			29.02.16
Phase I Habitat Survey and National Vegetation Classification Report by Alba Ecology Ltd.	-	16 August 2013	
Scabious Mining Bee Survey		22 September 2014	
Ornithological Survey by Alba Ecology Ltd.		16.05.16	
Protected Mammal Survey by Alba Ecology Ltd.		May 2016	
Pre Application Consultation Report		Undated	29.02.16
*Design and Access Statement			
Tree Constraints Dulaig Boundary			29.02.16
Tree Constraints on Old Wall Line	CAA- 12/12/15	12 Dec 2015	29.02.16

Estimate of Bedspaces/Persons for Impact on Capercaillie Assessment	By Colin Armstrong Associates	Undated	29.02.16
Construction Phase H & S Plan	By R S McLeod Building Contractors Revision I	Feb 2016	
Health, Safety and Environment Rules for Sub Contractors	By R S McLeod Building Contractors	August 2011	
Contractor Health and Safety Questionnaire	By R S McLeod Building Contractors Version I	Jan 2016	

6. This application seeks full planning permission for the formation of a plot layout comprising 43 residential units with associated new access roadway and road network, areas of strategic landscaping and sustainable urban drainage systems. The proposed layout is shown in **Appendix I**. It is proposed to access the development by forming a new access point onto Seafield Avenue running parallel to, and between, the accesses to the Dulaig and Revoan. This new road, which will include a combined cycleway and path on the eastern side, will run southwards to service the residential plots with landscaping on either side along with the location of a SUDS pond to the east. The road will in places be three metres higher than the adjacent ground levels with site sections provided to show this. This will result in roadside embankments which it is proposed to seed with wildflower mix and also plant groups of native trees. The access road cuts across a flood plain area and is designed to avoid loss of flood plain by adjoining ground contouring works.

7. This main access road will link to Beachan Court, but there will be no through access there, simply provision for emergency vehicles and non-vehicular traffic. Three “spur” roads are proposed off this main road to service the development all as shown on the proposed site plan. It is also proposed to form a footpath leading eastwards from the new junction onto Seafield Avenue to link to the existing footpath network into the town centre. The new access road will cross over a watercourse and a new culvert is proposed to enable this. The culvert has been designed to allow the safe passage of otter through it.

8. Strategic landscaping is proposed throughout the site. The main components are:
 - (a) Land to the west of Revoan where a further SUDS pond is to be formed;
 - (b) Land to the east of Revoan bisected by the new road;
 - (c) Peripheral landscaping around the rest of the site boundaries between the plots and adjoining residential development including landscaping to the east of the site beside the Dulaig where a footpath link is proposed;

- (d) Swathe of landscaping in the middle of the site, entitled “village green” which extends westwards to the woodland beyond. On this area a play park is proposed and a footpath link runs through it to link to the woods.

Parts of the area of land at the north of the site on either side of Revoan are also to be planted, with other areas retained and managed as marshland/wetland together with seeding of disturbed areas with wetland grass and wildflower mixes. This is shown in more detail on the landscape scheme in **Appendix I**.

9. Whilst the application seeks full planning permission for a residential plot layout, all footprints/indications of house types as shown on plans are indicative only. They are intended to demonstrate how the development could accommodate the delivery of 43 residential units. Full details of all residential units would therefore be required to be the subject of further application(s) for planning permission.
10. Against this background, the plot layout proposes to create six large plots (around 35 metres deep and 25 metres wide) on the western part of the site adjacent to the woods, bisected between plots 4 and 5 by a swathe of landscaped land leading westwards to the woods from a “village green” type area in the middle of the housing land as described above and shown in **Appendix I**. Further north, on the other side of the old stone dyke, it is proposed to provide four more large house plots (around 40 metres deep by 35 metres wide), located to the south west of Revoan on land which looks towards the caravan site. South of this, behind the environs of Revoan it is proposed to form more plots, indicating that these could accommodate four pairs of semi-detached houses and a block of four flats, served by a short through road leading from the main access road. A further block of four flats and another pair of semi-detached houses are shown to the east of, and adjacent to, the Dulaig separated from that property by a minor access link. Three more houses (including a pair of semi-detached properties) are indicated to the south, immediately beside the ten affordable house development which is the subject of the next item on the agenda (Reference 2015/0394/DET) A final block of housing is indicated in the southern part of the site, immediately south of the “village green” area and to the north of Revoan Drive and Beachan Court where four pairs of semi-detached houses and another block of four flats are indicated. The flats are shown as sitting to the west of Beachan Court and the north of Revoan Drive. The indicative housing mix can therefore be summarised as ten plots, twenty residential units (semi-detached), twelve residential units (flatted) and one further plot.
11. Creation of this development will involve considerable changes to ground levels to accommodate the new road network and drainage infrastructure. Site sections have been submitted to show how the various ground level changes will be handled. Changes in levels involving up-filling some areas by up to three metres, for example the new road, along with some areas to accommodate plots. The level changes also involve cutting into other areas by around three metres, for example in the western part of the site where the new plots are proposed and in the centre of the site beside the village green area. The applicants have also provided an annotated drawing to show how cut and fill

operations may take place in order to demonstrate that existing soil can be used and redeployed on site. This plan is indicative only and if approved it is the detailed site sections that would be followed. All these plans are included in **Appendix I**.

12. A network of paths is proposed through the proposed layout to form links to the woods to the west through the open space/village green area, as well as a path winding behind the new housing area and the Dulaig which will also connect up to a proposed development for ten affordable houses to the south which is the subject of the next item on the agenda (2015/0394/DET). Links to existing paths, formal and informal, are also proposed at Revoan Drive and Beachan Court. It is proposed that the new paths will be 1.5 metres wide with compacted crushed stone dust surface, with details of future maintenance provided.
13. In terms of servicing, connection is proposed to public water and drainage supplies with surface water to be treated by means of a sustainable urban drainage system (SUDS) This SUDS system is proposed to take the form of two attenuation ponds which will deal with surface water from the site.
14. The north western part of the site, comprising five plots, will drain to pond 1 located to the west of Revoan. Surface water is proposed to be conveyed via a wide swale leading southwards to the attenuation pond through ground to the west of Revoan, where a service access track to the pond is also proposed. Surface water will be attenuated in this pond before being discharged to the Kylintra burn where it runs alongside Seafield Avenue. From here the burn runs below the drive of Revoan through a culvert. The pond design incorporates various levels within it to allow for permanent pool with aquatic bench plus capacity for retention of water in higher flows and to maximise biodiversity benefits.
15. The surface water from the rest of the site along with the proposed ten affordable house development to the south (2015/0394/DET) and the main access road, will drain to pond 2 to the east of Revoan. This will lead into a swale alongside the new access road from Seafield Avenue before discharging to the SUDS pond. Water will be attenuated here before discharging via a swale to the Kylintra burn, which crosses the site to the south of the pond. Similarly to pond 1 the design incorporates permanent pools (two) with aquatic bench plus capacity to retain water in higher flows, which will also maximise biodiversity benefits. Maintenance access to this pond will be formed from an existing gate opening onto Seafield Avenue. Details of the two proposed ponds and the areas they will serve are included in **Appendix I**. A cut off drain is also proposed leading along the east of the site to deal with any overland surface flows.
16. It was initially proposed to erect one of the SUDS ponds (SUDS pond 2) on the existing sloping embankment to the immediate east (Seafield Avenue) side of the proposed new house sites. Following consideration of concerns raised by consultees and contributors on landscape, flooding and design grounds this pond was re-designed and relocated as described above.

17. Directly to the south of the application site is a proposal for ten affordable houses (reference 2015/0394/DET). This application is linked to the current case as it seeks to share the new access road for construction and also to use the proposed SUDS system for disposal of surface water. It is also proposed that this accompanying ten house application will provide part of the affordable housing required for the current case.
18. The current application is a “major” application as defined by the Scottish Government’s hierarchy of developments due to the size of the site. This type of application requires to be accompanied by particular information and also is required to be the subject of pre application consultation with the community.
19. A number of supporting documents have been submitted as follows:
20. Design and Access Statement – required for all major planning applications under the terms of the Development Management Regulations. This outlines how the layout evolved, seeking to minimise long cul-de-sacs, and forming a loop road around the village green feature with access roads seeking to follow contours where possible and to increase permeability within the site. The Statement stresses that the housing layout is indicative with a design guide provided setting out some basic principles including the need to avoid deep exposed underbuilding and excessive retaining wall, with houses to be no more than 1 ¾ storeys high. Guidance on finishes is also included, intended to complement housing in the area, along with guidance on boundary enclosures to try and retain an open aspect.
21. Pre-Application Consultation (PAC) Report – this is also required for all major planning applications in order to set out how statutory pre- application consultation with the community has been carried out and incorporated into the design. The pre-application consultation in this case encompassed proposals for both this application site and the site directly to the south for ten affordable units. The pre-application consultation report covers other site even though it is not by definition a major application. An all-day community engagement event (12 noon to 7 pm) was held in the YMCA community centre Grantown in June 2013 on initial proposals taking access from Beachan Court to the south. The community council were invited to the event. Ten feedback questionnaires were completed and public reaction did not favour the proposal for access via Beachan Court. The development was amended to propose a new access from Seafield Avenue for the majority of the designated site. The amended scheme was the subject of further public consultation and a public event was held in April 2015. Six feedback questionnaires were returned. The PAC report summarises comments received, the applicants’ response and also contains copies of all feedback forms.
22. Phase I Habitat Survey and National Vegetation Classification Report - this concludes that the vast majority of the site is semi-improved acid grassland, which is in part used by grazing horses. The majority of the remaining area comprises marshy grassland. A dry stane dyke, which supports species not evident elsewhere on the site, was noted as running from north to south across the site. Mature and young suckering aspen were also noted on the site. The

survey concludes that these were locally important only. The aspen and dry stane dyke were assessed as being of the greatest biodiversity importance with opportunities to protect and enhance the suckering young aspen as part of strengthening the potentially important aspen corridor around the site.

23. Scabious Mining Bee Survey – as this rare bee was previously found in an adjacent area (Mossie) on the other side of the public road, a survey was carried out on the application site at the request of the Cairngorms National Park Authority (CNPA). None of these bees were recorded during the surveys, which were carried out during July – September 2013 in ideal conditions.
24. Ornithological Survey - which found recorded ground nesting species in the marshy land in the northern part of the site namely lapwing and one pair of nesting oystercatchers. It recommends that any development related activities in the Spring pays special attention to avoiding disturbance.
25. Protected Mammal Survey – was initially carried out in February 2014 and included surveying for signs of badger, wildcat, red squirrel, pine marten, otter and water voles, and a bat roost survey also carried out. The surveys concluded that there were some potential badger snuffle holes in the woods to the north-west which were so heavily mixed with dog signs as to be indistinguishable. There was some evidence of pine marten presence in the woodland buffer to the west. It was therefore concluded that the proposed development site was not an important area for any protected mammals. It was however recommended that as otter are highly seasonal they may use the Kylintra Burn seasonally and therefore pre-construction surveys are undertaken if the development were to go ahead.
26. A further updated mammal survey was sought by CNPA Officers given the time lag since this original study. This was undertaken in May 2016. This study evidenced that there was otter using the area along the Kylintra Burn, although no evidence of otter holts or resting places was found. An Otter Species Protection Plan was duly provided. This Plan detailed mitigation measures to ensure that there was no harm or disturbance to otters in the area. The mitigation measures proposed included: the design of culvert over watercourse to facilitate safe passage by otters, pre- construction otter survey to be carried out, toolbox talks to construction staff by Ecological Clerk of Works, construction method statement, control of lighting to avoid spillage into Kylintra Burn, providing a means of escape on excavated areas, and restricted working hours in vicinity of areas used by otter.
27. Landscape Scheme and Landscape Maintenance and Management Information- providing full details of planting, paths and future maintenance.
28. Tree Retention Plan – showing protection of trees and their root protection areas within and around the development site by protective fencing.
29. Estimate of bedspaces/persons for Impact on Capercaillie Assessment - a short note to illustrate likely potential occupancy levels of concluding total of around 106 adults and 115 children.

30. Flooding and SUDS Statement - confirms that surface water from roads and hardstanding areas will be treated by attenuations (through two attenuation basins) with controlled discharge to the Kynintra Burn which flows through the site. This discharge will be at a rate to match the equivalent greenfield run off discharge figure. The Flood Risk Assessment was updated to take account of comments made by consultees.
31. Transport Assessment – considers the transport impacts of the proposed development. This concludes that the existing public road network and junctions are sufficient to accommodate any additional traffic from the development. It also concludes that the development site is readily accessible by alternative traffic modes, including public transport, and will be designed to help support reduction in reliance on cars including the provision of footway links to Beachan Court/Revoan Drive and the provision to new residents of a Travel Plan promoting public transport services.
32. Construction Phase Health and Safety Plan - containing standard information about site practises.

Processing of Application

33. The application was advertised when first submitted. It was re-advertised with all parties who made representations and all notifiable neighbours re-notified in July 2016 when further information including material on drainage, flooding, landscaping and environmental surveys was submitted for consideration in response to consultation and CNPA Officer comments, as well as comments from contributors. As this documentation was considered to be “material” to the consideration of the application it was considered necessary to afford the public the opportunity to comment further.
34. Following further consideration of the submitted material by consultees, further information relating to more specific points of detail on landscaping as well as issues relating to final ground levels and details of the drainage and flooding issues was required. This was submitted in August 2016. Interested parties who had provided comments on the material to date were advised of this additional material to establish whether this addressed their previous concerns or if they had any other comments to make specific to the new material. A shorter time period for commenting was afforded, with comments to be related solely to this new material. Key consultees were also afforded the opportunity to comment further as necessary.

History

35. There has been considerable pre -application discussion on this case with the applicants seeking pre application advice through the Highland Council’s Major Application Meeting Service. CNPA officials attended the pre-application meeting and provided advice which was collated, along with advice from other consultees, by the Highland Council planning officials. This identified key

information requirements, policy issues and matters to be addressed with any future application. This discussion related to a wider site encompassing the ten house application site to the south and the applicants were advised to submit a single application covering the entire site and developments for ease of processing. The Highland Council also confirmed that an Environmental Impact Assessment would not be required in this case.

36. An application was first submitted for this development in December 2015 and this was called in for determination by the CNPA (Reference 2015/0402/DET). However that application was not accompanied by the statutory information requirements for a major application and was withdrawn. This led to the submission of the current case.
37. A separate application is also pending decision for the erection of ten affordable houses to the south of this current application site and this is the subject of the next item on the agenda. (Reference 2015/0394/DET).

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014. Also relevant is Scottish Government policy on Designing Places and Designing Streets.	
Strategic Policy	Cairngorms National Park Partnership Plan 2012 – 2017	
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	
POLICY 8	SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	X
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER CONTRIBUTIONS	X

39. 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/LDPI5.pdf>

40. Part of the application site is designated for housing in the LDP settlement statement for Grantown on Spey as HI. This designation includes the land to the south which is covered by the accompanying planning application for ten houses. The land to the north adjoining Seafeld Avenue is not included in the HI designation, but lies within the settlement boundary. This is the land which is proposed to accommodate drainage ponds, access track and landscaping with no new houses proposed on this land. A copy of the settlement statement is attached as **Appendix 2**.
41. The HI designation states as follows:
- “Beachen Court – this site has capacity for around 50 dwellings. The site is known to be used by wading birds and would require more detailed survey to establish the ecological importance of the site and the impact of any development. The Kylintra Burn runs along the North West boundary of the site. SEPA holds records of flooding associated with the burn. A flood risk assessment is likely to be required to support any development proposals.”
42. Related to this HI designation, a Development Brief has also been approved which covers the site. This brief sets out the design principles, constraints and key issues to be considered when developing the site. It is attached as **Appendix 3**.
43. The LDP Settlement Statement for Grantown on Spey also highlights the importance of maintaining the visual permeability of the settlement and replicating this in new development. The need to ensure that any planning applications are supported by sufficient information to consider impacts on formal natural heritage designations on land around the settlement such as the Ancient Woodlands which surround the village, the River Spey Special Area of Conservation and SSSI, and the Anagach Woods Special Protection Area is also highlighted.

Planning Guidance

44. 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	
Policy 8	Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	X
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance	X

CONSULTATIONS

45. A summary of the main issues raised by consultees now follows:
46. **Transport Scotland** has no adverse comments
47. The **NHS** were consulted in relation to any potential impacts on health services arising from the new development. Despite reminders no response has been received and it is therefore assumed that they have no comments to make.
48. **Scottish Water** were asked to advise on the capacity of public drainage and water supplies to service the development. Despite reminders no response has been received and it is therefore assumed that they have no comments to make.
49. **Scottish Natural Heritage** has noted the respective roles of the CNPA and themselves as set out in the casework agreement, highlighting that the CNPA will lead on landscape impacts, non-designated natural heritage interests and outdoor access whilst SNH will lead on implications for Natura sites and SSSIs. They have concluded that whilst there are natural heritage issues of international importance which could be affected by the proposal it is considered that these interests will not be adversely affected providing mitigation is implemented to avoid sedimentation or pollution of the Kylvetra Burn and hence the River Spey.
50. They have noted that the site lies close to the River Spey SAC designated for Atlantic Salmon, freshwater pearl mussel, otter and sea lamprey, and to the Anagach Woods, Abernethy Forest, Cairngorms, Craigmore and Kinveachy Woods SPAs designated for their capercaillie interest. Accordingly, the CNPA is required to consider the effects on these sites through a Habitats Regulations Assessment (HRA).
51. In respect of the River Spey SAC, SNH consider that providing the works are carried out in accordance with mitigation related to protection of the water environment then an Appropriate Assessment of likely significant impacts will not be required. In respect of the capercaillie SPAs they consider that if part of the capercaillie population using the Anagach Woods were to be negatively affected then the conservation objective of all these SPAs could be affected. Consequently, they advise that the CNPA should carry out an Appropriate Assessment of the impacts. SNH have highlighted that they consider that the proposal will not adversely affect the integrity of the SPA site, based on their view that there would be a small increase in recreational usage of capercaillie woodlands, which would follow existing patterns of use and not result in significant disturbance to capercaillie.
52. Finally, SNH initially noted that they recommended at the pre- application stage that a recreation management plan be submitted with any application to address the impacts of extra people on the capercaillie population. However, they have now confirmed that this plan is not required.

53. **SEPA** initially advised that they had no objection to the application on flood risk grounds providing a condition was attached, or other mechanism as considered appropriate by the Planning Authority, to ensure that the proposed access road and landscaping did not result in an increase in ground levels within the functional flood plain.
54. It was considered necessary by CNPA staff to ensure this requirement is demonstrated before the application could be properly considered and further information was sought. SEPA also highlighted at this stage that the hydrology methodology used within the Flood Risk Assessment should have considered snow melt and accurately estimated flows, although the Agency accepted that due to the height of the land for housing development compared to the burn there was no flood risk to the new housing.
55. Following on from this there was further discussion between SEPA and the agents/engineers who provided the agency with further information on their hydrological modelling methods. Additional material was submitted, but SEPA considered that this lacked clear information on landscaping and potential loss of flood storage to the west of the burn and highlighted the need to provide an updated Flood Risk Assessment.
56. Further discussion took place between the agents, SEPA and the Highland Council Flood Risk Management Team which led to the submission of the final package of revised materials submitted by the applicants in August 2016, including re-design of the SUDS ponds, provision of site sections and updated Flooding and Drainage Statement. SEPA were formally re-consulted on this material and have confirmed that they have no objections to the proposals and do not require any planning conditions to be attached. They have further noted with regard to the road culvert that the top of the culvert is 219.16m AOD which is above the design flood level and is unlikely therefore to cause significant restriction of flows.
57. **The Highland Council Flood Risk Management Team** objected on the grounds of lack of information on flood risk on the original proposals. This related to concern regarding the introduction of a new access road in the existing flood plain and the need to ensure that any loss of flood plain storage was adequately compensated for. They requested further information regarding how run off would be dealt with to ensure protection of lower lying properties beyond the Dulaig and that the access track to the Dulaig was at a sufficient level to act as a barrier to flood flows on this eastern site boundary. They recommended that there should be further consideration of any “betterment” to the existing situation by way of reducing the risk of fluvial flooding/overland run off affecting properties at Rhuarden Court, for example, providing additional capacity in the flood storage area to hold back flows. They also sought clarification of a number of matters, including the need for calculations to make a 20% allowance for climate change and raised concern regarding the design of the SUDS pond on an embankment.
58. Following discussion and submission of interim material, the Team advised that a cut off drain should be installed between the proposed houses and the existing

houses on the southern and eastern boundaries to prevent overland flows from the site affecting existing properties. They advised that supporting calculations would be required at the detailed design stage to demonstrate that the 1 in 200 year event could be contained within the site, discharge rates attenuated to greenfield run off rates and an allowance for 20% accommodated within the drainage design for climate change, along with details of the person/company responsible for inspection and maintenance of SUDS infrastructure.

59. Further discussion took place between the applicants, their engineers, the Flood Team and SEPA and this led to the submission of the final package of revised material which involved re-design of the SUDS ponds and provision of site sections and updated Flooding and Drainage Statement. The Team advise that the applicants have now provided them with the supporting micro drainage calculations which detail how the network and SUDS basins have been designed. They are satisfied that the design is robust and that run off rates are no greater than the pre-development run off rates whereby there is no increased flood risk to fluvial flooding from the SUDS basins. Indeed they consider that the additional storage volume provided in the basins will provide betterment. They also accept the climate change allowance incorporated into the design and note that the applicants have advised it is their intention to request adoption of the SUDS by Scottish Water. They are pleased to note that a maintenance schedule will be put in place until adoption is complete.
60. The Team have confirmed that they support the application subject to planning conditions being attached to cover the installation and operation of the cut off drains prior to construction work starting on the areas which they serve; all compensatory flood storage works to be installed and operational before the access road is used for construction; and also ensuring that the ongoing maintenance of the SUDS scheme is secured. They have also advised following discussion with CNPA and Highland Council Roads Officers that a condition should be attached, as suggested by Roads Officers, requiring further detail to justify that the culvert under the drive of Revoan can deal with surface water SUDS pond 1 prior to construction of that pond.
61. **The Highland Council (Transport Planning Team)** advised that they had no objection to the original proposals subject to planning conditions being attached. Areas to be covered by planning conditions included the need for a traffic management scheme to be approved and implemented to refresh existing parking restriction traffic signs and road markings at the eastern end of Seafield Avenue in the vicinity of the junction with the High Street and the Coop store. This scheme to include “keep clear” road markings on Seafield Avenue across the mouth of the junction with the side road that runs along the front of the Coop. The scheme was considered necessary to mitigate impacts from construction traffic and additional traffic, and to ensure the effective operation of this junction.
62. The Team also required conditions to ensure adequate visibility at the new junction onto Seafield Avenue was provided with existing vegetation trimmed back. With regard to the internal roads layout the Team welcomed the traffic calming proposals, but sought further detail on this aspect through condition to

ensure that adequate forward visibility around road loops was provided. Similarly the non-vehicular connection through to Beachan Court was welcomed as a way to encourage greater non-car connectivity to surrounding developments in addition to allowing for emergency access. Details of the design would however require to be approved. The provision of combined walking and cycling path was also welcomed together with path links through the site, all of which should help promote more cycling and walking trips. The requirement for a footpath link on the south side of Seafield Avenue was considered essential and should be secured by condition.

63. The Team also highlighted that adequate car parking, bin storage and cycle parking storage should be provided throughout the development. In terms of public transport the Team required that welcome packs for all residents be provided giving details of public transport timetable and maps showing key walking and cycling routes together with improvements to enhance the waiting environments at the closest existing bus stops such as provision of new bus shelters or real time passenger information displays. They further highlighted the need for all construction traffic (for adjacent affordable site also) to take access via the new access point onto Seafield Avenue for road safety purposes and that a Construction Traffic Management Plan be required. Numerous queries, in common with other consultees, were raised regarding the initial SUDS design.
64. On submission of additional material the Team largely repeated these points, but highlighted an objection to the application until such time as points raised by the Flood Team were clarified and addressed. This was because these matters were considered to relate directly to roads issues in terms of roads drainage and also the fact that roads were proposed for public adoption. They raised technical issues relating to design and maintenance of SUDS and roadside swales.
65. Having now considered the final package of material provided by the agents in August 2016, the Team advise that they have no objections to the application subject to the Council's Flood Team being satisfied with the proposals from a flooding and drainage perspective. They do however seek that a number of planning conditions be imposed to ensure delivery of the various road improvements and requirements as outlined earlier.
66. This includes a recommendation that a condition be attached relating to the fact that SUDS pond 1 discharges into the existing Kylintra Burn north west of the driveway to Revoan and this driveway contains a culverted structure. It is important to establish that this existing culverted structure is adequate to accommodate any anticipated additional surface water flow discharges and a condition is recommended to this effect. The Transport Team also recommends that a condition be imposed regarding ownership and ongoing maintenance of the SUDS scheme.
67. **The Highland Council Forestry Officer** advised on the original submissions that a tree protection plan was required to demonstrate how retained trees would be protected during construction. The Officer also noted that, whilst

welcoming the good strong bands of tree planting indicated on plan, further details of species and size of planting stock would be required. A detailed landscape scheme and tree protection plan has now been provided and the Forestry Officer re-consulted. The Officer advised that the landscape plan was welcomed, making some recommendations regarding avoiding larger growing species being located too close to housing.

68. The Officer's comments on the final package of information are awaited at the time of writing.
69. **The Highland Council Housing Service** was consulted in relation to housing needs and the delivery/demand for housing in Grantown. They have now confirmed in relation to the accompanying ten house application to the south (Reference 2015/0394/DET) that this will comprise entirely affordable housing being a mix of shared equity and rental units. They also confirm that these ten units are to be viewed as part of the 25% affordable contribution for the overall scheme. Accordingly, of the total fifty three units across both sites combined, there will be delivery of ten units by the Highland Council leaving a further three to four units to be delivered in later phases to meet the 25% requirement.
70. **The Highland Council Historic Environment Team** advises that the proposed development may impact on valuable features of historic and archaeological importance whereby an archaeological evaluation is required before development commences, recommending that a condition be attached to this end. The Team have provided a detailed brief to assist in carrying out this evaluation. The work will involve a desk based assessment followed by open area trenching with the evaluation report then making recommendations for any further work to record any features, as well as provision of a programme of post-excavation analysis of all recovered artefacts and ecofacts, with results incorporated into a final reports.
71. **Highland Council Community Services and High Life Highland** were consulted in relation any potential impacts on local services arising from the new development. High Life Highland has commented that whilst they are in favour of the proposed development, it may put pressure on the leisure centre in terms of capacity, equipment and parking. They have advised that at present there is insufficient parking provision to service the existing Leisure Centre, and the provision of further parking is currently being investigated as is the provision of further multi-purpose studio accommodation within the leisure facility to cater for increasing demands. This project is being identified in the Highland Council's future capital budget. Further information on these projects has been sought by CNPA Officers but to date no further information has been provided from Community Service/Property to clarify if there are any proposals programmed or if the proposed new development will in itself generate a need for further capacity or the needs relate to existing pressures.
72. **CNPA Landscape Officer** has highlighted that the key interests affected by this development are the landscape character, streetscape and local amenity of the planned settlement and conservation area here as well as the visual amenity

of residents. The Officer noted that the prominent steep slope east of the development is largely unaltered apart from the new access road, with existing trees retained and new planting proposed which will contribute to the character of the area.

73. The Officer concluded that, given careful attention to the engineered slopes, SUDS, and the detail of the landscaping, the proposal had potential to complement the landscape character of the area and contribute positively to the character and amenity of the settlement in the longer term. Further information was sought on the initial submission relating to detail of landscape scheme, maintenance, use of central green space, design of access road, and drainage proposals with concern expressed regarding the original proposal to design a SUDS pond on the embankment. The need to minimise under-build on new plots was highlighted and advice provided on boundary enclosures.
74. Following further discussion and consideration of additional material including material on cut and fill proposals the Officer highlighted the need to provide clear sections across the new road and site so that impact could be fully assessed. Advice on species for landscaping and detail of the SUDS pond was provided.
75. A complete package of information submitted to address these and points raised by other consultees was provided in late August 2016 and the Officer duly re-consulted. The Officer now confirms that the sections demonstrate that there will be steep sides to the village green area which will reduce the amount of useable space and recommends that the landscaping be amended to relocate some planting here onto the steeper sides so that a useable green is provided. The Officer also states that whilst it is appreciated that there is a need for considerable cut and fill operations to provide the road network the sections illustrate a distinctly stepped and artificial-appearing profile and less contrived topography would be beneficial in landscape terms. It is therefore recommended that prior to works commencing on site, a contoured site plan is produced that accurately shows final cut and fill profiles that are gentler and more natural in appearance. For clarity the landscape proposals should also be shown on this contour plan.
76. Otherwise, the Officer welcomes the changes to the SUDS pond design which are now considered to be a good landscape fits. Finally, it is noted that landscape information should make it clear that advice on any dangerous trees is sought from either the Highland Council tree Officer or a qualified arboriculturalist not the CNPA.
77. **CNPA Ecology Officers** assessed the initial submission and identified that the loss of semi-improved grassland was considered to be of local value only, with the consequent impact not being significant. As aspen and marsh habitat was to be retained and no mature trees lost there were considered to be no significant impacts resulting from the development. The retention and potential for careful management of these areas were considered to offer mitigation and enhancement opportunities in line with pre- application advice. Advice was provided on the type of information required to enhance the habitat value.

78. The provision of green space throughout the development was welcomed as providing key corridors for wildlife movement. The need for further detail on planting was highlighted to ensure that biodiversity potential was maximised along with the need to enhance habitat for bats by providing roosting opportunities where currently there are none, e.g. incorporating bat bricks into the development. Similarly nesting opportunities for birds to be promoted through use of bird boxes.
79. Key impacts were considered to relate to the potential for impacts on the Kylintra Burn within the site which feeds into the River Spey SAC. The need to reconsider the design of the SUDS ponds to improve water quality, amenity and biodiversity was highlighted, with the original design relating to simply detaining water flow as opposed to retaining it and holding back silts and sediments in a more natural manner.
80. Officers concluded that the proposal sought to avoid areas of highest biodiversity value and designated a significant proportion of the site for green space which was welcomed. They considered that with careful management and planting the proposal had potential to provide ecological benefits. Furthermore, Officers highlighted the need for an updated protected mammal survey to be provided, along with detailed landscape scheme and revised design of SUDS ponds.
81. Following consideration of these comments and a meeting to discuss SUDS design revised plans were submitted together with an updated mammal survey which found that otter were using the Kylintra Burn. Officers provided further comments on detail of the landscape scheme, maintenance, SUDS design and footpaths, given that good quality footpaths were essential to ensuring ready access for residents to Beachan Woods. They also sought submission of an Otter Species Protection Plan. Detailed advice on requirements was provided including the need to provide an otter ledge within the culvert design where the new road crosses the burn.
82. A complete package of information was submitted to address these and points raised by other consultees were provided in late August 2016 and Officers duly re-consulted. The Officers now confirm that all the advice they had provided has been taken on board subject to the Tree Retention Plan being amended to show retention of mature trees beside the dyke which crosses the site; the Otter Species Protection Plan being referenced in any Construction Method Statement; and any pre-construction checks for otter being provided to the CNPA prior to work commencing on site.
83. The Heritage Team also undertook a Habitat Regulations Assessment (HRA) in respect of the impacts on capercaillie as a result of the increase in numbers of recreational users in the area and this is attached as **Appendix 4**. This considered the combined impacts of this application for 43 houses along with the accompanying case for ten affordable houses to the south (2015/0394/DET) It initially screened the impacts on Natura Sites, namely the River Spey SAC and the various Special Protection Area (SPA) woodlands in the area, these being

Anagach Woods, Craigmore Woods, Abernethy Forest, Kinveachy Forest and Cairngorms SPAs. The HRA concluded that there would be likely significant effects relating to the potential for increase in recreational use of the Anagach Woods and potential for increased level of disturbance to capercaillie, with indirect effects on the other woodland SPAs if there was a reduced dispersal of birds from Anagach into these woods. There was also considered to be likely significant effects on the qualifying interests of the River Spey SAC arising from potential run off and pollution during construction into the Kylintra Burn and also potential disturbance to otters using the burn.

84. Accordingly, an Appropriate Assessment of the likely significant effects was carried out. In relation to the SPAs, the assessment work anticipated that most residents would use the nearby Beachan and Dulicht woods for recreation along promoted paths, with the development making provision to connect to these paths. Whilst there will be an increase in the use of the Anagach Woods by residents (around 5%) it was considered that this would not lead to increased disturbance to capercaillie above existing levels, with no adverse effect on capercaillie predicted. In respect of the River Spey SAC it was concluded that additional mitigation by way of a site specific Construction Method Statement was required to ensure that there was no pollution and siltation of the Kylintra Burn and ultimately the River Spey during construction.
85. **CNPA Economic Development Manager** notes that the combination of an increasing population, increasing house prices, a high proportion of second homes and a high dependency on seasonal tourism jobs creates a serious issue for the long term economic sustainability of a small community such as Grantown on Spey as it can encourage population drift which usually leads to a more elderly and less economically active population. The Officer also notes that the lack of affordable housing can also impact on the ability of local businesses to recruit people of working age to live in the area. This has been identified by local businesses as a significant barrier to recruiting and retaining skilled staff and therefore a barrier to investment.
86. The Officer concludes that although the current application does not contain areas devoted to economic development, any sizeable housing development in the National Park has inherent economic benefits in terms of short term benefits to contractors at construction stage; benefits to local employers through provision of affordable housing; and benefits to local businesses and services through increased demand for goods and services. It is also recommended that further economic activity be encouraged by providing housing that has integrated flexibility for home-working and by providing high speed fibre broadband connections.
87. **CNPA Outdoor Access Team** welcomed the inclusion of paths linking the development to the wider path network to the west, and to paths linking Beachan Court and Revoan Drive, but sought more information on the construction, design and future maintenance of all paths to ensure that they would be of good quality and function properly. Following receipt of additional material they have now confirmed that this material is acceptable. They do not, however, consider that spraying of paths is a suitable maintenance method as

this will look unsightly as vegetation dies back. They recommend strimming instead to provide a more visually pleasing aspect.

88. **Inclusive Cairngorms** has commented, highlighting their comments relate to the Transport Assessment (TA.) They note that they do not favour shared surfaces as these can be dangerous for people with visual impairments and learning difficulties as well as wheelchair users. They recommend that some form of delineation to separate traffic and pedestrian areas be used such as corduroy paving highlighting the need to design the development for the safety and needs of the elderly.
89. They further highlight that the reliance on communal parking referenced in paragraph 2.10 of the Transport Assessment will compound this issue of shared surfacing as on street parking will be the only option available for visitors.
90. Note: in response to this point the agents advise that whilst there are speed calming narrowing features the adopted roadways are not shared surfaces, but rather 2 metre footpaths throughout. Rubble strip and dropped kerbs will be incorporated as standard whilst visitor parking on the street is considered advantageous, helping to reduce traffic speeds.
91. Finally, they highlight that the TA notes that there are regular train services from the nearest station in Carrbridge, although the first three trains travelling south do not stop here. This situation needs to be reflected accurately in any residents' travel plan/welcome pack.
92. **Grantown Community Council** has raised concerns regarding flooding, overdevelopment, road layout and traffic issues. Whilst highlighting that they are not in a position to comment on the flooding and SUDS statement, they have seen plenty evidence of the results of flooding, noting that the application site area is known for its wet nature with serious restricted flowing issues on the burn itself. They also highlight the congested nature of Seafield Avenue, with use increased by the caravan site, proposed care home, the Pagoda and future plans for railway station, raising concern that this whole picture of usage has not been fully considered. Furthermore, they highlight the need to respect privacy of neighbours noting that an adjoining resident has raised valid points which should be fully considered. A copy of their comments is attached as **Appendix 5**.

REPRESENTATIONS

93. The application was advertised on receipt by the Highland Council and six letters of objection were submitted attached in **Appendix 6**. Following receipt of additional material on July 2016 the application was re-advertised, with neighbours and all contributors re-notified. This led to the submission of a further six objections (four from existing objectors and two new contributors) also contained in **Appendix 6**.
94. Following ongoing discussion with consultees a final package of additional material addressing primarily drainage, flooding, landscaping and ground levels

issues was submitted and contributors were invited to view and make any additional comment on this material in September 2016. This led to the submission of a further representation from a party who objected on the two previous occasions. This party has advised that their previous comments may now be superseded by this final detailed objection and this final objection is included in **Appendix 6**.

95. Three parties have requested to be heard at Committee.
96. The main points of concern are summarised below:
 - a) Traffic congestion – Transport Assessment is inadequate and underestimates existing traffic and congestion with unrepresentative dates and times selected for the baseline evidence, with no consideration of other proposed traffic generating developments in the area such as expansion of caravan site, approved care home and potential railway station. Proposal by Roads Service for traffic management scheme will displace parking congestion elsewhere and is not a long term solution. Potential solutions would involve providing more parking for the Coop or in the longer term re-siting it, or the creation of a new access for the western end of Seafield Avenue and the caravan park.
 - b) Nuisance – from noise and illumination associated with increased traffic, as well as potential for domestic waste being deposited in rough land to North West of site.
 - c) Allotments – residents in Grantown have been seeking to establish allotments in the town and the proposed development is likely to increase this demand. The opportunity should be taken to help secure allotment provision either through on site provision or through developer contribution to off-site provision. An objector further notes that comments made by the developers are that they do not consider it appropriate to provide allotments on site as there is ample open space provision as well as access from the site to other open space in the wider area. The applicants' indication that they would be prepared to contribute to off-site provision if this was considered necessary as developer contributions is welcomed but raises issues of how this will be calculated and delivered.
 - d) Detrimental impact on character and amenity of area, including upon the Caravan site which is an attractive facility attracting visitors to the town
 - e) Loss of residential amenity –as a result of up filling of land of up to 5 metres near Revoan Drive. Proposals to up fill land here is contrary to development in area to date which has worked with slopes, and to the applicants' own design guide. This will be exacerbated if proposed developments exceed 1 and $\frac{3}{4}$ storeys high. In addition concern is raised regarding loss of amenity and view as a result of new development to rear of Revoan.
 - f) Cut and fill – lack of clarity on proposals and thus impacts on adjoining properties. On receipt of more detailed information concern is raised regarding impacts on adjoining properties from proposed land raising of up

to 2 metres to west of the Dulaig in terms of both loss of amenity and flood run off. To mitigate flood risk the proposed cut off drain should be installed prior to ground works. Concern is also raised regarding extent of up fill to south west of Beachan Court and cutting into land for plots 1-6, such works are incompatible with existing housing and landscape. Significant inconsistencies between cut and fill drawing and cross sections so not clear what is to proceed on site.

- g) Adverse impact on wildlife and habitats- including impacts upon capercaillie (as a result of increased recreational and dog walking use of Anagach woods) amphibians, waders, bats and otter. Also from loss of habitat for existing wildlife using site that will be displaced and impacts upon marshland, flower and fungi rich grassland
- h) Mitigation for loss of habitat – recommend that Mossie area (which is under the same ownership) be established as local nature reserve to compensate for loss of habitats and that existing trees on site, including aspen, be retained.
- i) Road safety concerns – existing roads network and pavements are inadequate and this will be exacerbated by proposed use
- j) Impacts on existing trees around site – conflicting plans of road layout presented with risks to adjoining tree roots. Similarly the proposed cut off drain will impact on tree roots.
- k) Road link to Beachan Court – insufficient detail on how through vehicular access will be prevented.
- l) Construction Road – no detail provided on new construction access.
Note – the proposed new access road from Seafield Avenue is intended to be the route for construction vehicles.
- m) Pre Application Consultation report – does not reflect concerns raised by residents at pre application stage.
- n) Design and Access Statement – provides insufficient design guidance for a development within a National Park.
- o) Flooding and Drainage issues – proposal will exacerbate existing flooding problems at Seafield Avenue, and downstream flooding risks at Rhuarden Court, does not take account of snow melt and existing restrictions to flows, with adverse impacts on capacity of existing functioning floodplain. Also, there is the potential to create flooding issues at Revoan. Flood Risk Assessment is considered to underestimate the flood risk and is inadequate. This concern is repeated following on from submission of additional material with concern raised that there has been inadequate consideration of (a) sizing of SUDS ponds to take account of climate change and other uncertainty as requested by SEPA - 40% flood sensitivity (b) of flows into Rhuarden culvert (c) overtopping of culvert under Revoan driveway (d) effect of groundwater on flood plain and other calculations on flood plain impacts (e) inadequate provision for future maintenance of SUDS scheme and (f) lack of clarity on

ground re-contouring in flood plain. Photographs have been provided to illustrate existing flooding issues on, in immediate vicinity of, the site.

Need to ensure that access road and compensatory works (to ensure no loss of flood plain) are carried out before construction vehicles access higher part of site is highlighted to avoid any loss of flood plain capacity.

- p) SUDS - concerns regarding original design of SUDS pond on slope with adverse ecological impacts and concerns regarding inaccurate information and conflicting drawings submitted.
- q) Meeting Request - made that consultees, applicant and CNPA meet with objectors to resolve areas of concern prior to determination at Committee.
Note: in this regard it is not considered necessary to hold such a meeting given that consultees are satisfied with information submitted and the CNPA Planning Committee will be considering all matters in full prior to determination.
- r) Inadequate public water supply- insufficient pressure in existing system at present.
- s) Utilities – no information is presented to confirm that utilities such as electricity and water supply can be provided. This is particularly important given Scottish Water’s comments on previous applications (care home) where they advised that a flow and pressure test was required
Note: It is the applicants’ responsibility to secure utilities through the providers
- t) Landscape scheme – requires to be ecologically coherent using native species with planting on marshland and former river terrace slope to be avoided. Initial submission did not contain details of landscaping proposals with plans inconsistent with other site layouts. No clear details of future maintenance provided.
- u) Economic and Need Issues – there is no economic case for this level of housing in Grantown based on existing population growth estimates and no evidence of need for more private housing. This could result in the development remaining incomplete whereby an independently verified financial viability statement for the development should be sought.
- v) Type of housing – scale of housing is not necessary to meet population growth in Grantown therefore the majority of houses will become holiday lets or second homes. Occupancy should therefore be controlled to avoid issues of anti-social behaviour and noise associated with this type of housing.
- w) Affordable housing provision –should not be delivered by open market housing.
- x) Poor quality of submission – with numerous iterations of material resulting in confusion and work for contributors is not considered to be acceptable.
- y) Proposed new path links – path to west of the Dulaig is unnecessary, inadequately overlooked thus creating security and safety risks. Similar concerns if pathway to south of the Dulaig were re-opened.

APPRAISAL

Principle

97. The general principle of housing development in this area is well established by the Local Development Plan (LDP) designation under HI which allocates this site for residential development. Whilst the HI allocation does not include the northern part of the application site on either side of Revoan, this land is being used to service the development in terms of access and SUDS and will largely retain its open aspect. There is not therefore considered to be any conflict with the designation in principle with this land lying within the designated settlement boundary in any event.
98. 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 LDP policies such as those covering servicing, design, layout, landscape and natural heritage.
99. Accordingly the principle of developing this land is welcomed and it is not considered necessary, given this designation, to revisit the need or economic case for housing development of this scale in Grantown on Spey. This need was established when the land was designated and the development brief for the site developed.
100. The development is not considered in principle to constitute an overdevelopment of the site, particularly given that the allocation within the Settlement Statement for HI, which is smaller than the application site, refers to 50 units. The layout and design, as detailed in this report, details a scheme comprising a mix of plot sizes, garden space and a generous open space provision.
101. For the purposes of considering this application, it is the detail of the layout and whether or not this is an acceptable proposal for delivering the housing that is of relevance.

Landscape Impact

102. 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.
103. In this regard the overall site layout is considered to be appropriate. The layout includes the provision of large swathes of landscaping to create appropriate setting for future development. Satisfactory details of landscaping in terms of species and layout have been provided subject to some relatively minor amendments as identified by the CNPA Landscape Officer. Importantly, the lower (northern) part of the site is being retained as open space, apart from the new access road. The future management and planting of this area to achieve

landscape and biodiversity objectives is also being secured. The new infrastructure in this part of the site comprises the access road and SUDS ponds, which have been designed to fit into the landscape through appropriate landscaping and design, taking on board comments made by CNPA Officers.

- I04. Whilst the new access from Seafield Avenue will cut through a raised embankment/terrace area which is important in landscape terms, the remainder of the terrace will be retained. This ensures the preservation of the distinction between the higher developed southern part of the site and the lower flood plain and open land beside Seafield Avenue.
- I05. Provision of plots and road network in the southern part of the site bounded by residential property to east (Dulaig) and south (Beachan Court/Revoan Drive) is appropriate in landscape terms. They are designed to fit in with the character of the surrounding areas where there is a mixture of housing types. Furthermore, new plots proposed to the west will be set against the existing wooded backdrop with the landscape scheme seeking to build on this woodland feel through areas of strategic landscaping. The design statement sets out some broad principles to be followed with new development here and it is considered that suitable guidance can be provided by this, LDP policies, conditions and the existing development brief to give a good steer to future developers of the plots to achieve a satisfactory landscape fit. The detail of the design of new houses will of course be fully considered with future applications.
- I06. As it may take some time for new houses to be built, by the time detailed applications are submitted and approved, whether on a plot by plot basis or in small phases, it is important to avoid this site in the middle of Grantown appearing as an unfinished building site for years to come. This can be avoided by securing seeding of undeveloped plots and also by securing the implementation of the strategic landscaping at the earliest opportunity following on from initial construction works. Planning conditions can be imposed to achieve this in the event of the application being approved.
- I07. The main landscape impact is however the impact of the associated ground works to deliver the proposed layout and the concerns of objectors in this regard is shared. Whilst it is considered entirely possible to provide 43 plots here without detriment to the landscape based on the proposed layout and the contours of the area, the proposed sections illustrate a uncharacteristic “stepped” effect which is not in keeping with the surrounding area where houses have been designed to fit with the landforms. The type of cut and fill shown in the sections would result in a platform effect for new build which in places may potentially dominate existing housing, given that the new build will be on top of these platforms. This can be readily addressed by taking an approach which works better with the existing contours and adjusts the cut and fill to create a more natural effect.
- I08. This matter has been discussed with the agents and it is understood that the developers should be able to work by forming the road network with much less extensive re-contouring works on the plot areas. They will be able to provide revised sections to show this.

109. Planning conditions can be imposed to this effect in order to secure more appropriate site sections in the event of the application being supported and thus ensure compliance with Policy 5: Landscape.
110. Finally, with regard to landscape impacts, it is understood that the first stage of work on site will be to construct the main distributor road from Seafield Avenue leading south, along with the SUDS pond two to the east of Revoan. Thereafter, the roads network will be formed for the rest of the site with SUDS pond 1 to the west of Revoan formed last as it will only be serving five plots. It is important to ensure appropriate timing and delivery of the strategic landscaping in line with these ongoing works whilst not also ensuring that landscaping is not carried out to then be disturbed. Accordingly, conditions will be required to ensure effective delivery and implementation of the landscape scheme in the event of the application being approved.

Layout and Design

111. The proposed layout provides potential for a good mix of housing types, reflective of the surrounding area. The details of house types will come forward later through detailed planning applications. The size of plots is considered sufficient to enable development on them to be designed to protect the privacy of adjoining residents. This is subject to comments made earlier in this report about conditions to secure revised site sections to ensure a more natural use of cut and fill to reflect the existing contours better.
112. The proposed layout is “permeable” with good links for non- vehicular traffic into the woods to the west, to the town centre and to the surrounding housing areas all as noted by the CNPA Outdoor Access Officer. Standards of construction of path links and their delivery can be secured by planning condition with details provided to date generally satisfactory. Whilst concerns of the neighbouring proprietor at the Dulaig with regard to the path proposed between the Dulaig and the new housing layout are noted, it is considered that this path provides a useful link from the affordable housing proposed to the south through to the rest of the site avoiding walking/cycling beside the main new road network and instead going through a landscaped setting. The area is considered wide enough to ensure there are no particular security issues, ranging from 23 metres wide to 10 metres at the narrowest point. It has also been clarified with the agent that the path as shown on the site plan is the correct route which does not extend north alongside the Dulaig as far as that shown on the landscape scheme. The path will connect from a cul-de-sac beside plots 29-31 South to the affordable housing scheme site. The landscape scheme plan will require to be amended accordingly.
113. In terms of design, as noted earlier, the design of individual residential units will be the subject of future planning applications, guided by the design statement provided, Local Development Plan policies and the Development Brief for the site. This is considered to be adequate guidance to steer new development, and it is considered that the design statement is sufficient at this stage. The design of the road network is generally satisfactory providing for a permeable layout to

enable through links and sense of place to residents with landscaping of the embankments to the new link from Seafield Avenue improving its design and landscape fit. Similarly the design of the other “infrastructure” namely the SUDS ponds are also appropriate fitting well into the landscape.

114. Accordingly, the application is considered to comply with Local Development Plan Policy 3: Sustainable Design.

Residential Amenity

115. It is considered that the layout and relative distances from existing housing, together with landscaping proposed in and around the site will provide a good setting for future residential units to be located without detriment to the privacy and amenity of householders in the area subject to revised site sections as noted earlier. Whilst individual views cannot be preserved under the land use planning system it is considered that, as noted above, there is scope to site houses without detriment to the overall amenity of adjoining properties.

116. Whilst there will inevitably be a degree of disturbance and noise during construction this can be minimised by good construction practises and provision of a construction traffic management plan designed to set out measure to try and reduce disturbance as far as is feasible. This should take into account all surrounding land uses including the caravan site to the North West which is recognised as being an important tourist facility for the town. Similarly, concerns regarding illumination may be addressed by good working practises and also by the final design of lighting on the site which may be controlled by planning condition in the event of the application being supported.

Environmental Impacts – Ecology

117. Local Development Plan Policy 4: Natural Heritage seeks to ensure that there are no adverse effects on European Protected Species and other biodiversity interests.

118. Satisfactory surveys have been submitted to demonstrate that there will be no adverse impacts on habitats and general species. It is considered that suitable enhancement and mitigation opportunities will be provided through securing good management and planting of land in the northern part of the site. This will ultimately enhance biodiversity along with the proposed landscape provision within the site which can provide biodiversity as well as landscape benefits.

119. Similarly the SUDS ponds have been re-designed to maximise biodiversity potential as well as protection of water quality; existing trees in and around the site (including aspen) are to be protected along with the biodiversity interests of an existing stone dyke near to the aspen; and enhanced habitats provided for bat roosting and bird nesting by provision of bat and bird boxes at design stage. Appropriate planning conditions can be imposed to secure these requirements in the event of the application being supported.

- I20. In terms of European Protected Species, a satisfactory Species Protection Plan has been provided to secure that will be no harm or disturbance to otter which use the Kylintra 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. The enhanced habitats in the southern part of the site, together with the improved SUDS pond design which encourages amphibian breeding, may also benefit otter and other species. In addition, a robust site specific Construction Method Statement will be required to ensure that on site construction in the area of the watercourses when constructing the road and SUDS scheme pays appropriate regard to environmental protection. Planning conditions would be required to ensure delivery of the Otter Specie Protection Plan in the event of the application being supported.
- I21. Therefore, the development is considered to comply with Policy 4: Natural Heritage.

Environmental Impacts - Natura 2000 Sites

- I22. Local Development Plan policy 4: Natural Heritage also seeks to ensure that any development likely to have an effect on Natura 2000 sites demonstrates that there will be no adverse effect on the integrity of the site.
- I23. A Habitats Regulations Assessment (HRA) has been carried out by the CNPA, as outlined earlier in the consultations section and as appended as **Appendix 4**, to consider the effects on Natura 2000 sites and was the subject of consultation with SNH.
- I24. This assessment, based upon the best available scientific evidence offered by SNH and others, has shown that, with the additional mitigation measures, there is no likely significant effect from the proposed development upon the qualifying features or the conservation objectives of the following Natura sites:
- a) River Spey Special Area of Conservation (SAC)
 - b) Anagach Woods Special Protection Area (SPA)
 - c) Craigmore Woods Special Protection Area (SPA)
 - d) Abernethy Forest Special Protection Area (SPA)
 - e) Kinveachy Forest Special Protection Area (SPA)
 - f) Cairngorms Special Protection Area (SPA)
- I25. It is therefore concluded that the proposed development, subject to the mitigation measures identified in this appropriate assessment and applied to any consent, will not adversely affect the integrity of any of these sites.
- I26. The proposed mitigation measures are the implementation of a site specific Construction Method Statement to ensure there is no pollution and siltation of the Kylintra Burn and ultimately the River Spey SAC during construction. This can be covered by planning conditions in the event of the application being supported. Accordingly the application is considered to comply with Local Development Plan Policy 4: Natural Heritage.

Environmental Impacts – Flooding and Drainage

127. 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.
128. Accordingly, the impact of the proposed development on the flood plain beside Seafield Avenue has been considered in detail by technical consultees in particular SEPA and the Highland Flood Risk Management Team. Following extensive discussion and provision of additional material including a revised Flooding and Drainage Statement, re-design of SUDS ponds and provision of cut off drain, the consultees have now confirmed that they are satisfied that the proposed development will not adversely affect the flood plain nor flooding issues subject to implementation of the approved scheme and the imposition of appropriate planning conditions.
129. The proposed SUDS scheme to deal with surface water drainage has also been considered in detail by all consultees and a solution has now been achieved which meets landscape, biodiversity and technical flood risk management objectives to the satisfaction of the technical experts. Whilst it is appreciated that objectors remain concerned regarding the impacts of the development on the flood plain and existing issues in the area from surface water and flooding, consultees no longer share this concern and are satisfied that it has been demonstrated that the proposed system is satisfactory and will ensure that there will be no adverse impacts on the flood plain or flooding issues subject to appropriate planning conditions being imposed.
130. The ongoing maintenance of the SUDS system is a crucial issue in ensuring that once installed the system works satisfactorily. Details of future maintenance have been provided which are considered satisfactory by the Flood Risk Management Team until such time as the system is adopted. Whilst it would be ideal if the system were to be taken over by a public authority such as Scottish Water or the Highland Council, it is not known at this stage if this is definitely to be the case. Accordingly, it is recommended that an appropriate planning condition be imposed to ensure that installation of the systems is certified by an appropriately qualified party and thereafter maintained in accordance with the submitted regime with suitable reporting measures, including provision for any remedial works, to be agreed.
131. Therefore, the proposed development is considered to comply with Local Development Plan Policy 10: Resources.

Servicing – Roads

132. 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.
133. 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 good provision for links to the centre of Grantown, to the surrounding residential areas and to the woods to the west all of which will help support the desired move to sustainable travel which does not depend on cars.
134. The comments of the Highland Council Transport Planning Team also seek to ensure that sustainable travel using public transport is encouraged and supported by provision of a travel plan in any residents' welcome packs providing details of public transport services. This can be secured by planning condition in the event of the application being supported. The Team also seek to support sustainable travel by securing improvements to public transport facilities in the area in terms of enhancement of bus shelter provision and have now identified the need to provide new bus shelter provision on the High Street near to Ritchie's shop. Again this can be delivered by planning condition in the event of the application being supported.
135. The road layout is considered to be satisfactory by the Transport Planning Team subject to imposition of various conditions to secure some further details for approval (including layout details and traffic construction management plan) as well as the implementation of the proposed footpath link to the town centre and visibility improvements.
136. The Team are satisfied that the Transport Assessment has adequately demonstrated that the surrounding road network is capable of accommodating the additional traffic generated by the new development, showing significant levels of spare capacity, which may accommodate existing and proposed developments too. They do not consider there to be a need for a further Transport Assessment as sought by objectors. They do however consider that the opportunity should be taken to secure some improvements to the junction of Seafield Drive and the High Street by way of traffic management. They consider that existing issues are due more to the effective operation of the junction rather than its capacity. Current practises of parking on no waiting restrictions on Seafield Avenue cause issues of congestion which may be partly addressed by the small scale improvements suggested which are intended to manage existing conflicts and make the junction and available road space work better.
137. The concerns of objectors that this congestion issue may be best addressed by longer term solutions are noted. However, the suggestions are outwith the control of the applicants and are not considered to be justified in terms of the analysis of the situation by the Transport Planning Team. Similarly concerns from Inclusive Cairngorms regarding shared surfacing and parking are addressed

through the road construction consent process and also the Transport Planning Team's consideration of the application which seeks to ensure that vehicular use does not dominate.

138. Therefore, it is considered that the proposed development complies with Local Development Plan Policy 3: Sustainable Design subject to appropriate planning conditions being imposed.

Servicing - Utilities

139. In terms of other servicing provision it is proposed to connect to the public water and drainage supplies in the area. Despite reminders Scottish Water has not responded to the consultation on the planning application and it must therefore be assumed that they have no adverse comments. In any event the applicant will be required to secure a satisfactory connection to these public supplies and it is the responsibility of the applicant in liaison with Scottish Water to resolve servicing of the site. Scottish Water will be responsible for ensuring that connection does not adversely affect other properties.
140. Waste management provision can be resolved at the stage of any future detailed applications for house sites. Such applications will be required to ensure that there is sufficient provision for storage for the management and collection of waste which will be generated then. This should also help address concerns of objectors regarding potential depositing of domestic waste on rough land by making provision for waste management within the site.
141. Therefore, the proposed development is considered to comply with Local Development Plan Policy 10: Resources and Policy 3: Sustainable Design.

Affordable Housing

142. 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. Affordable housing does not only mean housing for rent, but is broadly defined as housing of a reasonable quality that is affordable to people on modest incomes. This may take the form of social rented accommodation, private rented accommodation managed to approved standards, shared ownership, shared equity discounted low cost housing for sale including plots for self-build and low cost housing without subsidy.
143. In this case the policy would require delivery of 10.75 (rounded up to 11) affordable houses for this 43 plot application alone. It is intended that the majority of this requirement will be delivered by the implementation of the pending application (2015/0394/DET) for ten affordable houses on land immediately to the south. Given that both sites are inextricably linked in terms of delivery of affordable housing is important to consider the requirement in terms of both sites –i.e. 25% provision for the combined total of 53 houses. This would create a requirement for 13.25 (rounded up to 14) affordable houses.

Accordingly accepting that delivery of ten will be achieved on the adjacent site, there will be a need to deliver four more affordable houses on this 43 plot site in order to meet policy requirements.

144. It is however essential to find a mechanism to ensure delivery and it is considered that this may be achieved by imposition of appropriate planning conditions, including the requirement that no houses are occupied on this application site until the ten affordable houses are provided next door. Although this involves a separate application, the two cases are interdependent in that this case depends on application 2015/0394/DET for its affordable housing allocation, whilst application 2015/0394/DET depends on this case for its servicing in terms of SUDS ponds and construction access road. In the event of the application being approved suitable planning conditions can be imposed and these have been discussed with the applicants are agreeable to this approach in principle.
145. On this basis the application is considered to comply with Local Development Plan Policy I: New Housing Development.

Developer Contributions

146. Local Development Plan Policy II: Developer Contributions requires that developments which give rise to a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects will normally require the developer to make a fair and reasonable contribution in cash or kind towards additional costs or requirements. All contributions to be consistent with the scale and nature of the development.
147. Relevant consultees have been consulted to establish the impacts of the development. From responses to date no evidence has been provided to demonstrate that there will be a need to increase or improve public services, facilities or infrastructure as a result of this development other than the improvements to bus shelter provision and traffic management scheme identified earlier in terms of roads impacts. These works can be secured through the imposition planning conditions. The impacts on education provision have also been considered, but as both primary and secondary schools in Grantown-on-Spey are operating below capacity there is no requirement for developer contributions in this regard. Indeed the new development may help to support the local schools as well as other facilities such as libraries and community facilities.
148. One of the representations submitted seeks provision for allotments within the development site or a contribution towards off site provision through the developer obligations process. Whilst provision of allotments in Grantown-on-Spey may be an attractive idea, this is not an infrastructure requirement which has been identified through the Local Development Plan process nor is it considered that it is a requirement which is directly generated by the new development proposals which contain reasonable garden and open space provision throughout. Furthermore, on discussing the matter with the Highland Council Officers it is understood that there are six parties on the waiting list for

allotments in Grantown-on-Spey, and there is not an allotment association in the town.

149. Therefore, it is not considered appropriate, or indeed justifiable under policy, to require such provision arising from this development. It is instead recommended that objectors raise this matter of allotment provision through the emerging Local Development Plan process.
150. Finally in this regard, the applicants have indicated in supporting material that they would not be averse to directing any developer contributions towards allotment provision if this were considered necessary. However, as noted above it is not considered that the CNPA as Planning Authority are in a position to require this given the requirements of Policy 11: Developer Contributions for contributions to be consistent with the sale and nature of the development. If the applicants wish to reach a private agreement on this matter with the contributor this would be a totally separate matter outside of the planning process.

Cultural Heritage

151. Local Development Plan Policy 9: Cultural Heritage requires that appropriate provision be made for consideration of, and reporting on, any archaeological interest. In this case the Highland Council Historic Environment Team has identified potential for archaeological interest on this site. An appropriate planning condition can be imposed to ensure that archaeological evaluation is carried out thus ensuring compliance with Policy 3: Cultural Heritage in the event of the application being approved.

Other Issues Raised in Consultations and Representations

152. Concern has been raised regarding the potential for a high proportion of the proposed development becoming holiday lets or second homes which may create issues of noise and anti-social behaviour for residents in area. The designation in the Local Development Plan has established the need for more housing in Grantown on Spey and it is not considered necessary to prohibit use of the housing in this way. This approach has not been taken elsewhere in larger housing schemes in the Park and there is no evidence to justify such an approach here.
153. Associated with this is a further concern that this scale of development associated with the site costs is not economically viable, raising the risk that the development will not be complete whereby a financial viability assessment should be sought. It is not considered proportionate or necessary to seek such an assessment for a development of 43 houses which has provided plans to show how it may be phased.
154. A planning condition is being suggested to ensure that plots are seeded following initial site works/re-contouring to ensure that they do not remain in an unsightly condition as it is fully appreciated it may take some time for the

whole site to be developed. This not however unusual in housing schemes and in this case the fact that landscaping and road works are to be carried out in advance of house building also provides further comfort that a good setting for future development can be established, paving the way for submission of application(s) for individual houses over time.

155. Concern has been raised over lack of clarity of plans and conflicting information with numerous iterations of submissions causing confusion. Whilst points in this regard are fully appreciated, not least in terms of the time and effort that contributors have had to expend reading various iterations of this application, this is not a reason to refuse the application particularly given that the various iterations have resulted in an improved development. It is of course always regrettable that pre-application advice is not taken fully on board from the start and as part of supporting the Scottish Government's aspirations to front load the planning system.
156. Concern was previously raised that the Pre-Application Consultation Report has not reflected comments made. The agent advised that the application was revised to take account of key points made in respect of public concern regarding access for the whole site being taken from Beachan Court with all comments made appended to the report as submitted.
157. Objectors have also raised concern that there is insufficient mitigation for loss of habitats, recommending that the Mossie area to the north be established as local nature reserve as compensation. There is considered to be sufficient mitigation for the loss of habitats in this case by securing management of the low lying areas beside Seafield Avenue as well as the biodiversity benefits of further planting corridors as well as the potential to provide enhanced nesting and roosting opportunities for birds and bats. Accordingly, it is not considered necessary or proportionate to seek management of further areas of land in this case.
158. Other points raised by objectors have been considered elsewhere in the wider assessment and appraisal of this proposed development.

CONCLUSION

159. It is considered that the proposed development, subject to suitable planning conditions being attached, complies with Local Development Plan policies and will facilitate the development of a designated housing site in Grantown-on-Spey. Accordingly, the development is welcomed in principle, with the detail of the layout considered to deliver a good level of landscape and ecological provision and protection. In relation to technical issues such as flooding, drainage and roads, the proposed development is considered to be satisfactory by technical consultees, subject also to appropriate planning conditions being imposed. Consequently, there are not considered to be any other material land use planning considerations which would justify refusing the application and approval is recommended.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT FULL PLANNING PERMISSION for the creation of residential plot layout (43 units), Roads, Drainage and Strategic Landscaping at Land 150M NW of Beachan 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.

- 1. No development shall commence on site until revised site sections showing existing and proposed ground levels have been submitted to, and approved in writing by, the Cairngorms National Park Authority acting as Planning Authority. The sections shall be accompanied by a contoured site plan and revised landscape scheme. These details shall reflect the requirement for cut and fill profiles that are gentler and more natural in appearance avoiding stepped platforms and excessive cut into ground slopes and instead using the slopes of the existing land more effectively and minimising the necessity for ground works. This shall also include sections across the SUDS ponds reflecting all flood attenuation ground works proposed. Submitted sections shall show the position of existing houses where relevant (e.g. beside Revoan Drive, Revoan and the Dulaig)**

This information must be accompanied by a timetable for delivery of various components of the landscaping, paths, flood attenuation measures, and SUDS ponds with phasing of delivery annotated on plan.

All planting, landscaping and associated ground works, including the retention of the existing stone dyke across the site and aspen, shall be implemented in accordance with the approved landscape scheme and the approved plans, sections and timetable for implementation, unless otherwise agreed in writing with the Cairngorms National Park acting as Planning Authority, and maintained thereafter in accordance with the approved landscape maintenance document.

Reasons: To ensure that a satisfactory landscape setting is created and maintained for future housing development and to ensure that the new development conserves and enhances the landscape character of Grantown-on-Spey. To ensure that there is no adverse impact on the amenity and privacy of existing residents and that suitable biodiversity corridors are provided. All in accordance with Policy 4: Natural Heritage all in accordance Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

- 2. No development shall commence on site until a Construction Traffic Management Plan is 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. This plan shall include details of the timing of works to reflect the need to minimise residential disturbance and disturbance, including at the Caravan site during construction and the measures to be implemented to ensure that construction traffic uses the new access from Seafield Avenue, together with details of the proposed surfacing.

Thereafter the construction of the development shall be implemented in accordance with those approved details and all construction vehicles serving the site shall use the new access road.

Reason: To ensure that there are no adverse impacts on the roads network and that access is provided in a safe manner with minimum disturbance to residents in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

- 3. No development shall commence on site until details of the physical measures to ensure that there is no permanent through vehicular access from the site to Beachan Court (apart from emergency access) and the timetable for provision are 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. This plan shall include details of any bollards and surface changes.**

Thereafter no house shall be occupied until these measures have been implemented in accordance with the approved details. The measures shall be maintained in functional order and permanently retained in situ.

Reason: To ensure that a safe means of accessing the site is provided for all users, and to control the use of the Beachan Court roads network by vehicular traffic in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

- 4. No development shall commence on site until a Traffic Management Scheme has 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 scheme shall include details of the renewal of existing parking restriction traffic signs and road markings at the eastern end of Seafield Avenue in the vicinity of the junction with High Street and the existing Coop Store as well as provision of new “keep clear” road markings on Seafield Avenue across the mouth of the junction with the side road which runs across the front of the Coop Store.**

Thereafter no development shall commence on site until the approved scheme is implemented and maintained in accordance with the approved details.

Reason: To ensure that impacts from traffic, including construction traffic are satisfactorily mitigated in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

- 5. No development shall commence on site until a scheme for the enhancement of waiting areas at the closest existing bus stops in the centre of Grantown has been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. This scheme shall include proposals for the provision of new bus shelters and real time passenger information displays where they are either missing or sub-standard.**

Thereafter no house shall be occupied until the enhancements have been implemented in accordance with the approved plans. The enhancements shall be maintained and retained in accordance with the approved plans.

Reason: To promote and facilitate the use of public transport and sustainable travel in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

- 6. No development shall commence on site until revised plans to demonstrate how 25 metres forward visibility will be achieved in the internal roads layout have been submitted to and approved in writing by Cairngorms National Park Authority, acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. The roads layout shall thereafter be implemented, maintained unobstructed and retained in accordance with the approved plans**

Reason: To ensure that a road layout with adequate visibility to ensure the safety of all users is provided in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

- 7. No development shall commence on site until a detailed site specific Construction Method Statement (CMS) has been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority. This CMS shall include full details of how risks to watercourse will be eliminated through the application of good site management in accordance with best practise guidelines and SEPA's PPG 5: "Working on or near a watercourse" It shall also make reference to the provisions of the approved Otter Species Protection Plan and how this will be adhered to during construction; provide details of lighting arrangements during construction; provide details of how surface water will be dealt with during construction and provide details of how the marsh habitat/vegetation will be protected during construction.**

Construction shall thereafter proceed in accordance with the approved CMS with weekly monitoring reports provided by the Ecological Clerk of Works to the Cairngorms National Park Authority acting as Planning Authority during the construction phase for watercourse crossings, unless otherwise agreed in writing with the CNPA.

Reason: To ensure that there is no pollution or siltation of the Kyntra Burn, and ultimately the River Spey, during construction or any adverse impacts to or disturbance of otter, which may adversely affect the qualifying interests of the River Spey Special Area of Conservation, in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015

- 8. No development shall commence on site (including site clearance) until a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development, including a timetable for investigation, all in accordance with the attached specification from the Highland Council Historic Environment Team, has been submitted to and approved in writing by Cairngorms National Park Authority, acting as Planning Authority in consultation with the Highland Council Historic Environment Team.**

The approved programme shall be implemented in accordance with the agreed timetable for investigation and construction shall thereafter proceed in accordance with the approved scheme during construction works on site.

Reason: To ensure that the archaeological value of an area which has potential for the survival of buried archaeological deposits is evaluated and recorded in accordance with Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2015.

- 9. No development shall commence on site until a revised Tree Protection Plan has been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority. This plan shall include details of the retention of the mature trees alongside the retained stone dyke and the measures to ensure that the construction of the cut off drain does not damage the root protection areas of any trees. No development shall commence on site until the tree protection measures have been implemented on site in accordance with the approved plan.**

Thereafter all trees shall be retained and maintained in accordance with the approved Tree Protection Plan and landscape maintenance programme throughout the lifetime of the development hereby approved unless otherwise agreed in writing by the Cairngorms National Park Authority acting as Planning Authority.

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.

10. **No work shall commence on site until a further targeted otter survey has been carried out in accordance with the requirements of the approved Otter Species Protection Plan. The survey shall be carried out immediately prior to (within 2 weeks) work commencing on site and submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. Thereafter construction works on site shall be implemented in accordance with the measures contained in the approved Otter Species Protection Plan.**

Reason: To ensure that there are no adverse impacts to, or disturbance of, otter which are a European Protected Species and one of the qualifying interests of the River Spey Special Area of Conservation, in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

11. No development shall commence on the construction of SUDS pond 1 to the west of Revoan until information to (a) justify the adequacy of the existing culvert beneath the driveway into Revoan to accommodate the anticipated surface water discharge and (b) justify the location of the pond in relation to any floodplain in order to demonstrate that there will be no adverse impacts on either has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority in consultation with the Highland Council's Flood Risk Management and Transport Planning teams. Thereafter no residential unit using this pond for surface water disposal (plots 6-10) shall be occupied until the pond is installed in accordance with the requirements of Condition 16.

Reason: To ensure that surface and foul water drainage is satisfactorily managed in order to minimise any risk of pollution or flooding which may affect persons, property or natural heritage interests including the River Spey Special Area of Conservation. All in accordance with Policy 4: Natural Heritage, Policy 5: Landscape and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015

12. Unless otherwise agreed in writing with the Cairngorms National Park Authority, acting as Planning Authority in consultation with the Highland Council Flood Risk Management Team, the construction access from Seafeld Avenue (road 1) shall not be extended into the southern part of the site (i.e. south of the embankment which runs in line with Revoan to the west) until (a) all compensatory flood storage works have been installed and are operational in accordance with the approved plans (Drawing Nos. 147132/06 rev. E, and the timetable and sections approved under the terms of condition 1) and the approved Flooding and SUDS Statement and (b) certification from an

appropriately qualified professional confirming compliance has been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority in consultation with the Highland Council Flood Risk Management Team.

Reason: To ensure that surface and foul water drainage is satisfactorily managed in order to minimise any risk of pollution or flooding which may affect persons, property or natural heritage interests including the River Spey Special Area of Conservation, and to ensure that the proposed scheme is implemented and maintained, all in accordance with Policy 4: Natural Heritage, Policy 5: Landscape and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

13. The cut off drain shall be installed in accordance with the approved plans (Drawing no. 147132/22 Revision 1) and be operational before any work commences in the north-western part of the site, beside the drain. No further development shall commence in these areas until certification from an appropriately qualified professional confirming installation in compliance with the approved plans has been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority in consultation with the Highland Council Flood Risk Management Team.

Reason: To minimise 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.

14. The new access onto Seafield Avenue shall not be used for vehicular access until visibility splays measuring 4.5 metres (measured from the edge of the public road) by 90 metres in both directions have been formed in accordance with the approved plans (Site Entrance Visibility Splay drawing no. 147132/13 Revision B). Thereafter these splays shall be maintained free from obstruction throughout the lifetime of the development hereby approved.

Reason: To ensure that a safe access is provided for construction and residential traffic using the new site access with adequate visibility provided and maintained, in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015

15. The watercourse crossing culvert shall be implemented in accordance in accordance with the approved plans (Roads Layout drawing no. 147132/02 Revision H and Culvert Crossing Details drawing no. 147132/07 Revision C) before the new access road from Seafield Avenue is brought into use. No house shall be occupied until the otter road crossing signs have been provided in accordance with the approved plans. The otter road crossing signs shall then be maintained and retained permanently in situ.

Reason: To ensure that provision is made for otters to cross the watercourse safely and ensure there is no adverse impact on otter, which are a European Protected Species and a qualifying interest of the River Spey Special Area of

Conservation, in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015

16. No residential unit shall be occupied until all surface water and foul water drainage arrangements serving it have been implemented in accordance with the approved plans (including 147132/20 rev. B, 147132/21 rev. C, 147132/06 rev. E, and 147132/04 rev. F) and approved Flooding and SUDS Statement, and certification from an appropriately qualified professional confirming compliance with the approved plans has been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority in consultation with the Highland Council Flood Risk Management Team.

These arrangements shall be maintained thereafter in accordance with the approved Flooding and SUDS Statement. Annual monitoring and inspection reports to demonstrate compliance, any remedial actions necessary identified and a timetable for implementation of such remedial works shall be submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority in consultation with the Highland Council Flood Risk Management Team, unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority. Any change in maintenance responsibilities to be notified in writing to the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure that surface and foul water drainage is satisfactorily managed in order to minimise any risk of pollution or flooding which may affect persons, property or natural heritage interests including the River Spey Special Area of Conservation, and to ensure that the proposed scheme which is of biodiversity and landscape value is implemented and maintained, all in accordance with Policy 4: Natural Heritage, Policy 5: Landscape and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015

17. No residential unit shall be occupied until it is connected to a public water supply and a public drainage supply.

Reason: To ensure that all residential units are adequately served by public services in accordance with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015

18. No residential unit shall be occupied on the site until the ten affordable houses on the adjacent land to the south (reference 2015/0394/DET) have been completed and available for occupation, unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority. Thereafter no more than 30 houses shall be occupied on the site until details of the provision, delivery mechanism, timetable for delivery and retention thereafter of four affordable housing units have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority in consultation with the Highland Council acting as Housing Authority. The units shall thereafter be constructed and retained in accordance with the approved details and timetable.

Reason: To ensure that adequate affordable housing provision of 25% is made (taking into account the case that the adjoining ten affordable house site is part of the provision for the current development) in accordance with Policy 1: New Housing Development of the Cairngorms National Park Local Development Plan 2015.

19. No residential unit shall be constructed on site until details of the proposed play area, including details of equipment, layout and maintenance, have been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Landscape/Outdoor Service Officers.

Thereafter the play area shall be provided in accordance with these approved details before 20 houses are occupied on the site and thereafter maintained and retained and made available for use on the site.

Reason: To ensure that the play area shown on the approved site plan is delivered in order to provide adequate amenity and open space provision for this scale of development in accordance with Policy 3: Sustainable Development of the Cairngorms National Park Local Development Plan 2015

20. No residential unit shall be occupied until the access road – including associated footpaths/cycle-ways - serving it has been constructed and surfaced in accordance with the approved plans. This includes the new footway link leading east down Seafield Avenue from the new access junction point onto Seafield Avenue to the centre of Grantown on Spey which shall be formed to adoptable standards.

Reason: To ensure that all residential units are served by an adequate road and path network in the interests of road safety and to promote walking and cycling, in accordance with Policy 3 Sustainable Design of the Cairngorms National Park Local Development Plan 2015

21. No residential unit shall be occupied until a details of a residents' welcome pack, including green travel details, has been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. This pack shall include as a minimum up to date details of public transport services, timetables for services running through Grantown, contact details for demand responsive services and school services in the area, and maps showing walking/cycling routes in the area including key walking and cycling routes from the site to the nearest serviced bus stops. The approved pack shall thereafter be provided to all residents of the new units.

Reason: To promote and facilitate the use of sustainable travel in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015

22. No residential unit shall be occupied until all path links are formed in accordance with the approved plans, timetable and details unless otherwise agreed in writing

with the Cairngorms National Park Authority acting as Planning Authority. The paths shall thereafter be maintained throughout the lifetime of the development in accordance with the approved maintenance details with the exception that the sides of paths shall be trimmed not sprayed.

Reason: To ensure that satisfactory links for non-motorised users are provided from the site to the surrounding area and path networks, so encouraging active non- vehicular travel movements and ensuring that the network is welcoming for users, providing a pleasant path edge for walkers and cyclists in accordance with Policy3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015

23. No residential unit shall be constructed on site until details of the provision of bat and bird boxes throughout the site have been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority.

Thereafter the development shall be implemented in accordance with those approved details before occupation of the residential unit(s) on which the relevant bat/bird boxes are to be located. The boxes shall then be maintained and retained in situ.

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

24. No street lighting shall be installed until details of the proposed layout and design 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. These details shall reflect the requirement for the number of lighting standards to be minimised in the new stretch of access road leading southwards from Seafield Avenue to the new plots and for lighting in the vicinity of watercourses to be designed to avoid light spillage falling onto the Kylintra Burn. The lighting shall thereafter be installed and maintained in accordance with the approved details.

Reason: To minimise landscape character impacts by retaining a rural aspect to the development and to minimise any impacts upon otter in the area in accordance with Policy 4: Natural Resources and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015

25. All construction traffic shall use the new access to be formed from Seafield Avenue and no other development shall commence on site until this road is formed. There shall be no construction access from Beachan Court.

Reason: To ensure that a safe means of accessing the site is provided appropriate to the type of use, and to prevent the use of the Beachan Court roads network by construction traffic in the interests of road safety and in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015

26. All plots that have not been developed within 12 months of ground works taking place shall be seeded with a wild meadow grass mix and maintained (and thereafter strimmed as required) until developed unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure that an attractive landscape setting is maintained during the construction stage to minimise impacts on the landscape character of the area in accordance with Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015

27. The development shall proceed in accordance with the approved phasing plan unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure that the site is developed in a planned manner that minimises impacts on landscape character and residential amenity in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015

28. 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:
- a) incorporation of integrated flexibility for home-working and high speed fibre broadband connections within all units
 - b) landscaping within the plots to reflect the principles and details established in the approved landscape plan and maintenance regime
 - c) 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
 - d) cycle storage provision for units
 - e) parking provision for resident and visitor cycling
 - f) details of bin storage and recycling facilities
 - g) Details of existing and proposed ground levels and final floor levels
 - h) Details of any bird/bat box provision
 - i) Boundary enclosures designed to retain an open feel to the development avoiding enclosure of front gardens
 - j) Maximum height of new development 1 ³/₄ storey

Reason: Planning permission has been granted for plot layout only and full details of all residential units require to be approved and to ensure that the new development conserves and enhances the landscape character of Grantown on Spey, is of a high quality sustainable design, and is appropriately set out and

serviced in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

Informatives:

1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of three years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
2. You are advised that planning application(s) for full planning permission will be required to be submitted and determined for all housing on the site. This consent does not cover the erection of new houses/flats. The provision of Condition 28 should guide any submissions.
3. You are advised that if any work is proposed to start during the bird breeding season (April to August) then pre construction checks for breeding birds must be undertaken.
4. You are advised that Road Construction Consent will be required from the Roads Authority (The Highland Council) together with technical approval of culverts, barriers and embankments supporting the new access road, all as per the comments of the Highland Council Transport Planning Team available on CNPA website.
5. You are advised that a CAR license may be required from SEPA for any watercourse crossings – please contact the Agency for more advice at their local office at 28 Perimeter Road, Pinefield, Elgin IV30 6AF (Telephone 01343 547663).
6. It is recommended that all new housing incorporates integrated flexibility for home-working and high speed fibre broadband connections – further advice may be obtained from the CNPA's Economic Development Manager.
7. With regard to Condition 22 (paths) it is recommended that reference be made to Paths for All guidance (<http://www.pathsforall.org.uk/pfa/creating-paths/technical-tip-of-the-month.html>) which recommends that path edges are trimmed half a metre each side to approximately 50mm high. A further half metre strip beyond that is trimmed to 150mm high. This benefits wildlife and wild flowers.
8. With regard to Condition 23 (bat and bird boxes) it is recommended that reference be made to the detailed comments of the CNPA Ecology Officer dated 7 April 2016 which provides detailed advice on the provision of bat and bird boxes.
9. With regard to Condition 5 (bus stop enhancements) you are advised that the Highland Council Transport Planning Team has identified a need to provide a

cantilever bus shelter (with only one wall close to the carriageway so that it does not block the footpath) at the northbound bus stop on High Street, Grantown on Spey close to 41-45 High Street, along with a real time passenger information display with the shelter, new flag pole and bus box re-marking to help deter drivers from parking in it.

10. With regard to Condition 1 (site sections) you are advised to refer to advice provided by the CNPA Landscape Advisor to assist in provision of necessary information.
11. You are advised that with regard to landscape maintenance advice on dangerous trees should be sought from the Highland Council Forestry Officer or a qualified arboriculturalist.
12. Construction work (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. (Please also refer to other Species Protection Plan and condition 2 and 7 for specific measures relating to working hours in vicinity of areas used by otter)
13. Prior to the commencement of development, a notice of the intended date of initiation of development is required to be submitted to the CNPA acting as Planning Authority and such notification shall contain the information set out in the 'Notification of Initiation of Development Notice as appended, pursuant to Section 27A(1) of the Town and Country Planning (Scotland) Act 1997.
14. Following the completion of the development, a notification of the completion is required, as soon as practicable, be submitted to the CNPA acting as Planning Authority and such notification shall contain the information as set out in the 'Notification of Completion of Development' Notice as appended, pursuant to Section 27B(1) of the Town and Country Planning (Scotland) Act 1997.

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.