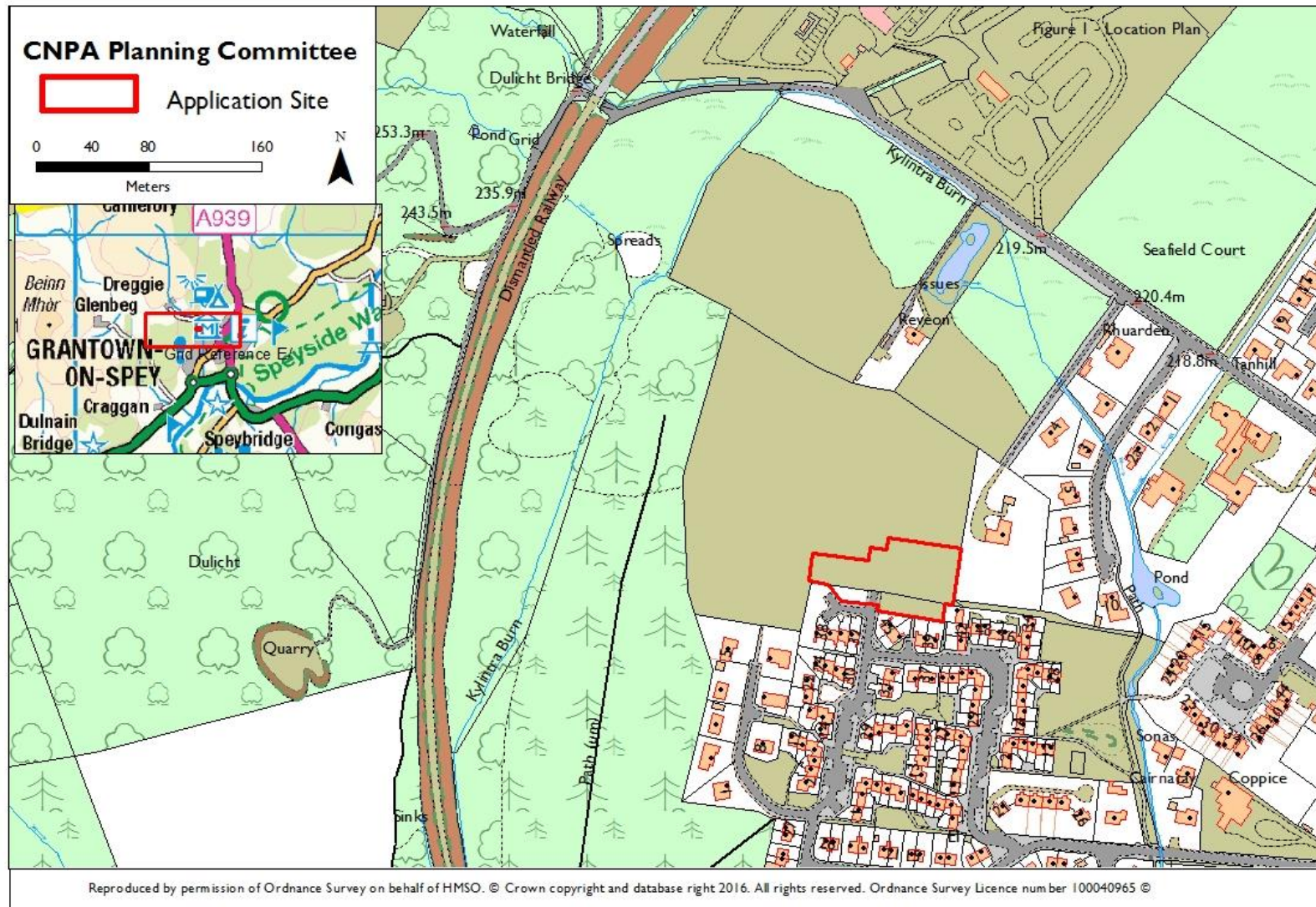

CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:	
Erection of 10 affordable housing development (6 semi-detached houses and 4 cottage flats) including road and drainage infrastructure at land 30M north of 45 Beachan Court Grantown-on-Spey.	
REFERENCE:	2015/0394/DET
APPLICANT:	The Highland Council Housing And Property Services
DATE CALLED-IN:	21/12/15
RECOMMENDATION:	APPROVE WITH CONDITIONS
CASE OFFICER:	Katherine Donnachie, Planning Officer



SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The application site is located at the end of a cul-de-sac at Beachan Court, Grantown. It comprises a mixture of grassed amenity type space to the north of existing terraced housing at 32-38 Beachan Court (beyond the car parking area serving this housing); an area of overgrown, neglected land to the north of semi-detached housing at 39-45 Beachan Court; and part of an agricultural field which leads north to Seafield Avenue. There is associated planning application pending on this wider agricultural field for a 43 residential plot layout, roads, drainage and strategic landscaping which is the subject of the previous item on the agenda (Reference 2015/0395/DET.)
2. The current ten house application site is bounded to the east by housing at Dulaig Court and the grounds of the Dulaig, a large detached property in its own grounds which contain mature trees. To the north and west is agricultural land leading north to Seafield Avenue and leading westwards up the slopes to woodland. There is further woodland beyond this within which the former railway line now a core path runs. The wider area of Beachan Woods is a very popular walking area. This site location is shown in more detail in **Appendix I** which contains plans of the proposed development.
3. The construction access for the site is proposed from Seafield Avenue to the north via a new access point which it is proposed will form the main distributor road for the adjoining 43 plot case. It is also proposed to utilize the drainage systems proposed for this 43 plot case which are proposed on lower lying land to the far north beside Seafield Avenue. This land is crossed by watercourses and is designated in SEPA's flood maps.
4. At present there are a number of informal path links into, and through, the site from the surrounding residential areas and to the woodlands. The site is presently accessed by pedestrians from a stile at the end of the Beachan Court cul-de-sac and there is an informal, overgrown pedestrian link leading eastwards to the Dulaig Court area and to the rear of the Dulaig.
5. 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

6. 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>

Title	Drawing Number	Date on Plan	Date Received
Overall Site Plan (Supporting information relating to adjoining 43 plot case)	016 Revision F	31.08.16	
*Location Plan	1565 P001	03.12.15	
*Site Plan	1565 Drawing no. 015 Revision C	05.10.16	
*General Arrangements 2B3P and 3B5P semi-detached houses	1565 (RT3)100		
*General Arrangements 2B4P semi-detached units	1565 (RT1)100 Revision A	Oct, 2015	
*General Arrangements 2B4P flatted units	1565 (R4)100 Revision A	Oct.2015	
*Cycle Store/Bins	1565 401	April 16	
Visualisations			
*Proposed Soft Landscape Maintenance and Management Regime (insofar as covers application site)	HLD K240.16 Revision H	31.08.16	
*Soft landscape proposals –Roads and strategic landscaping areas (insofar as covers application site)	HLD K240.16/SL-01 Revision I	05.10.16	
Soft Landscape Proposals Sections 1-7 through site (Information only)	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 (Supporting information relating to adjoining 43 plot case)	147132/02 Revision H	22.08.16	
Location Plan	157131/01		
*Road layout and sections	157131/02 Revision A		
*Surface water drainage layout and sections	157131/03 Revision A		
*Foul drainage layout and sections	157131/04 Revision A		
*Areas for adoptions	157131/05 Revision A		
*Standard details	157131/06	09.11.15	
Roads Longitudinal Profiles(Supporting information relating to adjoining 43 plot case)	147132/03 Revision E	14.06.16	
Foul Drainage Layout (Supporting information relating to adjoining 43 plot case)	147132/04 Revision F	23.08.16	
Foul Drainage Longitudinal Profile (Supporting information relating to adjoining 43 plot case)	147132/05 Revision B	27.05.16	
Surface water layout (Supporting information relating to adjoining 43 plot case)	147132/06 Revision F	22.08.16	
Culvert Crossing Details (Supporting information relating to adjoining 43 plot case)	147132/07 Revision C	23.08.16	

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Site Entrance Visibility Splay (Supporting information relating to adjoining 43 plot case)	147132/13 Revision B	29.08.16	
Cut and Fill Areas	147132/14 Revision C	23.08.16	
Site Cross Sections (Supporting information relating to adjoining 43 plot case)	147132/15 Revision B	29.08.16	
SUDS Pond 1 Plan and Sections (Supporting information relating to adjoining 43 plot case)	147132/20 Revision B	30.08.16	
SUDS Pond 2 Plan and Sections (Supporting information relating to adjoining 43 plot case)	147132/21 Revision B	30.08.16	
SUDS and Proposed Mitigation (Supporting information relating to adjoining 43 plot case)	147132/100 Revision F	17.12.14	
Cut off Drain Detail	147132/22 Revision I	05.08.16	
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 from Survey Dulaig Boundary		July 2015	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	

7. This application seeks full planning permission for the erection of ten affordable houses with associated parking and road access. Once built vehicular access will be taken from Beachan Court by extending the end of the existing cul-de-sac to serve the proposed new housing and forming an L shaped cul-de-sac. It is proposed to locate a block of four terraced flats to the west of this new roadway and three blocks of semi-detached houses to the east on either side of the new cul-de-sac. Areas of communal car parking are proposed as well as parking within the plots and bin store/cycle store provision. This is included on the layout plan in **Appendix I**.
8. Landscaping is proposed in the eastern part of the site adjacent to Dulaig Court and the Dulaig and in the western part of the site behind the proposed flats. Full details of the proposed landscaping have been submitted as part of the overall landscape scheme for this site and the 43 plot site to the north. A link path is shown leading from the end of the new cul-de-sac through this landscaped area to link up to the new housing to the north. This path link also connects to the existing informal pedestrian route to the rear (south) of the Dulaig. The new paths will be 1.5 metres wide with compacted crushed stone dust surface, with details of future maintenance provided on the landscape scheme.
9. The new road serving the application site will stop in terms of vehicular traffic access immediately on the northern boundary of the site. Provision is then to be

made for emergency, pedestrian and cycle access only at this point leading northwards to connect to the main distributor road connecting onto Seafield Avenue, which is proposed for the housing site to the north. It is proposed to use this distributor road for construction traffic for the current application site because the existing roads network through Beachan Court is not considered suitable for construction vehicles. The new access road will cross over a watercourse on the lower lying land beside Seafield Avenue and a new culvert is proposed to enable this. The culvert has been designed to allow the safe passage of otter through it. Once the construction stage is completed, access will then be taken from Beachan Court and measures put in place to prevent vehicular through access to the distributor road.

10. In terms of servicing, connection is proposed to public water and drainage supplies. The development should connect into the SUDS system proposed for the 43 plot development to the north, which has been designed to accommodate both sites. This SUDS system is proposed to take the form of two attenuation ponds which will deal with surface water from both sites. This current application site for ten affordable houses, together with the majority of the adjoining application site and the main access road, will drain to pond 2 to the east of Revoan on Seafield Avenue. This will lead into a swale alongside the new access/construction road from Seafield Avenue before discharging to the SUDS pond. Water will be attenuated here before discharging via a swale to the Kylintru burn which crosses the site to the south of the pond.
11. The pond 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. The other pond, pond 1, will deal with surface water from five plots in the north western part of the adjacent application site. Details of the proposed pond 2 serving the current application site and a plan showing the context is included in **Appendix I**. A cut off drain is also proposed leading from the 43 plot site to the north, along the east of the current application site to deal with any surface flows.
12. Creation of these servicing arrangements will involve considerable changes to ground levels to accommodate the new road network and drainage infrastructure, and site sections have been submitted to show how the various ground level changes will be handled. 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 detailed site sections would follow. All these plans are included in **Appendix I**. There are no detailed site sections provided across the current application site at present in terms of the houses.
13. The proposed house types comprise a 1¾ storey block of four two bedroom flats of pitched roof design incorporating lean too roof entrance feature and dormer features front and back. The height to roof pitch is just below seven metres. Two separate blocks of communal parking are proposed for these flats, totalling 6 spaces. Provision is made for a hipped roof open fronted timber bin and cycle storage building fronting the existing cul-de-sac at 32-38 Beachan

Court. These service areas along with the existing access road will separate the proposed flats from the existing houses at Beachan Court giving total separation of around 25 metres.

14. There are two different types of semi-detached houses proposed. A pair of two bedroom 1 ¾ storey pitched roof houses are proposed which incorporate a lean to roof entrance feature and dormer features front and back. These units will be served by two off street parking spaces for each unit. They will have seven metre deep rear gardens and will be located twelve metres to the north of the existing houses at 45 -47 Beachan Court at their closest point. These properties are angled away from the new build.
15. Also proposed are two pairs of semi-detached L-shaped houses, one half will be two bedroom the other half three bedroom. They are 1¾ storey design with lean to roof entrance feature and dormer features. There will be communal car parking spaces serving these units. Proposed finishes for all house types are indicated as being tiles, timber and harl, colours and details to be agreed. Details of all proposed house types along with a visualisation of the proposed development are contained in **Appendix I**.
16. Whilst this current application is a not a “major” application as defined by the Scottish Government’s hierarchy of developments, the application to the north is 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. When carrying out this pre-application process the applicants included the ten affordable unit application as part of their community consultation in the interests of completeness.
17. In terms of “links” to the 43 unit application to the north, it is also proposed that this current ten affordable houses application will provide part of the affordable housing required for that accompanying case.
18. A number of supporting documents have been submitted which are common to both applications as follows:
19. Design and Access Statement – this outlines how the layout evolved for the adjacent site, 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 highlights that the current ten house submission represents the first phase of the overall development.
20. Pre-Application Consultation (PAC) Report – this is 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 the adjoining 43 unit site and the current application site. 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 public consultation and a public event 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.

21. Phase I Habitat Survey and National Vegetation Classification Report - this concluded that the vast majority of the site is semi-improved acid grassland, 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 concluded 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.
22. 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 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.
23. Ornithological Survey - which found recorded ground nesting species in the marshy land in the northern part of the adjacent proposed housing site namely lapwing and one pair of nesting oystercatchers. It recommended that any development related activities in the Spring pays special attention to avoiding disturbance.
24. 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 whereby pre construction surveys are recommended if the development were to go ahead.
25. A further updated mammal survey was sought by CNPA Officers given the time lag since this original study and this was undertaken in May 2016. This study demonstrated that there was otter using the area along the Kylintra Burn although there was no evidence of otter holts or resting places. 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: 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 onto Kynlindra Burn, providing means of escape on excavated areas and restricted working hours in vicinity of areas used by otter.

26. Landscape Scheme and Landscape Maintenance and Management Information- providing full details of planting, paths and future maintenance.
27. Tree Retention Plan – showing protection of trees and their root protection areas within and around the development site by protective fencing.
28. Estimate of Bedspaces/persons for Impact on Capercaillie Assessment- this was a short note to illustrate likely potential occupancy levels of concluding total of around 106 adults and 115 children.
29. Flooding and SUDS Statement - this explained that surface water from roads and hardstanding areas will be treated by attenuation (through two attenuation basins) with controlled discharge to the Kynlindra 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.
30. 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.
31. A Construction Phase Health and Safety plan was also provided containing standard information about site practises.

Processing of Application

32. The application was advertised when first submitted in December 2015. It was held pending awaiting withdrawal and re-submission of the adjacent 43 unit application as that case had been originally submitted without all information necessary to determine a “major” application. As both cases were interdependent it was necessary to hold this ten house case pending until there matters were resolved.
33. Along with the 43 unit case, this application was re-advertised with all parties who made representations and all notifiable neighbours were 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 largely 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 on the 43 unit case was required, as well as more specific details of road layout for this case. This material 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 comment to make specific to the new material. A shorter time period for commenting was afforded, with comments to be related 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 43 unit application site to the north 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 together with an accompanying application for the 43 units to the north. (Reference 2015/0402/DET) Both cases were called in for determination by the CNPA. However, the original 43 unit application was not accompanied by the statutory information requirements for a major application and was withdrawn. This led to the submission of the case which is the subject of the previous item on the agenda (Reference 2015/0394/DET) and which seeks full consent for the creation of residential plot layout (43 units), roads, drainage and strategic landscaping at land 150 metres north west of Beachan Court.

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 Granttown On Spey as H1. This designation includes the land to the north which is covered by the accompanying planning application for 43 units. The land to the north adjoining Seafield Avenue is not included in the H1 designation, but lies within the settlement boundary. This is the land which is proposed to accommodate drainage ponds which are intended to serve this ten house case as well as the construction access road. A small part of the current application site also lies out with the H1 designation, this being the land directly beside Beachan Court, part of which is overgrown, unused land, the other part is a small area of grassed amenity space. A copy of the settlement statement is attached as **Appendix 2**.

41. The H1 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 Kyntra 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 H1 designation, a Development Brief has also been approved. This brief sets out the design principles, constraints and key issues to be considered when developing the overall site. It is attached as **Appendix 3**.
43. The LDP settlement statement for Granttown on Spey also highlights the importance of maintaining the visual permeability of the settlement and

replicating this in new development. 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, some of which are common to both this application and the 43 unit case, which is the subject of the previous item on the agenda:
46. **Transport Scotland** has no adverse comments.
47. **NHS** were consulted in relation to the 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** was consulted on the accompanying application and 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 Kylintra 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** advised that they had no objection to this application on flood risk grounds noting that the proposed development would be located on ground levels above 223 metre above ordnance datum (AOD). As such all proposed housing would be situated on ground levels of at least 2 metres higher than the banks of the burn to north.
54. They provided detailed comment in relation to flood risk and drainage issues for the adjacent 43 unit application which is pertinent insofar as it related to the new access road and SUDS pond 2 as this infrastructure is intended to service the current ten house case.
55. As detailed in the consultations section of the 43 unit application there was ongoing discussion between SEPA, the agents/engineers 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. This included re-design of the SUDS ponds, provision of site sections and updated Flooding and Drainage Statement. SEPA confirmed that they had no objections to the proposals and did not require any planning conditions to be attached. They further noted with regard to the road culvert for the proposed new access road 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.

56. **The Highland Council Flood Risk Management Team** raised no concerns on flood risk grounds on the original proposals based on existing and proposed ground levels. They did however object on the basis of lack of information on the management of surface water.
57. As detailed in consultations section of the 43 unit application (2016/0060/DET) 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. The Team has considered this material and advises 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.
58. 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 one prior to its construction. In this regard pond 1 is not required in connection with providing surface water drainage arrangements for this ten house case.
59. **The Highland Council (Transport Planning Team)** advised that they had no objection to the proposals subject to planning conditions being attached. These conditions would require further information on turning head design, parking layout, visitor and resident cycle facilities; provision of bin stores, construction traffic management plan, and the provision of welcome packs to new residents promoting setting out walking, cycling and public transport provision in the area. In addition they recommended that the applicants work with the developer of the adjacent 43 unit site to deliver new bus shelters and real time passenger information displays at the nearest bus stops serving the site.
60. They also welcomed the fact that pedestrian and cycle connections between the existing residential developments around Beachan Court and the new plots proposed to the north were proposed whilst general vehicular connection would be prevented. They considered that this would help to promote more trips by cycling and walking.

61. However, they did raise concern regarding the lack of drainage information given that this application was linked to the drainage arrangements for the adjacent site. They recommended that no decision be taken until drainage material was provided.
62. The Team further advised that the proposed ten house development was unlikely to have a significant detrimental effect on the safe operation and maintenance of the local adopted road network serving Beachan Court. They were however concerned regarding the impacts of construction traffic and recommended that conditions be attached to ensure that construction traffic used the new access road from Seafield Avenue unless the applicant was able to produce supplementary information clearly demonstrating that construction vehicles would be able to access the site from Beachan Court network taking into account levels of on street parking currently experienced.
63. On submission of additional material the Team advised that points raised regarding turning and parking had been addressed although the detail of the cycle store, being open sided, did not reflect their requirement for secure storage. They sought imposition of a planning condition to cover this point. They also repeated the requirement sought on the 43 unit case for bus stop enhancements, to be implemented before any houses are occupied on the site with scope to agree proportionate cost shared with the developers of the 43 unit scheme. Conditions to control construction access, secure a construction traffic management plan and further detail on lighting and drainage for the bin store were also sought. Finally, the Team continued to stress the need to resolve drainage issues given that the application site would be sharing the drainage arrangements of the adjacent 43 unit site.
64. Having now considered the final package of material provided by the agents in August 2016 the Team advises 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 seek that a number of planning conditions be imposed to ensure delivery of the various requirements outlined together with an informative highlighting that road construction consent will be required for the road network. They have also highlighted that recommendations they made in respect of the flooding and drainage issues pertaining to the adjacent site should be repeated here, namely attaching a condition in respect of SUDS pond one discharging into the existing Kylvetra Burn north west of the driveway to Revoan and ensuring that the existing culverted structure here is adequate to accommodate any anticipated additional surface water flow discharges. The Transport Team also recommends that a condition be imposed regarding ownership and ongoing maintenance of the SUDS scheme.
Note: In respect of SUDS pond 1 it is noted that this pond does not serve the current ten house case.
65. **The Highland Council Forestry Officer** advised on the original submissions that there was a row of relatively small multi stem willows in the south east corner of the site. The Officer advised that trees out with the site within the grounds of the Dulaig and 43 Beachan Court should be suitably protected and

also that detailed landscape proposals should be provided for the areas which are highlighted as landscaped open space.

66. A detailed landscape scheme was 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.
67. The Officer's comments on the final revised landscape scheme and tree protection plan are awaited at the time of writing.
68. **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 this ten house application that it will comprise entirely affordable housing and is anticipated as 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 for the adjacent site.
69. **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.
70. **Highland Council Community Services and High Life Highland** were consulted in relation to any potential impacts on local services arising from the two new developments; this case and the accompanying application for 43 units. 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 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.
71. **CNPA Landscape Officer** has highlighted the need for the proposed houses to respond to the natural contours as far as possible minimising cut platforms,

underbuilding, and retaining walls. They have also advised that they should seek to retain an open aspect along the boundaries and a detailed landscape plan provided. Otherwise the Officer concluded that the development will have a minor impact on the landscape with potential to contribute positively to the character and amenity of the settlement in the long term.

72. A complete package of information designed to address all and points raised by other consultees was provided in late August 2016 and the Officer was duly re-consulted. This material also related to the adjacent site for 43 units although there is some overlap with drainage information and sections albeit these sections are out with the ten house site. The Officer advised in respect of the wider sections, whilst it was 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 was therefore recommended that a contoured site plan be produced to accurately shows final cut and fill profiles that are gentler and more natural in appearance.
73. Otherwise, the Officer welcomed the changes to the SUDS pond design which were now considered to be a good landscape fits In respect of the landscape scheme the Officer is satisfied with the material submitted whilst noting 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.
74. **CNPA Ecology Officers** assessed the initial submission for both applications, this one and the accompanying 43 unit case, and identified that the loss of semi-improved grassland was considered to be of local value only, with impact not significant. With regard to the wider site it was noted that as aspen and marsh habitat was to be retained and no mature trees lost there were no significant impacts, with the retention and potential for careful management of these areas 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.
75. 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.
76. Key impacts were considered to relate to the potential for impacts on the Kylindra 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.

Note: This is relevant insofar as this ten house case seeks to drain into this system.

77. 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.
78. 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.
79. A complete package of information designed to address these and points raised by other consultees was provided in late August 2016 and Officers duly re-consulted. The Officers now advise that all advice 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.
80. 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 ten houses along with the accompanying case for 43 units to the north (2016/0060/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.
81. 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 Kynintra Burn and ultimately the River Spey during construction.

82. **CNPA Economic Development Manager** commented in relation to the accompanying 43 unit proposal 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.
83. The Officer concludes that although the current applications do 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.
84. **CNPA Outdoor Access Team** welcomed the inclusion of paths linking to Beachan Court, Dulaig 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 highlighting the need for the path links to the playing fields to the rear of Dulaig Court to be suitably constructed. Following receipt of additional material they have now confirmed that material provided on construction and maintenance 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.
85. **Inclusive Cairngorms** has only one comment and this relates to access to the buildings. They are not clear whether the flats will have a ramped access provision and would support level/ramped access to this building which being affordable is likely to have elderly occupiers or those with young children who require ease of access.
86. *Note: Access to buildings will be covered by building regulation requirements., although upper floor flats will not be able to accommodate level access.*

87. **Grantown Community Council** raised initial concerns regarding flooding, over-development and impact on existing properties and traffic flows. When re-consulted on the additional material they raised concerns regarding flooding, road layout and traffic issues confirming that their comments apply to this ten house application as well as the 43 unit case. 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 use has not been fully considered. They finally highlight the need to respect privacy of neighbours noting that an adjoining resident, Mr Bulloch, has raised valid points which should be fully considered. A copy of their comments is attached as **Appendix 5**.

REPRESENTATIONS

88. The application was advertised on receipt by the Highland Council and four letters of objection were submitted attached in **Appendix 6**. Following re-submission of the accompanying application for 43 units the application was re-advertised given that additional material related to both cases, then again in July 2016 when further information was submitted, with neighbours and all contributors were also re-notified. This led to the submission of a further objection from existing contributors also contained in **Appendix 6**.
89. 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**.
90. Three parties have requested to be heard at Committee.
91. The main points of concern are summarised below:
- a) Traffic issues – information submitted does not take into account cumulative impacts of proposed and existing developments in Grantown. 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) Allotments – residents in Grantown have been seeking to establish allotments in the town and the proposed development is likely to increase this demand. Accordingly 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 that they do not consider it appropriate to provide allotments on site are not considered to be satisfactory, 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.
- c) Loss of residential amenity –as a result of up filling of land with proposals to contrary to both development in area to date which has worked with slopes, and to the applicants' own design guide.
- d) Cut and fill – lack of clarity on proposals and thus impacts on adjoining properties, and habitats. 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
- e) 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 Conclusions regarding on impacts on mining bee are disputed in terms of habitat loss - it is also highlighted that contrary to the statements in the survey material, the Badenoch and Strathspey Conservation Group did not withhold information on this bee, they were not asked for it.
- f) 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.
- g) Impacts on existing trees around site –proposed cut off drain will impact on tree roots.
- h) 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.

- i) Design and Access Statement – provides insufficient design guidance for a development within a National Park
- j) Insufficient information on flood risk and drainage given that application will be draining into new attenuation ponds.
- k) Cumulative impacts should be fully considered.
- l) Flooding and Drainage issues– information does not take account of snow melt and impacts on existing flood plain. 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 .
- m) 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.
- n) Inadequate public water supply- insufficient pressure in existing system at present
- o) Inadequate public drainage supply to cope with increased demand.
- p) 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
- q) 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.
- r) 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.
- s) 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.
- t) Affordable housing provision –whilst supporting principle of this provision it should not be delivered by open market housing as no effective way of controlling future use/price.
 - u) Poor quality of submission – with numerous iterations of material resulting in confusion and work for contributors is not considered to be acceptable.
 - v) 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

92. This proposed site for ten affordable houses comprises part of a larger housing designation (HI) as designated in the recently adopted Local Development Plan (LDP.) The remainder of the HI designation is the subject of a pending planning application for 43 units, including drainage, strategic landscaping and roads provision, which is the subject of the previous item on the agenda (reference 2016/0060/DET). These two applications are inextricably linked with (a) this ten house case providing the affordable housing contribution for the 43 unit case and (b) the 43 unit case providing the SUDS drainage and construction access road provision for this ten house case. It is unfortunate that advice to submit a single application for both was not taken on board for simplicity in processing. However, it is possible to consider the applications separately providing, in the event of the applications being approved conditions are attached as appropriate linking the two.
93. In terms of the HI housing designation, this has established the general principle of housing development, allocating the majority of the combined sites for residential development. Whilst the HI allocation does not include the northern part of the adjacent 43 unit site on either side of Revoan, this land is being used to service both developments 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.
94. Similarly for this ten house case small parts of the site immediately beside Beachan Court do not lie within the HI designation. These small areas of land are presently used for green amenity space and the other piece is neglected overgrown land. They lie within the settlement boundary clearly associated with the built environment at Beachan Court and their inclusion for development is not considered to conflict with the HI designation.
95. Finally in respect of matters of planning principle, Local Development Plan Housing Policy I.I 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 including those covering servicing, design, layout, landscape and natural heritage.

96. 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.
97. Consequently it is the detail of the layout which is under consideration and whether or not this is an acceptable proposal for delivering housing in compliance with LDP policies. It is also important to establish that development of part of the HI site as offered by this ten house application will not prejudice development of the remainder of the site as a result of its layout.

Landscape Impact

98. 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.
99. In principle development on this site would fit in well with the character of the surrounding area which is residential. Areas of landscaping are proposed on either side of the built area which will help to provide a good setting for the new development. A detailed landscape scheme has been provided for the combined sites and the details pertaining to this specific ten house site are considered to be satisfactory with the loss of small trees within the site considered to be adequately mitigated by the proposed new landscaping. Proposals to protect the trees adjoining the site have also been provided.
100. As the site slopes it is important to ensure that there is not excessive up-filling of the site which could create an unnatural effect. It is understood that this is not the applicants’ intentions, with sections for the internal road layout that have been submitted for consideration illustrating minimal up-filling. However, detailed sections would be required in the event of the application being supported to ensure that this approach is taken with the houses.
101. The landscape impacts of the new infrastructure in the far north of that site (comprising the access road and SUDS ponds) which will also serve this current ten house case have been fully considered and are now designed to try to fit well into the landscape through appropriate landscaping and design, taking on board comments made by CNPA advisors. The landscape impact and timing of associated ground works may be controlled by that application.
102. Therefore, the application is considered to comply with Local Development Plan Policy 5: Landscape.

Layout and Design

103. The area surrounding the application site at Dulaig Court and Beachan Court is characterised by a mixture of housing types, terraces and semi-detached with a winding road layout with cul-de-sacs and communal parking evident. The proposed layout reflects this, providing a simple layout of three blocks of housing/flats looking onto a small cul-de-sac leading from the existing housing at Beachan Court. The landscaping has been incorporated into the design which is welcomed as this will over time create a green setting separating the new housing from the existing housing at the Dulaig and Dulaig Court, creating a good landscape setting as well as biodiversity corridors.
104. Provision is also being made for path links from Beachan Court and onwards south to Seafeld Avenue which will be of benefit to all residents in the area as well as the potential for links to the east. The development has been designed to link into the proposed 43 unit case to the north which makes good provision for wider links. Until this is developed, existing informal links across the fields may continue to be used. Whilst a link is shown to land immediately to the south of the Dulaig there is not at present a formal walking route here, this land being overgrown and not readily accessible. Provision of a link from the new housing to this area will ensure that any potential to develop a through link in the future, dependent on relevant landowners coming forward with proposals, is not prejudiced.
105. Particularly when combined with the layout for the 43 unit case, this 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 are noted, it is considered that this path provides a useful link from this affordable housing proposed through to the rest of the designated site avoiding walking/cycling beside the main new road network, instead going through a landscaped setting. The area is considered wide enough to ensure there are no particular security issues being around 10 metres wide.
106. The road layout for the site itself is satisfactory benefitting from a simple, functional design which will “finish” off the existing cul-de-sac here, whilst making provision for emergency and pedestrian access to Seafeld Avenue to the north. Importantly, this layout does not prejudice the development of the remainder of the H1 designated housing site. Points raised by the Highland Council Transport Planning Team in respect of parking, cycling and bin storage can be addressed by the imposition of planning conditions in the event of the application being supported.
107. With regard to the proposed house designs the scale and design is considered to be satisfactory and appropriate for their location. They will incorporate a range of materials including timber, although it will be necessary in the event of the application being supported to secure further detail on these finishes.

Similarly, the detail of boundary enclosures and hard landscaping in terms of road finishes will need to be controlled by planning condition too.

- I 08. The houses are located sufficiently far from existing houses so as to ensure that existing residential amenity and privacy is retained and also have appropriate garden and open space provision. It is however important to secure final details of proposed levels of the houses, including sections of existing and proposed ground levels to ensure a good fit with both landscape and neighbouring properties. This may be secured by appropriate planning conditions.
- I 09. The mix of house types provides for a good range of occupancy whilst the proposed affordable tenure mix of rental and shared equity is greatly welcomed. Delivery and retention of this affordable housing mix can be secured by planning condition in the event of the application being supported.
- I 10. Therefore, the proposals are considered to comply with Local Development Plan Policy 3: Sustainable Design.

Residential Amenity

- I 11. The site is located adjacent to housing whereby the proposed development is entirely in keeping with the character and surrounding land uses. It is considered that the layout and distances from existing housing, together with landscaping proposed in and around the site will provide a good setting for the houses to be built without detriment to the privacy and amenity of householders in the area.
- I 12. Whilst there will inevitably be a degree of disturbance 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. Importantly the proposal to use the access road from Seafield Avenue with the adjoining 43 unit case for construction of these ten houses is crucial to ensuring that disturbance to residents in this area is minimised as well as for traffic safety reasons. Appropriate planning conditions can be imposed to ensure this in the event of the application being supported.
- I 13. In these circumstances the application is considered to comply with Local Development Plan Policy 3: Sustainable Design.

Environmental Impacts – Ecology

- I 14. Local Development Plan Policy 4: Natural Heritage seeks to ensure that there are no adverse effects on European Protected Species and other biodiversity interests.
- I 15. Satisfactory surveys have been submitted to demonstrate that there will be no adverse impacts on habitats and general species. In respect of the overall HI site 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 in this current ten unit site, which can provide biodiversity as well as landscape benefits.

- I 16. Similarly, the SUDS pond serving this application has been re-designed to maximise biodiversity potential with the accompanying 43 unit case as well as protection of water quality, and enhanced habitats can be provided for bat roosting and bird nesting by provision of bat and bird boxes in this current application case. Appropriate planning conditions can be imposed to secure these requirements in the event of the application being supported.
- I 17. 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, together with the re-design of the culvert proposed under the new road, which has been designed to ensure the safe passage of otter. This is relevant to the current application in that it proposes to use this road for construction access.
- I 18. Under the terms of the 43 unit case 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 Species Protection Plan in the event of that application being supported with the road constructed then under the terms and conditions of that case before it may be used to construct the ten house application case.
- I 19. Therefore, the development is considered to comply with Policy 4: Natural Resources

Environmental Impacts - Natura 2000 Sites

- I 20. 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.
- I 21. 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. This covered this current ten house case along with the 43 unit case.
- I 22. 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)

- I23. 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.
- I24. 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

- I25. 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, no 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.
- I26. This application for ten houses does not in itself raise any issues in terms of flooding being located above the flood plain. However, it does intend to use facilities in terms of construction access road and SUDS pond which may impact on flooding and drainage issues. The impact of this infrastructure on the flood plain beside Seafield Avenue has been fully considered with the 43 unit application 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 which runs from behind (to the east) of this ten house site, the consultees confirmed that they were 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 on the 43 unit case. Aspects of these conditions may require to be imposed on this ten house case.
- I27. The proposed SUDS scheme to deal with surface water drainage has also been considered in detail by all consultees with the 43 unit case, 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 again

will ensure that there will be no adverse impacts on the flood plain or flooding issues subject to appropriate planning conditions being imposed.

- I28. The ongoing maintenance of the SUDS system is a crucial issue in ensuring that once installed the system works satisfactorily. Details of future maintenance were provided with the 43 unit application, 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. Aspects of these conditions may require to be imposed on this ten house case.
- I29. Therefore, the proposed development is considered to comply with Local Development Plan Policy 10: Resources subject to imposition of any necessary conditions for this ten house case.

Servicing – Roads

- I30. 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.
- I31. 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, as noted earlier in the appraisal section, the proposed development makes good provision for links to the surrounding residential areas and ultimately to the woods to the west all of which will help support the desired move to sustainable travel which does not depend on cars.
- I32. The comments of the Highland Council Transport Planning Team also seek to ensure that sustainable travel using public transport is encouraged and supported by the 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 with the current applicant and the applicants for the adjoining 43 unit case both having this requirement. It will be for these two parties to apportion costs between them as the provision will be required before any unit is occupied on site.

133. 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. Conditions ensuring the construction access road is of satisfactory standard in terms of visibility requirements will be controlled via any permission issued for the 43 unit scheme.
134. The Team are also 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. They do not consider there to be a need for a further Transport Assessment as sought by objectors. They did consider with the 43 unit case 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, their view being that existing issues are due more to the effective operation of the junction rather than its capacity as such. 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. This matter would be adequately controlled by any permission issued for the 43 unit case and the Transport Planning Team do not seek this as a requirement for this ten house case which will be utilizing a different access route from Beachan Court for the residential traffic.
135. Therefore, it is considered that the proposed development complies with Local Development Plan Policy 3: Sustainable Design subject to appropriate planning conditions being attached.

Servicing - Utilities

136. 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.
137. Waste management provision can be delivered by imposition of appropriate planning conditions, with provision shown now for bin storage. Accordingly it is considered that appropriate conditions can be attached in the event of the application being supported to ensure that there is sufficient provision for storage for the management and collection of waste. 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.
138. Therefore, the proposed development is considered to comply with Local Development Plan Policy 10: Resources and Policy 3: Sustainable Design.

Affordable Housing

- I39. Local Development Plan Policy I: 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 at 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.
- I40. It is proposed that all housing on this site will be affordable and this is welcomed, hopefully providing for early provision of more affordable housing in Grantown. In the event of the application being supported planning conditions would require to be imposed to ensure that the housing is retained in this use.
- I41. It is proposed that these affordable houses will form part of the affordable housing requirement for the adjoining 43 unit case and conditions may be imposed on that consent to secure this link with this approach agreed with that the applicants.
- I42. On this basis the application is considered to comply with Local Development Plan Policy I: New Housing Development.

Developer Contributions

- I43. 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.
- I44. Relevant consultees have been consulted to establish the impacts of the development together with the adjoining 43 unit case. 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 identified earlier in terms of roads impacts. These works may be delivered by 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.
- I45. One of the representations submitted seeks provision for allotments within the wider H1 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 current small scale ten house application, which contains 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.

146. 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.
147. 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

148. 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. Appropriate planning conditions 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

149. 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 resist 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.
150. Objectors have 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 on the wider HI site 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.

151. Other points raised by objectors have been considered elsewhere in the wider assessment and appraisal of this proposed development.

CONCLUSION

152. It is considered that the proposed development, subject to suitable planning conditions being attached, complies fully with Local Development Plan policies and will facilitate the delivery of affordable housing on a well located site in Grantown-on-Spey. Accordingly, the development is welcomed, with the detail of the layout considered to comply fully with Local Development Plan policies on design, layout, and landscape all as outlined in this report.

153. In relation to technical issues such as flooding, drainage and roads, the proposed development insofar as it utilises the SUDS and construction provision of the adjoining site is considered to be satisfactory by technical consultees, subject to appropriate planning conditions being imposed. Care is necessary with the wording of planning conditions to ensure that there is no unnecessary overlap with the requirements imposed on the adjacent 43 house case.

154. Consequently, there are not considered to be any other material land use planning considerations which would justify resisting the application and approval is recommended

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT FULL PLANNING PERMISSION for the erection of 10 affordable housing development (6 semi-detached houses and 4 cottage flats) including road and drainage infrastructure at land 30M north of 45 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 site sections across the site in both north –south and east –west directions showing the proposed housing in relation to 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. These details shall reflect the requirement for cut and fill profiles that are natural in appearance responding to the natural contours, avoiding stepped**

platforms excessive cut into ground slopes, underbuilding and use of retaining walls, instead using the slopes of the existing land effectively and minimising the necessity for ground works. Submitted sections shall be extended to show the position of the existing housing at Beachan Court and Dulaig Court. The development shall thereafter be implemented in accordance with the approved sections.

Reason: To ensure that the new development conserves and enhances the landscape character of Grantown-on-Spey, and that there is no adverse impact on the amenity and privacy of existing residents 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 (1) the construction access road from Seafield Avenue is formed in accordance with the details approved under the terms of planning permission 2016/0060/DET (or as superseded by any subsequent Section 42 or other applications) and the details agreed under the terms of Condition 3 regarding surfacing. Thereafter all construction traffic shall use this access road with no construction access taken from Beachan Court (2) the cut off drain has been installed in accordance with the approved plans (Drawing no. 147132/22 Revision 1) and (c) flood mitigation measures have been implemented in accordance with the details approved under the terms of planning permission 2016/0060/DET (or as superseded by any subsequent Section 42 or other applications) and certification from an appropriately qualified professional confirming installation in compliance with the approved plans in respect of points (2) and (3) 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 there are no adverse impacts on the roads network or upon the amenity of residents in the area through construction traffic accessing the site from Beachan Court; to ensure that access is provided in a safe manner; and to minimise any risk of flooding which may affect persons or property in accordance with Policy 5: Landscape, Policy 10: Resources and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

3. **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 to 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 (as approved by application reference 2016/006/DET) throughout the construction of the new development.**

The Plan to include details of the timing for the closing off of the construction access to the housing hereby approved and details of the finishes/standard of the construction road.

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.

- 4. 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 northwards (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 to include details of any bollards and surface changes.**

Thereafter no residential unit shall be occupied until these measures have been implemented in accordance with the approved details and thereafter all housing shall only access the site from Beachan Court. The measures shall be maintained in functional order and permanently retained in situ.

Reason: To ensure that use of the Beachan Court roads network by vehicular traffic is restricted to this ten house development 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 residential unit 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 secure cycle provision and visitor cycle provision will be provided: details of the lighting and drainage for bin store areas and details of all proposed finishes of roads and footways 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 development shall then be implemented in accordance with the approved plans before any residential unit is occupied and maintained and retained thereafter.**

Reason: To ensure that a road layout with adequate visibility to ensure the safety of all users is provided; and that safe cycle storage and suitable arrangements for waste management are 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 watercourses 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 provision of the Otter Species Protection Plan approved for the adjacent development to the north (2016/0060/DET) 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 for the construction road serving the site, unless otherwise agreed in writing with the CNPA.

Reason: To ensure that there is no pollution or siltation of the Kylintra 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 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 development shall commence on site until details of the mix and contractual arrangements for the provision of the affordable housing hereby approved have been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority. The housing hereby approved shall thereafter be retained as affordable housing in accordance with these details in perpetuity, unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority.**

Reason: To ensure that the affordable housing provision is made and retained in accordance with Policy 1: New Housing Development of the Cairngorms National Park Local Development Plan 2015.

- 11. No development shall commence on the construction of the residential units hereby approved until details (including samples or brochures) of all proposed**

external finishes and boundary enclosures have been submitted to and approved in writing by the Cairngorms National Park acting as Planning Authority. Boundary enclosures details shall reflect the requirement to retain an open aspect to the development. The development shall thereafter be implemented in accordance with the approved details. Thereafter the development shall be implemented, maintained and retained in accordance with those approved details.

Reason: To ensure that the new development conserves and enhances the landscape character of Grantown-on-Spey and fits into its setting in accordance Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

12. All planting, landscaping and associated paths and details shall be implemented in accordance with the approved landscape scheme, (Drawing no. HLD K240.16/SL-01 Revision I.) insofar as it covers the application site, in the first planting season following completion of the last residential unit on the development 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

Reason: To ensure that a satisfactory landscape setting is created and maintained for the approved 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.

13. The new access onto Seafield Avenue shall not be used 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 details approved under the terms of planning permission 2016/0060/DET (or as superseded by any subsequent Section 42 or other applications the approved plans (Site Entrance Visibility Splay drawing no. 147132/13 Revision B) and 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

14. The watercourse crossing culvert shall be implemented in accordance in accordance with the details approved under the terms of planning permission 2016/0060/DET (or as superseded by any subsequent Section 42 or other applications)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 and no residential unit

shall be occupied until the otter road crossing signs have been provided in accordance with the approved plans.

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

15. No residential unit shall be occupied until its surface water drainage has been connected to SUDS pond one and it has been implemented in accordance with the plans and Flooding and SUDS Statement approved under the terms of planning application reference 2016/0060/DET (or as superseded by any subsequent Section 42 or other applications), 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, all in accordance with Policy 4: Natural Heritage, Policy 5: Landscape and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015

16. 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.

17. No residential unit shall be occupied until the access road (including associated footpaths) and parking serving it has been constructed and surfaced in accordance with the approved plans.

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.

18. 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

19. 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 strimmed 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.

20. 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 provide 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.

21. 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. 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 in accordance with 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 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.
3. You are advised that Road Construction Consent will be required from the Roads Authority (The Highland Council), all as per the comments of the Highland Council Transport Planning Team available on CNPA website.
4. You are advised to ensure that you have an appropriate legal agreement in place with the developer/owner of land to the north to ensure that the arrangements to put in place construction access and SUDS/Flood mitigation works are delivered.
5. 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.
6. With regard to Condition 19 (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.
7. With regard to Condition 20 (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.
8. 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 You are also advised to discuss with the developer of the adjacent land to the north (reference 2016/0060/DET) how

costs for delivering these enhancements could potentially be shared as this requirement is common to both cases.

9. 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.
10. 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).
11. 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.
12. Following the completion of the development, a notification of the completion is required to be, 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.