

# AGENDA ITEM 6

## APPENDIX 6

2015/0394/DET

# REPRESENTATIONS



44 Kylintra Crescent  
Grantown-on-Spey  
PH26 3ES

Cairngorms National Park Authority  
14 The Square  
Grantown-on-Spey  
PH26 3HG

23<sup>rd</sup> December 2015

**Planning applications for development of 53 total no. dwellings on land north of Beachen Court, Grantown on Spey. (Ref. 2015/0394/DET and 2015/0402/DET)**

I am one of a group of residents of Grantown on Spey who have for some time been seeking the establishment of allotments in the town. We represent existing demand for allotments. The Highland Council's Policy Officer who is responsible for maintaining the Council's allotments waiting list can confirm details if required.

Developments of the type proposed in these two applications are likely to increase the demand for allotments. I set out below the Policy background relating to this issue; the reasons why I believe that as a minimum the developers should be required to address this issue in relation to the proposed development as prescribed by the Policy background; and the reasons why I believe that these developments offer an ideal opportunity (which should be grasped) to go beyond that minimum and address both existing and future demand.

CNP LDP Policy 11 requires that *"development which gives rise to a need to increase or improve public.... facilities... will normally require the developer to make a fair and reasonable contribution in cash or kind towards the additional costs or requirements. Such contributions will be consistent with the scale and nature of the development proposed. Supplementary Guidance will be produced with detailed contribution policies for.... open space."*

The Supplementary Guidance (SG) adopted by CNPA in relation to this Policy states that *"strategic landscaping and open space should be delivered on site where possible and form an integral part of the design.... it is the responsibility of the developer to deliver this and make provision for ongoing management. If it is not possible to provide these within the site.... it may be acceptable to provide it on other suitable land. The type and quantity of open space will depend on the nature and scale of the proposal and could include.... allotments."*

While the CNPLDP SG does not give quantitative guidance on the amount of public open space expected to be provided in any particular category, the Highland Council's Allotments Policy para. 4.1 states that *"within the planning process, developers of new housing developments will be required to follow the guidance in the Highland Council's Open Space in New Residential Developments Supplementary Guidance. In it, a standard of 1 sq. m. per person of allotment space is specified."* In the absence of any standards adopted by CNPA and given that the application sites are in the area of the Highland Council (THC) and that in one of the two cases the applicant is THC itself,

It would seem appropriate to adopt this THC SG and its provision standards in the determination of the applications.

By contrast, the SG relating to CNP LDP Policy 3 does set specific guide figures for private outdoor space for houses. Specific examples are 70 - 90 square metres for a 3 bedroomed property and 40 - 60 square metres for a 2 bedroomed property. Back gardens of such sizes, which are barely met or exceeded in the proposed layouts, are wholly inadequate as a substitute for the provision of allotments. Allotment plot sizes typically range between 100 sq. m. and 300 sq. m. Other domestic activities such as clothes drying, sheds, fuel stores, play space and play equipment for children, sitting out areas etc. will typically have first call on garden space and would be likely to occupy the greater part of the back garden areas shown, and the utility for food growing purposes of what space is not so used will be severely compromised by overshadowing by buildings and screen fences. I would accordingly submit that private garden areas in these two proposed developments do not in any way undermine or negate the need to make provision for allotments in accordance with LDP Policy 11, its SG, and the THC SG. (I consider it reasonable to include the serviced plots because although their superficial areas are generous enough the potential uses of their gardens will be severely constrained by topography and/or overshadowing by and roots of trees in adjacent woodland).

Applying the THC SG to these two applications would give a requirement of 121 sq. m. or thereby of allotments space to be provided as part of the overall open space provision for the development. However the THC SG specifies a minimum site size of not less than 1270 sq. m. of plots (around 1500 sq. m. including common areas). A number of options would therefore seem available to address the issue:

1. To secure a contribution from each developer to off site provision of an allotments site, in cash or in kind or in a combination of both.
2. To require (as part of detailed landscaping and maintenance proposals) that an allotments site of the required minimum size be provided within these developments, with contributions to off site provision from future housing developments elsewhere in Grantown being returned to the landowner to compensate for the difference between the minimum required size and the on site quota (1500 - 121);
3. To require (as part of detailed landscaping and maintenance proposals) that an allotments site of the required minimum size be provided within these developments, with the difference between the minimum required size and the on site quota being offset if necessary against other categories in the THC SG's provision standards.

As the third option is the most attractive from the point of view of securing provision of an allotments site in the shortest possible space of time it merits some further comments in its support.

Firstly, even if total open space provision in the development barely met the THC SG's overall provision standards the SG gives scope for flexibility. The "Reviewing the Context" section of the SG notes that *"in some areas, some or all of the provision assessed by the Calculator may not be needed, for example if there is already ample provision within the applicable distance thresholds."* The application sites are on the edge of the town and the developments will have excellent access to natural greenspaces, green corridors and equipped play areas within the required distance

thresholds. This, if necessary, would allow underprovision on site of these types of open space to be offset against overprovision of allotments space.

But in fact the application sites taken together are not lacking in open spaces. In particular they include extensive areas of greenspace between the developed areas of the site and Seafield Avenue. All of the open spaces will need to be maintained, imposing a financial burden on householders. In that context, the benefits of providing an allotments site offset against other categories of open space are obvious: the burden of maintaining the allotments site falls only on the allotment ploholders and their management organisation (typically an allotments society) and the area which residents have to pay to maintain is proportionately reduced.

There is a recent example of these benefits have been acknowledged and taken on board in the layout of a large housing application in the village of St Monans in Fife, further details of which can be provided if required. The key ingredients can be summarised as a proactive approach by the Planning Authority and an enlightened developer receptive to the benefits which incorporation of an allotments site delivers to their customers.

I would therefore ask that in determining these applications CNPA adopt one of the three options set out above, with option 3 as very much my first preference.

Yours Sincerely

A solid black rectangular box used to redact the signature of Andrew McCracken.

Andrew McCracken

10 JAN 2016

## Comments for Planning Application 2015/0394/DET

### Application Summary

Application Number: 2015/0394/DET

Address: Land 30M North Of 45 Beachan Court Grantown On Spey

Proposal: Erection of 10 affordable housing development (6 semi-detached houses and 4 cottage flats) including road and drainage infrastructure

Case Officer: Katherine Donnachie

### Customer Details

Name: Mr Leslie McAuly-Brand

Address: Braeriach Seafield Avenue Grantown-on-Spey

### Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I write to express concern over certain aspects of planning application 2015/0394/DET. My concerns relate to water supplies, drainage, traffic in Seafield Ave and the capacity to handle effluent from the development. I refer to statements made by Scottish Water on a previous Care Home application as I feel these perhaps point toward further local development possibly exacerbating those issues when sharing existing services.

These statements relate to:

1. Flow and pressure testing to ensure the network can maintain adequate supplies.
2. The unlikelihood that there would be sufficient capacity for firefighting purposes.

My feeling is that the existing water supply / drainage cannot possibly have been designed to cope with the additional water demands or increase in effluent the new development will bring.

My next concern relates to traffic, the care home, housing development, potential expansion to the caravan park and also a vague proposal to reinstate the railway from Aviemore to the end of Seafield Avenue, will undoubtedly increase the traffic and a full traffic assessment should be conducted taking into account the cumulative effect of these developments on the town.

Lastly, with the omission of several key documents such as SEPAs response, or a flood risk assessment, it is not possible to comment fully on this application and therefore these documents should be included with a time extension provided to allow a further review and comment to be made.

**Badenoch & Strathspey Conservation Group**  
Fiodhag, Nethybridge, Inverness-shire PH25 3DJ

Scottish Charity No. SC003846

Email [info@bscg.org.uk](mailto:info@bscg.org.uk)

Website <http://bscg.org.uk/>

Katherine Donnachie  
CNPA

18 January 2016

Dear Katherine

2015/0394/DET Land 30M North Of 45 Beachan Court Grantown On Spey, Erection of 10 affordable housing development (6 semi-detached houses and 4 cottage flats) including road and drainage infrastructure.

With respect to the above application we welcome that it is for entirely "affordable" houses.

However I am writing to object for the following reasons.

- There appears to be insufficient information on flood risk and drainage.
- There does not appear to be any reference to a Flood Risk Assessment relating to this application, although there is potential for flood run off and groundwater percolation affecting surrounding areas.
- Surface drainage associated with this application appears to drain to the attenuation basin in the marshy area (as does most of the 43 house proposal, 15/0402/DET). From there it apparently flows into the Kylintra burn, presenting additional potential for contributing to risk of flooding.
- No landscaping plans are included. The site is in a prominent location.
- Regarding the Small Scabious mining bee *Andrena marginata* we dispute the highly speculative conclusion that "suitable nesting habitat is plentiful along the disused railway line embankment to the north of the camp site".
- Given the limited number of visits restricted to a single season, we dispute the conclusion "if the species was present on the proposed Beachan Court development site it would be expected to have been recorded during surveys." *Andrena marginata* is a small bee that is easy to overlook.
- The Vegetation Phase 1 and NVC survey does not appear to include maps.

As a point of fact, BSCG rejects the claim and inference made by Alba Ecology (final paragraph on page 3, 'Scabious mining bee' report). BSCG did not withhold information from Alba Ecology, who failed to follow up BSCG's offer and never arranged a site visit, in spite of having almost 2 years in which to do so.

BSCG would like to request the opportunity to address the planning committee when this application is determined.

Kind regards

Gus Jones  
Convener

**From:** Andrew McCracken

**Sent:** 8 May 2016 12:25:09 +0100

**To:** Planning

**Subject:** 2015/0394/DET - erection of 10 houses at land 30 m north of 45 Beachen Court

Thank you for your letter of 13th April advising of the submission of further information on this case.

I would simply comment as follows on the additional information relevant to my previous comments, i.e. items 1 and 3 on your list of new information. I assume that their submission is part of some kind of tidying up exercise for consistency with the contents of the larger application 2016/0060/DET since they appear to be identical to the similarly numbered drawing and regime description contained in that case file. Indeed the red line boundary on the drawing submitted for 2015/0394/DET is actually identical to that of the other application (2016/0060/DET) and does not correspond to or even extend to include the red line boundary of 2015/0394/DET. This is perhaps little more than a procedural irregularity. In any event, the landscaping proposals as they now stand clearly contain no changes which would respond satisfactorily to my previous comments. I should like to know if that represents a deliberate rejection of those comments on the part of the applicants, or if those comments still await a response from them.

Yours sincerely,

Andrew McCracken



[REDACTED]  
From: [REDACTED]  
Sent: 12 May 2016 23:53:58 +0100  
To: Planning  
Subject: Planning Comment

## Badenoch & Strathspey Conservation Group

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CNPA

Grantown on Spey

Dear Planner

### **Applications:**

**2016/0060/DET Creation of Residential plot layout 43 plots, strategic landscaping, drainage, roads, etc;**

**2015/0394/DET Erection of 10 affordable houses.**

BSCG wishes to object to the above applications and we request the opportunity to address the committee when these applications are determined.

In principle BSCG is supportive of 2015/0394/DET Erection of 10 affordable houses insofar as this is a proposal of entirely affordable housing. However we have specific concerns as set out below.

### Flood Risk Assessment and Drainage

#### Attenuation basins:

We have major concerns over the larger attenuation basin that is sited on the steep slope of the former river terrace, that is 4.5m high with a slope of about 1:4. We do not consider that this site is optimal within the various locations available within the site boundary. We would expect an attenuation basin to be sited on relatively level ground.

The proposed basin would be very unsightly and dangerous (with a near vertical wall of 1.5m). The basin as illustrated on the plan provided is inaccurate, depicting a basin that is significantly smaller than the true size would need to be.

We have concerns over the negative ecological and landscape impacts of this large basin and how it would sit in relation to the surrounding ground.

The former river terrace is an ecologically rich part of the site that should be retained as far as possible. It supports numerous species of waxcap fungi including the CNAP species Crimson waxcap, as well as valuable wildflowers and invertebrate habitat. This terrace should not be a site for the basin; and the impacts of the road crossing it should be kept to an absolute minimum.

#### Flood Risk Assessment:

We are concerned that the FRA has not taken adequate account of snowmelt; and that the FRA has not taken account of the reduction in the capacity of the existing floodplain due to the construction of the roads

#### Capercaillie

SNH identify that the proposal is likely to have a significant effect on capercaillie in the nearby SPAs. We agree with this. However, in our view SNH's appraisal that the proposal will not adversely affect the integrity of the site, is unsound. The conclusion arrived at by SNH apparently relies on the assumption that the increase in recreational use in the SPA's "will follow existing patterns of use." SNH do not provide evidence to support this assertion.

We consider that a more realistic assessment of recreational use, is that with increased recreational use through higher numbers of users, people seek out alternative, quieter routes and alternative quieter times of day. This can be for a whole variety of reasons, such as a wish for peace and quiet, or due to walking a dog that doesn't mix well with other dogs. Consequently, minor routes that are very quiet at present may well become more disturbed for caper, and less busy times of day, in particular early morning, may also become more disturbed. We note that at Anagach there has been an increase in use of desire lines beyond the main routes.

Further, there are important considerations that SNH do not appear to have taken into account. It is reasonable to assume that numbers of dogs and their impacts will increase. There is an increase in popularity of off-route cycling (including within SPAs) which can reasonably be assumed will be added to with increased numbers of users. Another relevant consideration when assessing disturbance impacts is the behaviour of the proportion of users that are not reached by signage, notices, guidance, and the like; with increased numbers of users it is reasonable to assume that there will be an increase in the number of such users. Professional dog walkers are an apparently growing category of recreation users, that may be particularly likely to wish to avoid contact with other dogs and so impact on currently less disturbed areas.

### River Spey SAC

Otters use small burns and ditches, including the Medow Burn and potentially the Kylintra Burn. It is reasonable to assume these otters using the Medow Burn are part of the Spey SAC population. Otters using small water courses are particularly vulnerable to disturbance by people and dogs; thus the proposal is likely to lead to additional impacts on otters using these areas.

### Tree Planting

We are concerned that any tree planting should be ecologically coherent, and should not include species that are not native to this area (such as beech). We are concerned that the marshland and the former river terrace slope are valuable habitats in their own right, which would be potentially adversely impacted by any tree planting.

### Cumulative Impacts

We are concerned that cumulative impacts need to be fully taken into account.

Yours sincerely

Gus Jones

Convener

**From:** Andrew McCracken  
**Sent:** 6 Aug 2016 10:26:29 +0200  
**To:** Planning  
**Subject:** Applications 2015/0394/DET and 2016/0060/DET

f.a.o. Katherine Donnachie

Dear Katherine

I refer to your 2 letters and enclosures of 13th July. Following holidays I have now had the opportunity to look at these.

I note in particular para. 14 of the covering letter from Colin Armstrong Associates which explains the lack of a designated allotments site in the revised soft landscape proposals/maintenance and management regime plan/documents. While I am pleased to note the applicants' assent to the principle of developer contributions towards the provision of allotments I really think that their justification for saying that allotments are not appropriate on this site "given the extent of open space in our finalised proposals" needs to be questioned. The extent of the open space within the site boundaries alone can only be described as "extensive", and I have previously drawn attention to the site's excellent proximity and accessibility to informal and formal off site recreational facilities (Dulaig Park, the woods, the Dava Way etc). In trying to get allotments established on the limited areas of land in the ownership of THC in Grantown, I and colleagues have already experienced hostile opposition from Nimbies. Since the obvious suitable (well drained, gently contoured, reasonably large) location for an allotments site within the application site is to the north of the high value plots nos 7 and 8 I do wonder whether the agents' contention is driven by what might be called "anticipatory Nimbyism" rather than a rigorous assessment of other recreational uses' needs and provision. Perhaps they are simply unaware of the full details of the St Monans case - ?

If CNPA opts for the route of developer contributions towards off site delivery mechanism -

1. What will be the basis and structure of the contributions tariff? Will it be a single up front payment? Or phased in some manner? What land values will be used to determine the level of contributions required?
2. Can you confirm that THC as well as R S MacLeod will be required to make the contribution?
3. Which body will be responsible for managing this and any future developer contributions towards allotments?
4. Which body will be responsible for acquisition and development of an alternative allotments site?

These questions underline my remaining concern that the developer contributions mechanism, although better than nothing, will further delay delivery of an already long overdue facility, and make its delivery a hostage to possible Nimbyism elsewhere, whereas on site provision could deliver it in the relatively near future, on a suitable piece of ground, where its pre-existence can be accepted as a fact by people wanting to move to the development. The final irony is of course that an allotments site elsewhere would almost certainly be acquired from the same Estates that are the joint applicants.

Yours Faithfully

Andrew McCracken

# Badenoch & Strathspey Conservation Group

Fiodhag, Nethybridge, Inverness-shire PH25 3DJ

Scottish Charity No. SC003846

Katherine Donnachie  
CNPA  
Grantown on Spey

11 August 2016

Dear Katherine Donnachie

2016/0060/DET | Creation of residential plot layout (43 units), Roads, Drainage and Strategic Landscaping | Land 150M NW Of Beachan Court Grantown On Spey  
2015/0394/DET | Erection of 10 affordable housing development (6 semi-detached houses and 4 cottage flats) including road and drainage infrastructure | Land 30M North Of 45 Beachan Court Grantown On Spey

BSCG wishes to object to the above two applications and we request the opportunity to speak to the committee when the applications are determined.

This letter is in addition to BSCG's previous letter of 12 May 2016.

## 2015/0394/DET

In principle BSCG is supportive of this application for 10 affordable housing units in that it is composed entirely of affordable housing. However, we have specific concerns as set out here.

### Provision of Affordable Units

We are concerned at the inclusion of open market in the definition of 'affordable' housing provided in the CNPA's Supplementary Planning Guidance that refers to PAN 2/2010 houses (Unsubsidised Low Cost Housing For Sale, PAN 2/2010).

BSCG understands that the CNPA as planning authority does not have an effective means of controlling who purchases such open market properties and they may be purchased as a 2<sup>nd</sup> home.

Also, due to the average house price in the CNP being relatively high, the cost of these units may still be out of reach for most people.

For these reasons BSCG is opposed to any of the 13 or so affordable units included within these 2 applications being of this type.

### Otters (European Protected Species, Scottish Biodiversity List species)

The otters using the Kylintra Burn can reasonably be considered to be part of the River Spey & Tributaries SAC population (for which otters are a qualifying feature). Otters using the Meadow Burn, that flows through the Mossie and the woodland above it, and

joins the Kylintra Burn shortly downstream from the proposal, can also be considered part of the River Spey population. While we accept the legal relevance of considering resting places (lie ups and holts), in order to properly assess the impacts of this proposal it is vital that other habitats should not be neglected. This is particularly so given the constrained nature of otter habitat along the Kylintra Burn.

BSCG has recorded otter spraints this month at several locations, both within the development footprint and upstream and downstream of the development area. The presence of numerous spraints, including an extremely fresh one (estimated to be from the 10 August 2016), demonstrates that otters are using this area on a basis that extends well beyond feeding on amphibians in springtime. Late winter and early spring is a key time of year of potential food shortage for otters, when amphibians can provide an important source of food. Rabbits and waterfowl (such as mallard that breed in the pond at Revoan) could also contribute to the diet of otters on and near the proposal site. At any event, the presence of spraint well upstream of the garden pond at Revoan indicates that the Kylintra Burn and the surrounding habitats are being used by otters. The contents of the spraints found in August included fish remains.

It is reasonable to consider that the Kylintra Burn and associated habitats could contribute significantly to the viability of the otter population associated with the River Spey SAC. Otters are known to use rabbit burrows as resting places and to have natal holts in habitat such as woodland, including away from rivers. Some of the woodland below the old railway line has many rabbit burrows and is secluded, providing potential habitat for natal holts. It is important that the proposal does not compromise connectivity of the Spey with these habitats. It is also well known that in times of floods otters need safe areas of higher ground to retreat to. There are several areas of tall marshy vegetation providing cover for foraging and possibly resting both within the development area and associated with the Kylintra Burn further upstream. The fact that currently some of these wet areas are difficult for people and dogs to access is likely to be beneficial to otters.

We are concerned that the present proposals are not otter-friendly and we note that there is no Species Protection Plan for otters. We are concerned that the culvert design completely lacks provision for otters and other wildlife. Ledges should be provided to enable dry passage by otters and other wildlife including during high water levels. These need to be accessible to wildlife from the water and land. SNH has provided guidance on culverts etc., see <http://www.snh.org.uk/publications/online/wildlife/otters/mitigation.asp>

In line with Policy 4 Natural Heritage, habitat should be provided to compensate for that lost to development. We understand that much of the Mossie is under the same ownership as the proposal site. In recent years stewardship of the Mossie has led to a reduction in habitat quality and biodiversity. We suggest that compensatory action could include establishing the Mossie as a Local Nature Reserve; protection of the margins of the Medow Burn from livestock trampling and pollution (in line with SEPA guidelines); a cessation of the application of artificial fertilizer on areas of pasture; removal of horse manure from botanically rich areas; and adjustments to grazing regimes.

We consider that measures should be taken to safeguard the marshland around the new road. The marshland is important for invertebrates, amphibians and otters.

We are very concerned that around the proposed access road a substantial amount of 'Fill' (in the Cut & Fill plan), possibly to several metres height, is proposed. This would destroy the valuable existing tall marsh vegetation habitat, significantly alter the hydrology and fill in parts of the 1 in 200 flood area, thereby reducing the effectiveness of the natural flood alleviation provided by the existing wetland habitat. We are unclear as to whether this has been properly modelled and thought through.

#### Amphibians

Toad (UK Priority Species, Scottish Biodiversity List species) - recorded by BSCG on the proposal site on 10 August 2016 (where the access road crosses the Kylintra Burn); known from adjacent gardens for a number of years.

Toads could be potentially seriously impacted by the proposals, for example in spring when they may need to move across the proposed access road to get to breeding sites (such as the garden pond at Revoan).

Frogs are present in the area and are a seasonally important prey item in the diet of otters. Newts (considered to be palmate or smooth newts by local residents) are known to use nearby gardens and garden ponds and can be assumed to use the proposal site. There is the potential for Great Crested newts to be present in the area.

Consideration should be given to ensuring that the access road is designed to be safe to cross by amphibians; to designing the SUDS ponds and swales to be amphibian-friendly; and to maximize opportunities for connectivity of wetland habitats.

#### Waders

Curlew (UK red list, of high conservation concern) - post breeding use of the proposal site is known by local residents in summer 2016 (pers comm local resident).

Lapwing (UK red list, of high conservation concern) known to breed on proposal site. Lapwing chicks were caught by a cat from a house adjacent to the proposal site in 2016 (pers comm local resident).

Oystercatcher (UK amber list, of medium conservation concern) known to breed on the proposal site.

Snipe (amber list) and Woodcock (red list) are also likely to make use of the proposal area.

Strathspey is well known for its outstanding importance for breeding waders, which are a special feature of the Cairngorms National Park. Even in Strathspey, Grantown is unusual in having breeding waders so accessible to the town for residents and visitors to enjoy on their doorstep.

Dipper (amber list) - long known to use the proposal site; was photographed by BSCG on proposed footprint on 11 August 2016.

Hen harrier (red list) - has been recorded hunting over the proposal site in 2016 (pers comm local resident).

Tawny Owl (amber list) resident in area and considered to hunt across proposal site.

Willow warbler (amber list) recorded on proposal site by BSCG on 11 August 2016.

Song thrush (red list) recorded by BSCG on proposal site, 10 August 2016.

Starling and House sparrow (both red list) recorded repeatedly by BSCG on the adjacent Mossie and likely to use the proposal site.



### Capercaillie

Further to our earlier comments, the cumulative impacts on the meta population need to be taken fully into account as a result of, for example, the loss of woodland at Boat of Garten; the consent for an equestrian centre near Craigmore SPA; the allocation for development in woodland at Carrbridge; increased disturbance at Badaguish, Glenmore as a result of the use of additional wigwams; and planned loss of existing habitat through widening the A9 north of Carrbridge.

### Flower- and Fungi- Rich Grassland

Within the red line boundary there are areas of grassland that support species of conservation importance that should be safeguarded. These areas include the steep bank and flatter ground up to the present dyke to the east of Revoan.

Field Gentians *Gentianella campestris* nationally scarce cumulative impacts need to be taken account of, e.g. A9 verge north of Carrbridge; Boys brigade field allocation at Carrbridge; allocation on 'horses field' at Aviemore.

Heath dog violet *Viola canina*, waxcaps including *Hygrocybe ovina* and the CNAP shortlisted Crimson waxcap *H. punicea*.

Devil's bit scabious, the food plant for *Andrena marginata* and other rare invertebrates is frequent. There is potentially suitable nesting habitat for *Andrena* species and foraging plants for the SBL species *Bombus monticola*, that BSCG has recorded frequently on the Mossie nearby, and is likely to use the proposal site.

We are aware that *Andrena marginata* was not found during the survey but we emphasise that this rare bee can be readily not found in a snapshot survey.

### Trees

We are concerned that existing trees should be retained, including the aspen trees supporting *Phellinus tremulae*.

### Surveys

BSCG is concerned that the CNPA is still accepting walkover surveys for wildcat when it has been amply demonstrated to be a wholly inadequate means of realistically surveying for wildcats.

Hedgehogs, Scottish Biodiversity List species BSCG has recorded signs on the proposal site on 10 August 2016 and local residents have long known of their presence on and around the site.

Lizard Residents have recorded lizards on the site being brought in by cats.

Regards

Gus Jones

Convener

The Dulaig  
Seafield Avenue  
Grantown-on-Spey  
PH26 3JG

26 September 2016

Cairngorms National Park Authority  
Planning Team  
14 The Square  
Grantown on Spey  
PH26 3HG

**Objection to Planning Applications:  
2016/0060/DET - Creation of residential plot layout (43 units), Roads, Drainage and  
Strategic Landscaping, and  
2015/0394/DET Erection of 10 affordable housing development**

This is now the fourth iteration of updating of supporting information for these planning applications and the fourth period of public consultation. Please note that this letter of objection replaces all my earlier dated letters of objection.

With the long awaited updating of the Flood Risk Assessment, I had hoped that by this time the applicant would at least have produced a coherent set of supporting documents for this fourth consultation process. Unfortunately, yet again I have found major inconsistencies and a lack of detail and clarity in some of the key new supporting information supplied, which again raises concerns over the integrity of the supporting documents provided for both applications.

My objections aim to cover the key areas of concern I have, both with the published supporting information and the correspondence currently available from statutory consultees. I have listed my objections against both applications as 2015/0394/DET is so dependent on the larger application (2016.00600/DET) and it is difficult to segregate the issues and assign them to one or the other application.

If these applications are submitted to the CNPA Planning Committee I again request permission to address the Committee. Given the complexity of the applications, the fact that these applications come under the definition of a Major Development, and the many outstanding concerns I have with the supporting documents, I request that more time than normal is granted for my presentation.

Many of my objections might be satisfied by a meeting convened by CNPA Planning involving the applicant (and any of their consultants thought appropriate), SEPA, Highland Council Flood Risk Management Team and any of their colleague teams who would wish to attend, and myself and any other objectors who wish to attend. If many of the issues I raise could be discussed and a way forward agreed before these applications go to committee for decision I believe the planning committee members would feel much more comfortable in reaching the right decision.

I intend to copy my comments and objections on the SUDS Statements and the Flood Risk Assessment to SEPA, with whom I have had a previous dialogue on this issue.

## **Cut Fill Areas on the Proposed Development**

I note that a new Cut & Fill Areas drawing has been submitted (Arch Henderson 147132/14 rev. C). CNPA Planning maintains, in an e-mail to me, that this is an indicative drawing only: I am perplexed by this as there is no such annotation on the drawing nor in any of the other supporting documents that I can find. As this is a detailed application and not an outline planning application, I must assume that this drawing describes what the applicant intends to construct.

1. In addition to the above Cut & Fill Areas drawing, refer to Arch Henderson drawing 147132/15 rev B, entitled "Site Cross Sections". I object in the strongest terms to the proposed raising of the ground nearest to the western fence of The Dulaig property. Currently this ground is approximately level from the western boundary fence line of The Dulaig. The Cut & Fill Areas drawing is indistinct and the depths and heights of the proposed cut and fill areas are very unclear, however the Site Cross Sections drawing (Cross Section 6) shows this fill area to be 1.5 to 2 metres. This would raise the base of the proposed housing adjacent to The Dulaig to around the level of our 2 metre boundary fence. The raising of the ground next to the western fence of The Dulaig is unnecessary in engineering terms, but represents an unnecessary major intrusion into the privacy of our property which, as well as being our home, is an award winning luxury Bed & Breakfast. Such raising of the ground would significantly increase the amount by which our property will be overlooked (especially for at least 6 months a year when there are no leaves on the trees) and would have a major detrimental effect on our amenity and business, particularly as we have the windows of two bedrooms directly facing the site. I require that, if planning permission is granted, this area of fill is not permitted and that all construction in this area of the site is founded on existing ground levels. Also, I note that part of the proposed fill covers the protected root area surrounding mature trees on the western boundary of The Dulaig. This is unacceptable as such coverage could damage our trees including preventing them from feeding appropriately.
2. Creating a raised area for housing close to the western boundary of The Dulaig raises the potential of flood run-off from the development onto our land. I note, and agree in principle the addition of the cut off drain (Arch Henderson drawing 147132/22 entitled Cut Off Drain Detail), however I am concerned that part of the course of this cut off drain is shown as flowing through our tree protection area. I require that the cut off drain is designed to avoid the tree protection area, and further more if planning permission is granted that no construction work in this area of the site commences until the cut off drain is installed and commissioned as one of the highest risks of flood run off is during construction when soils have been stripped of vegetation.
3. There is an additional area of the site where the proposed fill to create a platform for a block of four flats is totally unacceptable. The platform for the flats in the SW corner of the site adjacent to Beachen Court is shown as being around 2.5 metres of fill. This raises the probably 1.5 to 2 storey flats well above the neighbouring existing housing which is partially cut into the hillside. I object to this fill to create a

building platform. Any housing in this area should be cut into the hillside to reduce its visual impact and to be compatible with the existing housing. Additionally, I object to the proposal to site flats in this location as semi-detached housing would fit much better into the existing street scene.

4. In my objection letter dated 11 August 2016 I objected to rev. A of Cut & Fill Areas drawing 147132/14. My objection was that the cut areas of the development site below plots 1-6 appears very severe (up to 5 metres) and that the level of the site road below plots 1 to 6 is likely to result in a breach 7.6 of the revised Design Guide covering maximum gradients of driveways. I now find in rev. C of the same drawing that the road servicing plots 1-6 no longer appears to be cut lower, but is constructed at current ground levels. However, cross section 6 of Site Cross Sections drawing 147132/15 rev B shows a large area of cut covering the road and virtually all of plot 5 – the depth of cut is at least 5 metres. Which drawing is correct? If the cross section 6 is correct, does the massive amount of cut indicated extend all the way along Plots 1-6? This is a critical design feature which will have a huge visual impact on the proposed development. This matter needs to be fully clarified before these applications go before the planning committee. In addition due to the huge variation in visual impact of the two landscape profiles being indicated in this area of the planning application, the correct version needs to go out to public consultation again as the current supporting information is highly misleading. I remind CNPA Planning that 2016/0060/DET is a detailed application (not an outline application) covering strategic landscaping. Such conflict in the supporting information is totally unacceptable.
5. **In summary, there are major discrepancies and unacceptable design features in the proposed re-profiling design for the site. All discrepancies between supporting documents must be removed and a more sympathetic landform profile needs to be designed which lowers the impact of the development on the existing housing which borders the site. Most of these issues should have been raised - and could possibly have been resolved - at the pre-application consultation if the applicant had provided the level of detail now provided. Unfortunately the pre-application information was woefully simplistic and lacked any detail. There are lessons to be learnt by the planning authorities to ensure that any pre-application consultation genuinely provides the level of detail which would enable the public to fully engage with the applicant and understand what the applicant proposes and flush out potential objections and concerns at that early stage.**

#### **New Flooding & SUDS Statement with its Flood Risk Assessment**

6. I note that the applicant has at last submitted, as initially requested by me and subsequently requested by SEPA, an updated Flooding & SUDS Statement (dated September 2016) incorporating an updated Flood Risk Assessment dated 9 August 2016.

7. I note the total reworking of the SUDS scheme and I believe that this seems more acceptable than the original scheme however I still have concerns over certain aspects of the SUDS design.
8. I have a number of comments and concerns regarding the revised documents:
  - I need re-assurance that the SUDS retention ponds have been sized not just for a 1 in 200 year return period as stated, but have in addition taken account of the 20% to cover climate change and possibly the further 20% uncertainty requested by SEPA to be added to the 0.5% AEP.
  - I am concerned about the design of SUDS pond 2. The Flooding & SUDS Statement states that the discharge from the pond will be at an allowable discharge matching the equivalent greenfield run off discharge rate. However the outflow from the SUDS pond 2 is at the downstream end of the floodplain and so all of this discharge will flow into the canalised section of the burn and add to the flow at the Rhuarden Court culvert. Currently, the greenfield discharge enters the floodplain which can hold back this flow, but unless the outflow from the SUDS pond 2 is further attenuated at times of flood, this outflow could add to the flood risk at the Rhuarden Court culvert. I do not see any modelling or calculations which demonstrate that the design of SUDS pond 2 and associated controlled outflow will not increase the risk or reduce the risk of flooding at the Rhuarden Court culvert.
  - I note that R S McLeod has accepted responsibility for SUDS maintenance. Is the planning authority satisfied that R S McLeod has the capability to carry out the required schedule of work? Additionally, who assumes responsibility for the lifetime SUDS maintenance to avoid this cost falling to the local authority?
  - It would have been preferable for figures 3.1 and 4.2 of EnviroCentre's FRA to have been updated to illustrate 0.5% AEP + 40% which is the flood sensitivity required by SEPA.
  - The FRA focusses on the flood risk within the proposed development area, whereas equal emphasis should have been given to the other two offsite flood risks, namely overtopping of the Rhuarden Court culvert and overtopping of the culvert under Revoan's driveway. These key flood risks are still buried within the report.
9. I re-iterate my concern that the FRA seems to ignore the effect that groundwater could have on the floodplain capacity. SEPA has stated that the BFI value represents the contribution of groundwater to a channel and as such the influence of groundwater is considered when estimating peak flows. However my concern is not with peak flows, but with the effect groundwater has on the floodplain capacity. Even in periods of dry weather, the water table in the flood plain of the Corshellach Burn between Revoan and The Dulaig's driveway is at or just below ground level. In periods of flood, I believe groundwater in this area rises above ground level, thus increasing the size and depth of the flood plain above that calculated by the model. From observations on the ground, my theory is more plausible than that used within the FRA.
10. Great emphasis in the FRA is placed on the mitigation effect of the "Proposed Landscaping" – see section 4.1.2 of the FRA. This "landscaping" is stated to significantly increase the flood plain capacity upstream of the proposed new access road. The "landscaping" works as described in the FRA seem to show excavation

of the flood plain ground to form a shallow basin (see figure 4.1), which in principle should increase the flood plain capacity in this area. However the updated Cut & Fill Areas drawing 147132/14 rev. C shows something very different. The Cut & Fill Areas drawing does show removal of the small levees on the right bank of the burn, however a large area of fill is shown just SW of these levees (approx. 400-500 m<sup>2</sup>). This fill area is within the fluvial flood extent as shown in figure 4.2 of the FRA. Given that flood depths are low, any fill in this area will reduce the flood plain capacity, not increase it. This conflict between two supporting documents must be resolved as yet again it is not clear what the applicant would construct if planning permission was granted.

11. I have major concerns over the accuracy of Table 4.2 (Volume of Water on the Floodplain for the 0.5% AEP Flood Event). The outcome of this calculation is critical to assessing whether the construction of the proposed new access road will reduce or increase the floodplain capacity. The calculation states that under the proposed scenario, the flood plain capacity will increase by some 14%. However the principle behind the calculation is very crude. For example the flood volume between nodes Ch104 and Ch062 (a distance of some 42.3m) is calculated by averaging the wetted cross sectional areas (calculated from the model) at nodes Ch104 and Ch062 and multiplying this average by the distance between the nodes. Thus widely different calculated wetted cross sectional areas of 5.2 and 15.5 m<sup>2</sup> in the baseline scenario are averaged to 10.35 m<sup>2</sup> and then multiplied by 42.3 to give a calculated flood volume of 438 m<sup>3</sup>. This flood volume represents 75% of the calculated total flood volume of the floodplain. This is a very crude method of calculation, given the distances between the node points and the fact that the floodplain is not a simple uniform shape. This calculation is key to assessing whether the development will increase or reduce downstream flood risk at Ch007 (the Rhuarden Court culvert). Given the sensitivity, there must be a more accurate way of calculating baseline and proposed scenarios.
12. I have real doubts over the accuracy of figure 3.1 (and thus, implicitly, the accuracy of figure 4.2 and the whole basis behind the FRA modelling). My doubts are based on my actual observations of several flood events in that area. I attach below photos I took of the flood event of the floodplain area between Revoan and The Dulaig's driveway on the evening of 5 April 2010 around 20.30.



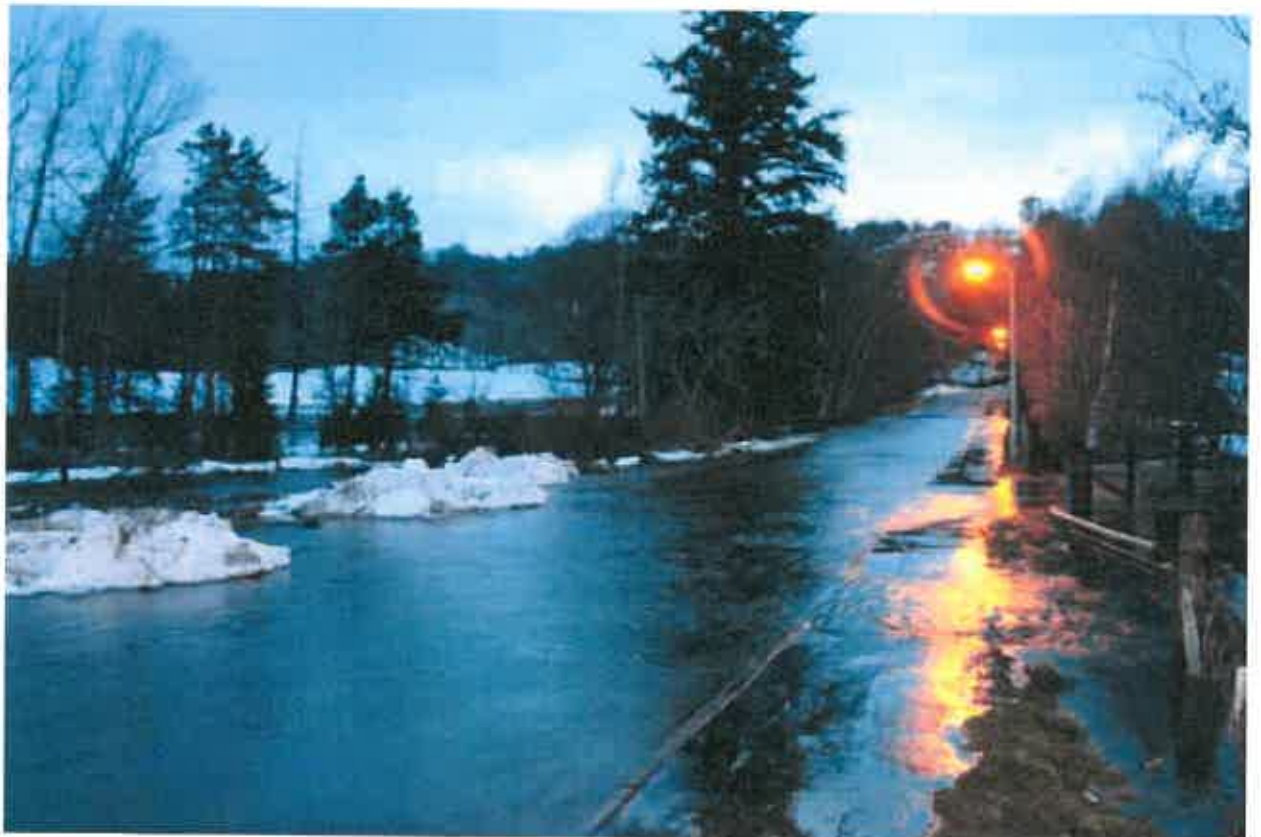
View from The Dulaig driveway looking west to Revoan with the river terrace slope to the left



View from the bridge on The Dulaig's driveway, looking up the burn to Revoan. Note the significant flooding to the right (north side) of the burn.



**View of the 'canalised' section of the burn looking towards the Rhuarden Court culvert**



**View of the flooding on Seafeld Avenue caused by overtopping of Revoan's culvert**





**View of the overtopping of the culvert at the entrance to Revoan**



**View looking south from Seafield Avenue. Note the significant flooding (arrowed) extending right across the field, beyond the course of the burn to the river terrace. The arrowed area is upstream of the proposed access road.**



**View from the bridge on The Dulaig's driveway, looking up the burn to Revoan around 07.30 on 6 April 2010. The flood had subsided considerably, but most of the area south of the burn remains flooded.**



**View from the bridge on The Dulaig's drive looking north towards Seafiel Avenue (07.30 on 6 April 2010)**

Unfortunately due to a camera memory fault that evening I did not get any pictures of the Rhuarden Court culvert, however the water was well above the culvert pipes and was only 6-12 inches away from overtopping at around 20.30 on the evening of 5 April 2010. The cause of the flood was a rapid snow melt due to weather conditions – heavy snowfall associated with cold plunge from the north, followed by fast thaw. Similar conditions have occurred in other recent years, only difference was that in 2010 the snow fall just prior to the thaw was much heavier.

Matters worth noting from the photos provided are:

- note the widespread flooding, including flooding just downstream from Revoan
- note the retention of flooding even after the burn was well past its peak flow the next morning
- note the large volume of water diverted from the floodplain by the Revoan culvert overtopping
- note the high flow rate of water in the canalised section of the burn upstream of the Rhuarden culvert.

In many of the years since we moved to The Dulaig in 2007 I have witnessed on this floodplain other flood events almost as severe. Consequently I am sure that this incident in April 2010 was nowhere near a 1:200 year event. I therefore believe that the FRA model calculations on the fluvial flood extent for a 0.5% AEP flood event and the associated calculated flood levels are much too conservative, especially when the flooding caused by the overtopping of the Revoan culvert onto Seafield Avenue, ironically mitigates the impact of flood waters on the floodplain.

13. In their letter dated 15 July 2016, Highland Council Roads states:

*“it is recommended that any permission granted is Conditioned requiring the submission of information to justify the adequacy of the existing culverted structure beneath the driveway into Reveon to accommodate the anticipated additional surface water flow discharges from the proposed new SUDS basin. This should be checked and approved by Highland Council prior to any works commencing on the aspects of the development that will make use of this surface water drainage arrangement”.* From my observations (and the above photos) this culvert is totally inadequate. Seafield Avenue floods in this area several times a year due to the overtopping of the culvert. Ironically this overtopping mitigates flooding downstream, but is a hazard for traffic using the road and in particular traffic to and from the Caravan Site. I therefore support Highland Council Roads condition.

14. Despite my concerns regarding whether the FRA modelling is too conservative, the data presented in the FRA report itself shows that a 1:200 year event will cause flooding at the Rhuarden Court culvert. The report shows the low point of the upstream side of the culvert is either 217.7 or 217.8. Data is as follows:

Baseline Scenario – Table G-1

0.5% AEP (US58) 217.7; 0.5% AEP + 40% (US63) 217.93 (latter overtops)

Table H-1 shows very similar results

Proposed Scenario – Table J-1

0.5% AEP (US57) 217.7; 0.5% AEP + 40% is not shown, but is likely to be same result as US63 – i.e. overtops

Thus using the FRA data, an opportunity to reduce the flood risk at the Rhuarden Court culvert has been missed. From my comments above, I am not convinced by

the argument that the proposed scenario results in a flood risk better or not worse than baseline.

- 15. In summary, serious inconsistencies and anomalies remain in the supporting information related to Flood Risk Assessment. Additionally the visual evidence from my photographs of the floodplain casts major doubts on the credibility of the FRA model. Lastly, an opportunity has been missed to reduce the flood risk downstream from the site at the Rhuarden Court culvert. Many of my objections and comments on the SUDS Statement and the FRA might be satisfied by a meeting convened by CNPA Planning involving the applicant (and any of their consultants thought appropriate), SEPA, Highland Council Flood Risk Management Team and myself and any other objectors who wish to attend.**

### **Landscaping Design**

16. The Highland Landscape Design annotated plan entitled Soft Landscape Proposals - Roads and Strategic Landscaping Areas presents a significant improvement in detailing the landscaping proposals. I have several comments and requested clarifications.
17. I note the new tree protection plan drawing which provides a measure of protection of all The Dulaig's trees which are close to the boundary of the planning application site, including the access driveway.
18. I assume that the existing hedging on the SW side of Seafield Avenue between The Dulaig's driveway and the proposed new access road will be significantly cut back to afford the line of sight required for the new access road and the proposed new pavement.
19. I note that what appeared to be several open drainage ditches (dashed blue lines) on the earlier revisions of Highland Landscape Design plan HLD K240.16/SL-01 rev H close to the western boundary fence of The Dulaig have been removed. I presume this is due to the creation of the cut off drain proposed to run parallel to the western boundary fence of The Dulaig.
20. I object to the proposed new pathway leading from the SW corner of The Dulaig's boundary fence and travelling up the western boundary of The Dulaig and eventually connecting with the new access road just above the river terrace slope. This path serves no clear purpose and does not link up with any other pathways or core paths. Instead, as the path is inadequately overlooked, it presents a potential security and safety risk contrary to Secure by Design guidance. A similar problem arises if it is proposed to re-open the pathway leading along the southern boundary of The Dulaig.
21. If the planning approval is granted, there should be proposals for the legal protection of neighbouring rough grazing land in the ownership of Seafield &

Strathspey Estates as a compensation for the loss of habitat for plants and wildlife which is inevitable if this development proceeds.

22. I cannot find any proposals for the ongoing maintenance funding of the created landscape. The soft landscaping maintenance and management regime should make very clear for every section at what stage the maintenance by the applicant ends. Ongoing maintenance beyond this initial period will fall to public funds, unless a management agreement with contributions from residents is put in place. **A condition requiring a legal agreement on ongoing maintenance of the soft landscaping areas is required to ensure local authority costs are not adversely affected.**

### **Design Statement & Design Issues**

23. The Major application is only for roads and strategic landscaping. If this application is successful I assume - and require - that a full application on house design etc. will be required by CNPA.
24. More detail has been added to The Design Guide included in Section 7.6 of the Design & Access Statement, but I still believe that this section should be more detailed to be fitting for a development within a National Park. For example, the Design Guide does not make reference to relevant CNPA policies. If the Design Guide is not further improved, planning conditions requiring further detail need to be placed before any site work commences.
25. Section 7.7 Design & Access Statement: The detail on the "un-adopted road" linking the two proposed developments is inadequate as are the associated drawings and plans. This un-adopted road should not be passable by normal vehicular traffic. What design safeguards are there to prevent access by vehicles, with the possible exception of emergency vehicles? A planning condition is necessary to enable approval by the relevant bodies of the detailed design of this road.
26. Design & Access Statement: This document is generally too light on detail. If these applications are granted permission, conditions should be placed requiring the applicant to clarify and provide more detail on many aspects included in the Statement.
27. There are no details of the required construction access road to be built to enable construction traffic access to both the proposed developments. Is this going to be the fully finished access road or some 'halfway house'? Details of this construction road should have been included in this application as this road will have a negative impact on neighbouring residences as well as adversely affecting the floodplain as highlighted earlier in this document. Unless such a plan is included at the application stage, neighbours have no opportunity to raise objections to the design and use of this construction road. In the absence of the requested details, there needs to be a planning condition requiring the complete construction of the access road, including any compensatory works to ensure that there is no loss in flood plain

capacity, prior to any construction vehicle access to work on the elevated part of the development site to the south of the floodplain.

**28. In summary, the detail included in the Design Statement is inadequate. Greater detail is required before these planning applications can be determined.**

### **Transport Assessment**

29. I have major concerns over the transport assessment written by Waterman and dated February 2016. In general the document is far from being objective and rather than presenting a balanced, professional assessment, it has been designed and written to minimise baseload traffic volumes and the traffic impact of the proposed new development. I am aware that many local councillors and the Grantown Community Council have had long held concerns over the bottleneck junction of Seafield Avenue onto The Square/High Street. This traffic assessment presents an incorrect picture of the traffic issues on and around Seafield Avenue and its junction with The Square/High Street at the Co-op. My main concerns are:

- the baseline conditions were measured on a single day – 3 April 2014 and during one hour in the morning and one hour in the evening – these timings stated to coincide with development and background traffic related peak periods. This timing is in no way representative of peak traffic levels. This date was prior to the Easter holidays and at a time when tourism traffic is at a minimum. The report recognises that tourism has a significant impact on traffic volumes, but I cannot find anywhere in the report where this impact is assessed or quantified. Maximum traffic counts recorded for Seafield Avenue were 125 vehicles per hour, many much less. If the traffic survey had been conducted in June, July or August, traffic counts of 300 to 500 vehicles per hour could easily have been recorded even in the middle of the day outside of rush hours – this estimate is based on my own observations and these made during a period of school holidays. Also the traffic counts for the many traffic flow arms around the Co-op junction would also have been at least 5 times that recorded on that 'quiet' day chosen on April 2014.
- the assessment does not recognise the traffic congestion issues at the junction of High Street and Seafield Avenue caused by traffic – including articulated lorries - trying to park close to the Co-op or the fact that Seafield Avenue at this point is effectively a single track road due to vehicles parking on Seafield Avenue next to the Co-op: despite yellow lines clearly indicating parking prohibitions and restrictions cars continually park there.
- the assessment does not recognise that one of the major traffic impacts on Seafield Avenue is from traffic - including cars towing caravans and large motorhomes - to and from the Caravan Site. At peak tourism times, I understand that over 500 persons can be accommodated at the Caravan Site.
- the report should have acknowledged that since April 2014, the Caravan Site has an additional 14 lodges, many of which appear to operate as permanent residences.
- the selection of 'edge of town' residential sites chosen for the TRICS database used to provide an indication of travel patterns for the proposed development is not representative of this proposed 'edge of town' residential development. The 5 developments used in the TRICS database were two from Workington (A Cumbrian

town with a population 10 times that of Grantown), one from Kilmarnock and two from Inverness. The trip patterns from these 5 developments (with an expected considerably higher-developed public transport system) are likely to be very different to that of the proposed Grantown residential development.

30. I could add more concerns on the validity of the traffic assessment but, just using the concerns listed in paragraph 27, I believe they justify a new transport assessment report covering the traffic impacts on the roads servicing the proposed development which properly addresses these concerns. Given the traffic impact from tourism in Grantown the re-measurement of the baseline conditions should be conducted over the whole day (say 07.30 to 19.00) on at least three days during peak tourism times and when the schools are still open – say, the middle to the end of June, or late August early September. A great opportunity to conduct a realistic baseline traffic impact assessment during the summer of 2016 has been missed. All it needed was pressure from CNPA Planning or Highland Council Roads requiring the applicant to present an assessment which reflected normal summer traffic conditions.
31. I strongly believe that the recommendation by Highland Council Roads in their letter dated 15 July 2016 will go little way to solve the congestion problems around the Co-op and the junction with Seafield Avenue. The latter said that *“any permission granted should be Conditioned requiring a Traffic Management scheme to be submitted and approved by Highland Council for refreshing the existing parking restriction traffic signs and road markings at the eastern end of Seafield Avenue in the vicinity of the junction with High Street and the existing Coop Store. The scheme should also include the provision of new “Keep Clear” road markings on Seafield Avenue across the mouth of the Junction with the side road that runs across the front of the existing Coop Store.”* The recommendation lacks imagination and demonstrates little understanding of the current traffic problems, far less understanding the future increases in traffic likely from planned developments like The Pagoda and the Care Home, and developments yet to be approved like further extension of the Caravan Park and the Rails to Grantown Station as well as this proposed development. Additionally, limiting the parking available close to the Co-op by enforcing the yellow lines is very likely to just increase congestion along Seafield Avenue as customers travel repeatedly round the block in the hope of finding parking. The solution lies in finding more parking local to the Co-op, in the longer term re-siting the Co-op, or the creation of a new road access for the western end of Seafield Avenue and the Caravan Park. With the exception of my comments on the traffic issues around the Co-op junction, I support, in the main, the comments made by Highland Council Roads Team dated 15 July 2016 and in particular their recommendations for planning conditions. These conditions should be rigorously applied.
32. I fully concur with Highland Roads statement that *“it is recommended that any permission granted is Conditioned requiring the proposed new access onto Seafield Avenue to maintain a 90m clear visibility in both directions along Seafield Avenue from a 4.5m setback from the edge of the existing public road”*. Visibility from The Dulaig driveway onto Seafield Avenue is severely restricted by roadside vegetation west of The Dulaig driveway: the view from any new access road onto Seafield Avenue would be similarly restricted.

**33. In summary, the Transport Assessment provided in support of these planning applications is incompetent (both in data collection and in interpretation). A new transport assessment should be conducted, addressing my comments. This new transport assessment should be resubmitted for public comments before the planning permissions are determined. Highland Council Roads should make efforts to fully consult with local councillors and Grantown Community Council on measures to alleviate current and future congestion at the junction of Seafield Avenue and the High Street/The Square.**

### **Utility Supply**

34. There is little or no evidence provided by the applicant on utility supply to the proposed development. Evidence should be provided that utility companies such as SSE and Scottish Water have been asked to comment on the proposed development, especially as the proposed development is classified as a Major Development. In particular, Scottish Water raised an issue with water supply in response to CNPA Planning Application 2014/0296/DET (Construction of Care Home on Seafield Avenue). In their letter dated 18 November 2014 they stated, *“a flow and pressure test is required to ensure that the network can supply adequate flow and pressure to your proposed development and our existing properties in the area. Please note a flow and pressure test is also required for the adjacent 60-house site. Predicted flows from both developments must be used during this test”*. I cannot find any publicly available evidence that the required flow and pressure test has been conducted.
35. **A condition should be attached to any planning permission granted that no construction work on the development should proceed until all utility supplies have been secured and specifically that the flow and pressure test required by Scottish Water has been satisfactorily completed.**

### **Economic Development Case and Viability of the Proposed Development**

36. I am not convinced that there is an economic development case for a housing development of 43 plus 10 houses in Grantown. The CNPA's own Economic Development Manager in his response to the Major planning application (2016/0060/DET), admits that the NRS estimates for population growth with the National Park indicate only 1% growth between 2012 and 2037. This combined development is planned to house around 220 adults and children – which would on its own could increase Grantown's population by almost 9% whilst (using the stated NRS estimates) meeting the total estimated population growth for the whole of the National Park. Where is the justification that Grantown is planned to grow by a minimum of 9 times the average for the National Park? In the same document it is stated that the number of households in the National Park is estimated to grow by 12% between 2012 and 2037. It is unclear whether this is due to estimated holiday home or second home increases or some other factor. If Grantown's population does grow in line with the National Park estimate (i.e. 1%), and assuming all of the



growth until 2037 is accommodated by this proposed development, I estimate that only 6 houses are needed to meet population growth estimates, leaving 47 houses to become holiday lets or second homes. Is this what the CNPA Planning Committee wants for Grantown? How does this fit with the CNPA Local Development Plan? There are examples in Grantown and elsewhere in the Cairngorms National Park where too high a density of homes used for holiday lets leads to unacceptable noise levels and instances of anti-social behaviour. Occupancy of homes on this proposed development for holiday lets and second homes should be controlled.

37. The cost of providing all the infrastructure (roads, drainage, utilities, structural landscaping, soft landscaping etc.) is very high for this development. Additionally, the natural slope of the development site will increase construction costs. As developable land values are not particularly high in this area, it is likely that the residual land value (developable land value less all infrastructure costs and developer costs) is likely to be zero or negative. In other words the landowner could receive no money for sale of the land, or alternatively the developer could make a loss. To prevent the risk of the development being halted or only partially completed due to financial constraints with the associated damage to land from a stalled development, I request that the planning authority places a condition that the applicant provides an independently verified financial viability statement for the proposed development prior to the commencement of the development.

As stated earlier in this objection letter, I believe that most of these issues should have been raised - and could possibly have been resolved - at the pre-application consultation if the applicant had provided the level of detail now provided. After all this is the purpose of pre-application consultation. Unfortunately the pre-application information was woefully simplistic and lacked any detail. There are lessons to be learnt by the planning authorities, especially when dealing with a Major Application to ensure that any pre-application consultation genuinely provides the level of detail which would enable the public to fully engage with the applicant and understand what the applicant proposes and flush out potential objections and concerns at that early stage.

Yours faithfully,



Dr Gordon Bulloch