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## CAIRNGORMS NATIONAL PARK AUTHORITY

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

**Prepared by:** NEIL STEWART, PLANNING OFFICER  
(DEVELOPMENT CONTROL)

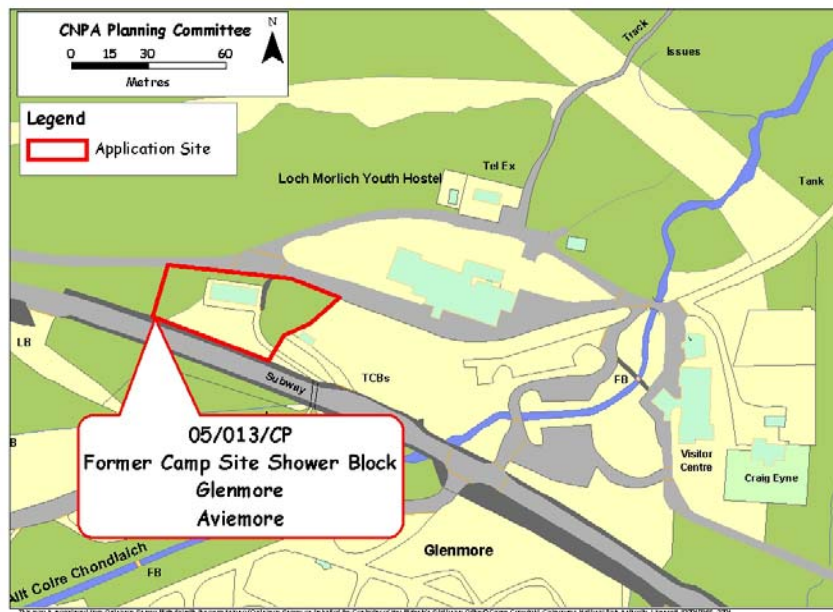
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**DEVELOPMENT PROPOSED:** OUTLINE PLANNING PERMISSION FOR ERECTION OF TWO DWELLINGHOUSES, FORMER CAMPSITE SHOWER BLOCK, GLENMORE, AVIEMORE

**REFERENCE:** 05/013/CP

**APPLICANT:** ALBYN HOUSING SOCIETY LTD.  
98-100 HIGH STREET, INVERGORDON,  
ROSS-SHIRE, IV18 0DC

**DATE CALLED-IN:** 14 JANUARY 2005



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. This proposal is an outline planning application for the erection of two houses on the site of the former shower block serving the Glenmore Campsite. The site lies on the north side of the Coylumbridge to Cairngorm Mountain Road within the grouping of buildings at Glenmore to the north east of Loch Morlich. The shower block is a single storey building which has a "bungalow" type appearance with a shallow roof pitch of black felt and brick and harled walls. It is accessed from the campsite via an underpass which crosses under the public road to the south east side. The site slopes upwards from the public road and is sandwiched between the road and a private access to the rear which serves the Youth Hostel. The existing building nestles within a natural treed setting on the site.
2. The application is made by Albyn Housing Society Ltd. and therefore the houses are to be owned and managed by Albyn for letting at affordable rents. Although the application is an outline application, we requested the submission of some indicative information about how the houses could be accommodated on the site taking account of the trees and the slope, and what general design concepts they envisaged for the houses. **Although indicative**, the submissions show a semi-detached pair (3 bedroomed) with the upper floor accommodation within the attic space, served by access from the rear to two parking areas/car ports. The houses are promoted as low energy, sustainable designs which will include high insulation standards, low impact heating, passive heating and ventilation and where investigations into alternative sources of energy will be examined. It is also stated that the buildings will maximise the use of local timber products, in both structure and cladding. The indicative position of the houses is on the site of the shower block which will be demolished. Although some trees will inevitably be removed, most mature trees will be retained and augmented with new native planting. The existing footpath from the underpass is to be realigned to the east side of the site. It is the intension to connect drainage to the existing Forestry Commission waste water treatment plant which serves the settlement.

## DEVELOPMENT PLAN CONTEXT

3. **Highland Structure Plan 2001 Policy G2 (Design for Sustainability)** states that proposed developments will be assessed on the extent to which they, amongst other things; are compatible with service provisions; are accessible by public transport, cycling and walking as well as by car; maximise energy efficiency in terms of location, layout and design, including the utilisation of renewable sources of energy; make use of brownfield sites, existing buildings and recycled materials; impact on natural resources; demonstrate sensitive siting and high quality design; accommodate the needs of all sectors of the community, including people with disabilities, special needs and

disadvantaged groups; and contribute to the economic and social development of the community. **Policy H3 (Housing in the Countryside)** states that housing development will generally be within existing and planned new settlements. However, amongst others, exceptions may be made for social housing providers in meeting demonstrated local affordable housing needs that cannot be met within settlements. **Policies H4 (Affordable Housing), H5 (Affordable Housing) and H6 (Affordable Housing in Rural Areas)** all provide general, in principle, support for the provision and implementation of affordable housing through various mechanisms. **Policy N1 (Nature Conservation)** requires new developments to minimise their impact on the nature conservation resource and enhance it wherever possible. **Policy L4 (Landscape Character)** seeks to ensure that present landscape character is maintained and enhanced in the consideration of development proposals.

4. The site lies within the grouping of buildings which comprise Glenmore and which the **Badenoch and Strathspey Local Plan 1997** defines as a small settlement area. However, within the small settlement area, **Policy 4.14.1 (Development)** states that whilst reasonable consolidation and improvement of businesses is acceptable in principle, there is a strong presumption against further new development except where this is considered essential for the proper management of visitors. **Policy 2.5.4. (Woodlands and Trees)** seeks to protect existing trees and established woodland areas including small groups of trees or individual granny pines which are important landscape, wildlife and amenity features of the countryside. Generally, development should not be sited within 20m of the trunks of mature trees. **Policy 2.5.10 (Landscape Conservation)** states that notwithstanding the Cairngorms NSA, efforts will be made to conserve areas of landscape importance, including waterside land, open areas and scenic views particularly over open water from main tourist routes.

## CONSULTATIONS

5. **SNH** has no objection to the development. The site does lie within the Cairngorm Mountains NSA but outwith any Natura designated sites. However, it does lie within 300m of the Glenmore Forest SSSI, the Cairngorms SPA and the Cairngorms SAC, and within 500m of the Allt Mohr Burn, a part of the River Spey SAC. The interests include pine woodland, bog woodland, capercaillie, crested tit, Scottish crossbill, osprey, salmon, fresh water pearl mussels and otter. The site also lies within 40m of woodland classified under the Ancient Woodland Inventory. **SNH** consider that it is unlikely that any qualifying feature will be affected and that an appropriate assessment is not required. In relation to landscape and visual impacts, **SNH** consider that the development will not have any significant adverse impact on the NSA, provided the design and materials are appropriate and that trees continue to screen the development from the road. They also seek to

avoid the removal of mature pine trees and advise that surveys should be carried out for the existence of wood ant nests and squirrel dreys on the site.

6. The **CNPA Natural Resources Group** concur with the findings of SNH.
7. **Highland Council's Principal Environmental Health Officer** has no objections to the proposal.
8. **Highland Council's Archaeology Unit** do not require any archaeological survey of the site.
9. **Highland Council's Area Roads Manager** requires vehicular access to the development to be from the existing road serving the Youth Hostel. No direct access to the public road is permitted. Conditions are required relating to pedestrian links to the public road, gradients, passing place provision on the private road to the rear, and visibility splay and parking space provision.
10. **Aviemore and Vicinity Community Council** have no objections.
11. The **CNPA's Housing Policy Officer** has stated that this is a partnership project between Albyn Housing Society Ltd. and the Forestry Commission. It is hoped that the project will use local timber and will use a local lettings initiative to allocate the houses to a specific client group for the area. In principle she would recommend approval.
12. **Forestry Commission Scotland** have no comment to make other than to suggest that agreement should be reached between the applicants and FCS regarding access and parking. They would also wish to see timber used prominently in the design and construction of the houses.
13. **SEPA** raised concerns about the proposal to connect the foul drainage from the development to the existing **Forestry Commission Scotland** combined foul and surface water system. They have concerns about the quality of the final effluent currently discharging from this existing system. They therefore initially **objected** to the proposal until details were provided of the proposed changes in volumes of foul effluent to be treated as a result of the development. In addition they wished confirmation that this change would not compromise the operation of the **FCS** treatment plant. With regard to surface water, **SEPA** also raised concerns about connecting to the **FCS** combined system. They were concerned about the capabilities of the existing system to accept extra surface water volume. They therefore requested on site SUDS for the disposal of surface water from the development.

14. Following discussions between **SEPA** and the applicant's agents, agreement was reached on providing on-site SUDS for the surface water. However, the applicant's alternative proposal to discharge foul drainage from a shared septic tank to a watercourse via a filter trench, as opposed to connecting to the existing **FCS** system, still did not find favour with **SEPA**.
15. Following further discussions between all involved parties, **FCS** have intimated that they would expect these houses to be connected to the village sewerage system and that since the formal objection from **SEPA**, they have been working closely with Scottish Water regarding upgrading the existing system. It is envisaged that this work will be in two phases. The first is a remedial phase to ensure that the existing operation continues to operate within the existing legislation and consents. This is almost complete. The second phase, which they expect to deliver during 2006/2007, will bring the plant fully up to the 21<sup>st</sup> century standards. Flow rates and other tests are being undertaken to allow the correct capacity to be installed and the hope is that Scottish Water will adopt the plant on completion of the second phase. **SEPA** have now confirmed that they no longer have an objection, provided a suspensive condition is imposed which states that no development commences (or no house occupied) until the development is connected to the upgraded village system.

## REPRESENTATIONS

16. The application was advertised as a "Development not in Accordance with the Development Plan". However, no letters of representation have been received.

## APPRAISAL

17. The main considerations in the assessment of this application are the principle of housing on this site in relation to extant land use policy and the weight given to affordable housing, the impact of the development on trees, landscape and natural heritage resources, and the infrastructure capabilities in the area.

### Land Use Policy/Affordable Housing

18. The Local Plan defines Glenmore as a "small settlement" but provides a land use policy which presumes against any new development other than that proposed as consolidating or improving existing established businesses where it is considered essential for the proper management of visitors. The provision of two houses, even ones for the affordable sector, does not fit with this requirement. The proposal is therefore deemed to be contrary to Local Plan Policy 4.14.1. in this respect.

19. However, Section 25 of the Town and Country Planning (Scotland) Act 1997 states that in making determinations “*regard is to be had to the development plan, and the determination shall be in accordance with the plan, unless material considerations indicate otherwise.*” In this instance, there are several material considerations which, in my view carry weight. The most significant is that the proposal is for affordable housing. The application is made in the name of a Registered Social Landlord and the houses will be owned and managed by them. The provision of affordable housing is generally supported in principle in policy even in some areas not specifically allocated for residential development where all other requirements can be met. The site is not isolated in a countryside area and is on a public transport route. There is also a local shop across the road and there is an existing, but dated, building on the site which will be removed. The development will provide the opportunity to provide a building of a more appropriate architectural appearance which will also exemplify sustainable design principles. The site can accommodate the new development without impacting significantly on natural resources or designations.
20. For the reasons stated above, I am satisfied that, in this instance, there are significant other material considerations which are also strongly related to the aims of the Park, that justify a departure from the extant policy situation. In taking this position, I do not feel that a precedent is being set because of the unique circumstances of this proposal.

### **Trees, Landscape and Natural Heritage**

21. The site lies within the Cairngorms NSA. However, there are no other natural heritage designations on the site. Further to SNH’s requests that surveys be carried out for the existence of wood ant nests and squirrel dreys, discussion has taken place and SNH have examined the site. There is no evidence of wood ant nests at present. In terms of red squirrels, they found that there is a variety of suitable tree cover in the vicinity, but that the most significant tree for squirrels is the large mature pine to the west side of the site. This has a “rope squirrel bridge” across the public road. This tree will be retained in the proposals. The indicative sketch layout shows that the development can be accommodated within the trees (only slightly larger footprint than the existing building) and while some may inevitably be removed, the mature trees will remain, in particular those along the south side of the site where it bounds with the public road. This will continue to provide natural screening for the site, and ensure that the essentially treed character will remain when the site is viewed from this popular tourist route.

## Infrastructure

22. Highland Council's Area Roads Manager requested a number of provisions. Following discussions, agreement has been reached to form a combined service bay that could also serve as the required lay-by and turning space on the private road to the rear. Off road parking access would be created from this service bay. The main point of concern with regard to infrastructure provision for the development has been that of foul drainage. The progress that has been made on this, in order to remove SEPA's objection, is detailed in paragraphs 13-15 above. The existing FCS system that serves the rest of the Glenmore village is to be upgraded with a view to adoption by Scottish Water. In the interests of preventing pollution and protecting sensitive natural heritage resources in the area, it is necessary to have this development connect to the village system. However, the development cannot be permitted until such time as the improved system is in place. Since the upgrade is going to occur in the near future (FCS have confirmed in writing), it is possible to permit the development, but impose a **suspensive** condition which would not allow occupation of the houses until a connection can be made. Bearing in mind this is an outline application only, there will be a period of time before the houses are actually constructed and occupied, and taking this approach will allow progress to be made with the proposal while upgrading of the treatment works proceeds. At the same time, it allows the removal of SEPA's objection.

## IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

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

23. The indicative proposal shows that the development can be accommodated without significant impacts on trees on the site and therefore the character of the area. There are no direct impacts on designations.

### Promote Sustainable Use of Natural Resources

24. Although only an outline application, the applicants have confirmed that they intend to incorporate sustainable design solutions in the development of the houses, in terms of use of renewable materials and efficient energy sources.

### Promote Understanding and Enjoyment of the Area

25. There are no direct implications for this aim. The removal of the existing building and its replacement with a more appropriate building design which will not impact on the character of the area will be visually beneficial in this popular tourist area.

## Promote Sustainable Economic and Social Development of the Area

26. The provision of two houses for the affordable sector in this location is viewed as being positive in terms of the social and economic development of this community. The loss of the shower block for the campsite is not seen as a concern because FCS have recently completed a major upgrade of facilities at their Glenmore site, including new toilet and shower blocks.

## RECOMMENDATION

27. That Members of the Committee support a recommendation to:

**Grant Outline Planning Permission for the Erection of Two Dwellinghouses at the Former Camp Site Shower Block, Glenmore, Aviemore, subject to the following conditions:**

1. A formal planning application and detailed plans indicating all matters relating to the siting, design and external appearance of all buildings, means of access thereto, means of enclosure, landscaping and replacement tree planting proposals shall be submitted for the prior approval of the Planning Authority within 3 years of the date of this consent and the development must be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all the foregoing Reserved Matters.
2. That unless otherwise agreed in writing with the Planning Authority, the development hereby approved, shall comprise affordable housing units, as defined in Highland Structure Plan 2001 and Planning Advice Note 74 (Affordable Housing), and shall be carried out in association with a Registered Social Landlord.
3. That unless otherwise agreed in writing with the Planning Authority, following consultation with SEPA, the dwellinghouses hereby approved, shall be connected to the forthcoming upgraded waste water treatment plant at Glenmore. The dwellinghouses shall not be occupied until the works to upgrade the waste water treatment plant have been completed and are fully operational and the appropriate connection has been made.
4. The detailed plans submitted following this Outline Planning Permission shall clearly illustrate, in cross-section form, the existing ground level, the finished floor level of the proposed development and the extent of any underbuilding involved. The floor levels shall clearly relate to a Fixed Datum Point on the site which shall be clearly identified on the submitted plans.



5. The development shall be limited to 2-storey (attic) development i.e. 2 storeys of accommodation is permissible with the first floor (upper storey) accommodated in the attic or roofspace by utilising rooflights, gable windows or dormer windows.
6. The development shall be of a traditional architecturally sympathetic design in respect of the building form, detail and finishing materials (including extensive use of timber).
7. The detailed plans following this Outline Planning Permission shall provide a detailed survey of all trees on the site. This survey shall be displayed on a site layout plan and include an identification of the existing tree species, an estimation of their height and spread of branches, and their location within the site accurately plotted (any trees around the perimeter which overhang onto the site shall also be included). Those trees which it is proposed to fell or remove, shall be separately identified.
8. That from the date at which this Outline Planning Permission is granted, no trees on the site shall be uprooted or damaged. Trees on the site shall only be felled with the prior written approval of the Planning Authority or as part of those approved for removal at the Reserved Matters/Detailed Planning Permission stage.
9. That immediately prior to the commencement of works on site, a detailed survey of the site for the presence of wood ant nests and squirrel dreys shall be carried out by the developer. Should nests or dreys be identified, they shall be marked and retained, or where this is not possible relocated in accordance with details that shall be agreed in writing with the Planning Authority in consultation with SNH.
10. No direct vehicular access shall be permitted between the approved dwellinghouses and the C38 public road. Vehicular access to and from the approved dwellinghouses shall be via the existing private road serving the Youth Hostel only.
11. Prior to the occupation of the dwellinghouses, a pedestrian link, to the satisfaction of the Planning Authority in consultation with Highland Council Area Roads Manager, shall be provided between the approved dwellinghouses and the C38 public road.

12. Prior to the commencement of any other works on site the following shall be provided and retained to the satisfaction of the Planning Authority in consultation with Highland Council's Area Roads Manager:
  - a. A communal combined service bay/turning area/passing place which also provides access from the private road to off-road parking for at least 2 no. cars per dwellinghouse. This communal combined area shall consist of a minimum of 40mm thick Close Graded Wearing Course on 60mm Dense Basecourse on a minimum thickness of 350mm Type1 sub base, all on a sound formation.
  - b. Visibility splays of 3m by 30m in each direction from the centreline of the access with its junction with the private road where no obstruction above 1m in height shall be permitted.
  - c. The gradient of any vehicular access shall not exceed 5% over the first five metres from the nearside edge of the private road and thereafter shall not exceed 10%.
  
13. Prior to the commencement of development, the developer shall submit full working details of the method of on-site disposal of surface water drainage. This shall be in accordance with the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, CIRIA C521 2000, to the satisfaction of the Planning Authority in consultation with the Scottish Environment Protection Agency.

**Neil Stewart**  
**12 September 2005**

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