
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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

DEVELOPMENT PROPOSED: ERECTION OF NEW DWELLINGHOUSE,
AT LAND ADJACENT TO COYLUM
HOUSE, COYLUMBRIDGE, AVIEMORE
(OUTLINE PLANNING PERMISSION)

REFERENCE: 04/470/CP

APPLICANT: A & R HEDLEY, PER AGENT, PAUL
DEVLIN, ALLT BEAG, DALRACHNEY
ROAD, CARRBRIDGE, PH23 3AX

DATE CALLED-IN: 8 OCTOBER 2004

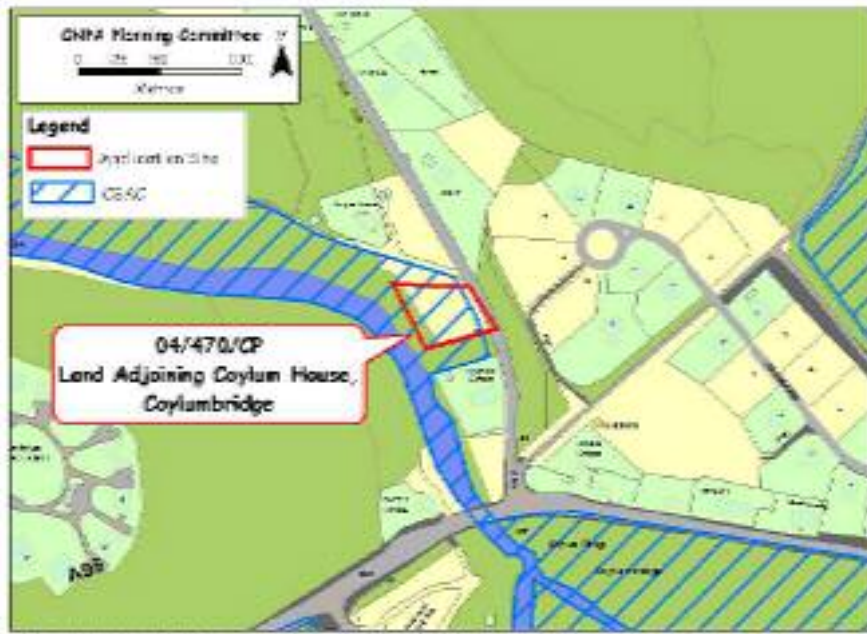


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This application is for outline planning permission for a new house in a gap between Coylum House to the north, and two new house sites to the south. The River Druie lies to the west of the site and the B970 bounds the eastern edge. Some mature trees lie outwith the application site on the banks of the river. Vehicular access is to be to the B970 road via a shared access with the one of the new houses on the site to the south. Drainage is proposed to be to a septic tank and soakaway system. Being an outline application, no indicative details have been submitted of the scale, siting or design of the proposed house.
2. The size of the site is approximately 0.15 of a hectare. The site is a flat open area of ground with no significant trees within the site, but some young trees planted near to the site's frontage onto the B970. There are currently post and wire fences on the east and southern boundaries of the site.
3. The applicants are applying for a renewal of an Outline Permission that was granted by Highland Council in September 1999. Condition 1 of that permission required an application for the Approval of Reserved Matters to be submitted within 3 years of the Outline Permission. No Reserved Matters application was submitted and therefore this previous Outline application lapsed in September 2002. Prior to the 1999 approval, there was a history of planning permissions here, the most recent on this site lapsing in February 1988.
4. In February 2004, Highland Council granted Full Planning Permission for the demolition of an existing dwelling and the erection of two new dwellings at Riverbank Cottage and land adjacent (04/0007/FULBS & 04/0008/FULBS). This is the land immediately to the south of this current application. These applications were not called-in by the Cairngorms National Park Authority. Conditions were attached to ensure the provision of safe accesses to the sites and adequate visibility splays. The new houses are required, by condition, to be connected to the public sewer.

DEVELOPMENT PLAN CONTEXT

5. The proposal lies within the **Cairngorm Mountains National Scenic Area** (NSA), and lies adjacent to the River Spey **Site of Community Interest** (SCI) (formerly candidate Special Area of Conservation) and within 100m of the North Rothiemurchus Pinewoods **Site of Special Scientific Interest** (SSSI).
6. The site lies within the Aviemore/Inverdruie/Coylumbridge Settlement Inset and not therefore in what would be deemed a countryside area. Relevant **Highland Structure Plan (approved March 2001)** policies

therefore include **Policy L4 (Landscape Character)** which states that the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals. **Policy G2 (Design for Sustainability)**, lists a number of criteria on which proposed developments will be assessed. These include service provision (water and sewerage, drainage, roads, schools, electricity); accessibility by public transport, cycling, walking and car; energy efficiency in terms of location, layout and design (including the utilisation of renewable energy sources) and impacts on resources such as habitats, species, landscape, cultural heritage and scenery. **Policy N1 (Nature Conservation)** seeks to minimise the impact of new developments on the nature conservation resource and enhance it wherever possible. The Council will conserve and promote all sites, including sites and species of international, national and local importance.

7. The application site lies within the Aviemore/Inverdrurie/Coylumbridge Settlement Inset in the **Adopted Badenoch & Strathspey Local Plan (1997)** but within an area designated under **Policy 6.9.1 (Environment Safeguarding)**. In this area it is stated that, *“The Council will safeguard the character and identity of Inverdrurie and Coylumbridge, including woodlands, open spaces, footpaths and land liable to flooding or erosion by river action. Residential or tourist-related development of remaining gap sites will be encouraged consistent with the above considerations and services. Further infill along the ski road frontage will be resisted”*. The Local Plan also states that the main objectives for these communities is; *“to restrict future development to what can be successfully absorbed in landscape terms; to prevent any further building south of the ski-road outwith defined visitor-related areas; and to protect and enhance roadside amenity”*.
8. The plan also identifies the site to be within a general Amenity/Woodland area. **Policy 2.5.4 (Woodlands and Trees)** states that existing trees and established woodland areas will be protected including significant small groups of trees or individual granny pines which are important landscape, wildlife and amenity features of the countryside.

CONSULTATIONS

9. The application forms indicate that the proposed house would dispose of foul water to a septic tank and soakway. No information on percolation tests have been submitted. **SEPA** have therefore indicated an objection to the application, until further drainage details have been submitted.
10. **Scottish Water** have been consulted but at the time of writing no formal written response has been received. At the time of the outline permission in 1999, Scottish Water’s predecessors NOSWA advised

that a new sewer was proposed but the timescale for its construction was unknown. In 2004, at the time of the applications for the two other houses to the south of the current site, Highland Council stated that the applicant's proposals for septic tanks were not acceptable in a sewered area. As such, conditions were imposed on these permissions which require these houses to connect to the public sewer. This all leads me to the conclusion that a sewer is in place and that a connection can be made for this proposed house if found to be acceptable. However, confirmation from Scottish Water is awaited.

11. **SNH** have commented that, provided services in relation to water quality in the River Drurie, are to SEPAs satisfaction, it is unlikely that any qualifying feature (in the SCI) will be affected significantly either directly or indirectly. SNH also advise that SEPA is consulted about any potential discharge into the River Drurie, either during the construction phase or once the development has been completed. Alternative options to installing a septic tank should be investigated, ie. use of an adjacent public waste water system, given the proximity of the development to the River Drurie. SNH do not consider the development will have any adverse impacts on the landscape interests of the NSA at this location. In relation to the site's proximity to mature and ancient woodland, they make recommendations in order to avoid significant impacts to features associated with this interest. In this respect, they are not aware of any wood ant nests in this specific location but they ask that nonetheless there should be a survey for their presence. Wood ants form a component of the ancient pinewood interest in the area and are identified in their own right in the Cairngorms Local Biodiversity Action Plan. Should they occur, they should be marked, avoided or relocated.
12. **The CNPA Natural Resources Group** wholly support the recommendations and findings of SNH and have no further comments.
13. **Highland Council Planning Officers**, under their scheme of delegation, have commented that although the land is identified in the Adopted Local Plan as an area of amenity woodland, it contains no significant tree cover other than immediately adjoining the River Drurie, outwith the site. Outline Permission has previously been granted and this application seeks to renew that consent.
14. **Highland Council Area Roads and Community Works Manager** has recommended a number of planning conditions relating to the provision of a service bay/passing place at the access point, the provision of visibility splays, keeping walls, fences, trees or shrubs back from the road edge, and the provision of parking and manoeuvring space within the site. They advise also that the site should be free from the effects of a 1 in 200 years flood event.

REPRESENTATIONS

15. None received.

APPRAISAL

16. The issues to be considered here are the principle of the site for development, and the physical impacts of a new house on this site and the surrounding areas and designations.
17. Although not identified as an infill site, previously lapsed planning consents for a house on this site were approved, as it was seen as a gap or infill development opportunity. I agree with this assessment. Fringed by important tree belts, on its immediate west and east sides and by established woodland areas further to the north and south, the development of the site, and the two other adjacent sites, has not been seen as interfering with the wider landscape framework of tree belts and woodlands in the area. Development of the site is therefore not seen to be inconsistent with the policies of the Local Plan where residential development of remaining gap sites, which do not impact on the character and identity of the area, are permitted. The main thrust of the safeguarding policies in the area are, to protect the character of woodlands, open spaces, footpaths and land liable to flooding, as well as the important ski road frontage.
18. The site is not visible from any great distance, and therefore does not have any significant impact on the NSA. It is associated with existing and proposed housing sites to the north and south which extend along the B970, with mature woodland areas to the west and east. There is therefore a context and degree of containment to the site. It represents an infill of a gap between new house sites to the south, and the applicant's house ("Coylum House") to the north.
19. Bearing in mind the proximity of the River Druie and its SCI status, the provision of an adequate drainage system for this development is important. As detailed in Paragraph 10 above, it is understood that a connection to a public sewer is available, although this remains to be confirmed in writing by Scottish Water. It is therefore not appropriate to permit a private system, especially in such close proximity to a nature conservation designated watercourse. A condition requiring a connection to the public waste water system is therefore required, as is a condition requiring a construction method statement. These will overcome any concerns from SNH, SEPA and the CNPA Natural Resources Group about potential adverse impacts on the nature conservation interests of the River Druie.
20. There are no concerns about access and roads matters. The applicants have confirmed that the requirements for visibility splays can be achieved on land within their control, to the north. The access is shared with that proposed for the new house immediately to the south

and the shared service bay has been formed already as part of that permission. Visibility to the south of the access is a requirement of this other permission and can be achieved.

21. No additional flood risk information has been requested. At the time of the outline permission, it was stated that there was no history of flooding despite the proximity of the site to the river. However, more recently, in February 2004, consulting engineers working on behalf of the applicant for the two new houses to the south of the site, carried out a flood risk study. The conclusions were that there were no definitive records of flooding at the site, and that the flow levels, and channel depth and width, meant that the top water level for a 200 year flood would not affect the site. This gives comfort in this regard and it would be unreasonable to seek additional assurances.
22. The design and materials for the new dwelling should relate to adjacent properties and the traditional finishes in the area. This can be covered by a condition.
23. To conclude, there are no policy or technical reasons for resisting this development. The recommendation is therefore one of approval.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

24. With the design of the house and the impact of the development on the natural heritage interests of the River Drue covered by suitable conditions, the development does not detract from the natural or cultural heritage of the locality.

Promote Sustainable Use of Natural Resources

25. At this stage there are no implications for this aim.

Promote Understanding and Enjoyment of the Area

26. The development raises no implications in terms of this aim.

Promote Sustainable Economic and Social Development of the Area

27. With the site representing an infill site, the development of a house can be said to be consolidating the community of Coylumbridge and its facilities.

RECOMMENDATION

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

Grant Outline Planning Permission for a New Dwellinghouse, on land adjacent to Coylum House, Coylumbridge, 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 and landscaping proposals shall be submitted for the prior approval of the Planning Authority within 3 years of the date of this consent and the development must be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all the foregoing Reserved Matters.
2. Unless otherwise agreed in writing with the Planning Authority, the dwellinghouse hereby approved, shall be no more than one and three quarter storeys in height (with a maximum ground to ridge height of 7.5m) and be of a traditional architecturally sympathetic design in respect of building form, proportions, roof pitches, detail and finishing materials.
3. Notwithstanding the details submitted with the application, the proposed septic tank and soakaway for the disposal of waste water from the approved dwellinghouse, is hereby not approved. Prior to occupation, the dwellinghouse hereby approved shall be connected to the public waste water sewer.
4. The development shall be constructed in accordance with a detailed construction method statement which shall demonstrate measures and procedures, for the protection and prevention of pollution to the adjacent River Druie watercourse, during the construction period. This construction method statement shall be submitted for the further written approval of the Planning Authority, following agreement with SNH and SEPA, prior to works commencing on site. The measures and procedures adopted thereafter shall not be departed from without the further written approval of the Planning Authority and following further consultation with SNH and SEPA.
5. Prior to the commencement of development on site, a survey shall be carried out on the site for the presence of wood ant nests. The survey shall be submitted for the inspection of the Planning Authority and SNH. Should wood ant nests be found, they shall be marked and avoided or relocated all in accordance with measures agreed in writing with the Planning Authority in consultation with SNH.

6. Prior to the commencement of development on site, the following works at the junction of the proposed access and the B970, shall be carried out and thereafter maintained in perpetuity:
 - i. A combined service bay/passing place shall be formed in accordance with the geometry shown on the plan annexed as relative hereto. The rear of the service bay/passing place shall be delineated by 50mm x 150mm precast concrete edge kerbs, founded and haunched in concrete. Construction of the first 6m of the access measured from the nearside edge of the public road 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.
 - ii. Visibility splays of not less than 3m x 90m shall be provided in both directions and thereafter maintained free from any obstructions exceeding a height of 1m above the adjacent carriageway.
7. No walls, fences, trees, or shrubs shall be established within 2m of the nearside edge of the public road or within 1m of the rear of the service bay/passing place; any gates shall be set back at least 6m from the edge of the public road and shall open inwards into the property only.
8. Prior to the occupation of the dwellinghouse hereby approved, vehicle parking and manoeuvring space for at least 2 no. cars shall be provided within the curtilage such that each vehicle may enter and leave the site in forward gear.

Neil Stewart
18 March 2005

planning@cairngorms.co.uk