
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

**Prepared by: MARY GRIER, PLANNING OFFICER
(DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: FULL PLANNING PERMISSION FOR THE DEMOLITION OF EXISTING HOLIDAY HOMES AND THE ERECTION OF 6 HOLIDAY HOMES AT KEEPERS HOUSE, INVERESHIE, INSH.

REFERENCE: 07/316/CP

APPLICANT: INVERESHIE ESTATE C/O CKD GALBRAITH, OLD EDINBURGH ROAD, INVERNESS.

DATE CALLED-IN: 24TH AUGUST 2007

RECOMMENDATION : APPROVE WITH CONDITIONS



Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Full planning permission is being sought in this application for the demolition of existing holiday homes on Invereshie Estate, and their replacement with six new holiday homes. The subject site is located on land approximately 120 metres to the east of Invereshie House, near Kinncraig. The site currently accommodates four dwelling units which are operated as self catering holiday letting units. A disused stable block is also located within the site boundaries (see figures 2 - 6). The site area measures approximately 5,673 square metres (1.4 acres / 0.56 Ha). It is accessed from the public road via the driveway to Invereshie House. Upon passing the house, the drive changes to leads south eastwards towards the group of existing holiday units. The buildings on the site are surrounded by areas of mown lawn interspersed with groups of trees. The western, eastern and northern sides of the site are enclosed to varying degrees by woodland, while there are open views from the south west of the site over the adjacent Estate owned small private golf course.



Fig. 2 – Keeper's Cottage



Fig.3 – former stable block



Fig. 4 – Mallard Cottage



Fig. 5 - Teal Cottage



Fig. 6 – Pheasant Cottage

2. Six new holiday homes are proposed to be arranged around the periphery of the site. In response to concerns raised by the CNPA in the course of the assessment of the planning application, the design concept and layout has altered quite significantly. The development proposal initially included plans for the demolition of all of the structures on the site, including the stable block, and their replacement with six detached single storey units, in three design types. Type A and Type B were both two bedroom units, while Type C would accommodate three bedrooms. All of the structures were proposed to have similar design features, with finishes including a combination of render and vertical timber linings. The original site layout included two Type A houses, located in the northern area (close to the position currently occupied by Keeper's Cottage and Pheasant Cottage), one Type B house

located in the south of the site, and the remaining 3 units being Type C, interspersed amongst the aforementioned properties.



Fig. 7 : Initially proposed site layout plan

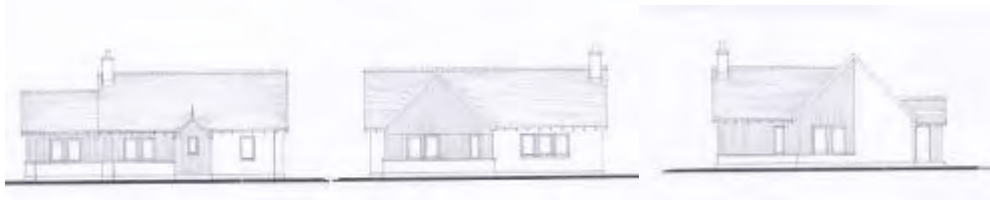


Fig. 8 : Initially proposed house Types A, B and C

3. In the course of the assessment of the proposal, the CNPA raised concerns about the demolition of the more traditional structures on the site and the approach taken in the design and layout of the new buildings. It was suggested by the CNPA officer that consideration should be given to a more appropriate design solution, which would be compatible to a greater extent with the first aim of the national park. In particular it was recommended that consideration be given to the retention and refurbishment of the more traditional properties (Keepers Cottage and the disused stable block in particular) and it was also suggested that any new build elements should be designed to more closely reflect the existing traditional designs and the rural setting in which the development is proposed. It was suggested that the new build elements could be designed in a closer grouping, perhaps reflecting a type of farm steading arrangement, rather than the detached, symmetrical dispersal of the original layout.

- The proposals have now been significantly amended in response to the CNPA concerns. The current layout includes the retention of Keepers Cottage and the stable block¹, as well as the provision of three detached one and a half storey properties of traditional design, with the remaining three new units proposed within a U shape building, resembling a steading / stable block conversion. The internal layout of each of the six units includes kitchen / dining / living space, together with three bedrooms. Two of the detached units are proposed either side of Keepers Cottage, while the third unit is proposed to be located adjacent to the north east of the stable block. The U shape building which would accommodate the three remaining units is proposed to occupy the area in which Mallard Cottage and Teal Cottage are currently located.



Fig. 9 : Currently proposed site layout plan

- The new structures would have a wet dash traditional lime / cement harl finish, under a natural slate roof. Redwood timber clad detailing is proposed on the entry porches, with the agents indicating that that the staining would reflect any requirements imposed by the Planning Authority.
- Due to the revised layout and design, as well as the retention of two of the original structures on the site, it has been necessary to expand the site boundaries to the north east. The enlarged area measures approximately 18 x 57 metres, and consists mainly of rough scrub. It would accommodate the

¹ The current planning application does not include any proposals for works to be undertaken at the stable block and it is therefore assumed that it would remain in its existing condition.

two most northerly cottages, and include access and car parking provision to serve them, as well as retaining a grassed area at the centre.

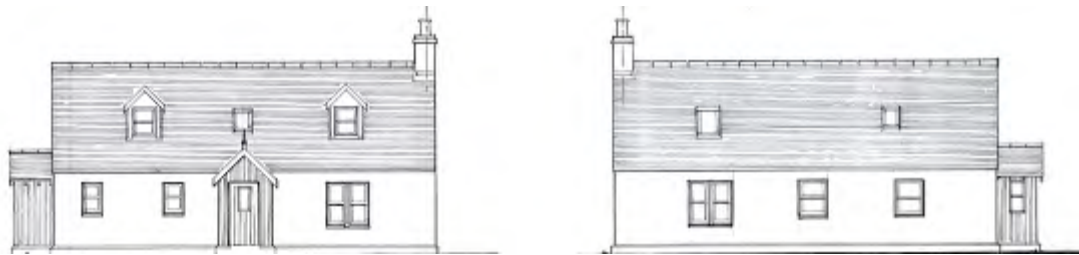


Fig. 10 : Currently proposed detached units



Fig. 11 : currently proposed 3 unit structure

7. The proposed development would be served by the existing water supply, which would be upgraded to meet current standards. A new communal sewage treatment plant is also proposed to facilitate the development.

Background to the proposal

8. The existing structures on the site, together with the nearby Invereshie House and approximately 40 acres of surrounding lands, form Invereshie Estate. The holiday cottages are currently leased from the Estate by an operator. This method of operation is not considered by the applicants to be a viable business model for the estate in the future. The existing buildings are described as being “very dilapidated holiday cottages” and it is considered “more economic to pursue a demolition and then a new build of appropriate units.” In response to CNPA queries on the future operation of the holiday cottages, it has been stated that it may be necessary in the future to separate the ownership of Invereshie House from the cottages, in order to provide

greater flexibility in estate planning. Based on this possible future occurrence, there is a reluctance to link the proposed new holiday cottage development to the same ownership as the entire estate. It has however been confirmed that the group of holiday cottages would be retained in single ownership.

DEVELOPMENT PLAN CONTEXT

National policy

9. **SPP2 : Economic Development** focuses on a number of themes including securing new development in sustainable locations and also safeguarding and enhancing the environment. On the latter theme SPP2 recognises the importance of the environment as a resource and notes that a high quality environment can be used to promote an area for business development, as well as provide a range of economic opportunities. There is a strong emphasis on the quality of design, where it is noted that good design involves more than aesthetics and should also embrace energy conservation, good waste management and sustainable urban drainage. The natural and built heritage is also discussed and planning authorities are advised that their consideration of proposals should seek to minimise adverse effects. In a section entitled 'Development in Rural Areas' **SPP2** makes particular reference to the promotion of sustainable economic and social development of the areas communities being a key aim of Scotland's National Parks. It advises that developments should be accommodated where they are appropriate to the purposes and character of the Park and that their siting and design should be of a high quality and support the Park's image and appearance.
10. Other national level advice is contained in **NPPG 14** on **Natural Heritage**. It strikes a positive note stating that conservation and development can often be fully compatible, and the potential for conflict can be minimised. In relation to statutory designations, and in particular National Parks, para. 33 states that "while conservation of the natural heritage will be a key objective in any National Park, the Government considers that due weight must also be given to the social and economic interests of local communities."
11. **NPPG 14** discusses wider natural heritage issues, outwith statutory designations, and stresses that natural heritage is found throughout the countryside, and that efforts should be made to safeguard and enhance the wider natural heritage beyond the confines of nationally designated areas. Among features listed as being of potential value in the development of habitat networks are woodlands, rivers and burns. Para. 50 stresses the importance of trees and woodlands, both as wildlife habitats and in terms of their contribution to landscape character and quality. **NPPG 14** highlights the duty of Planning Authorities, under section 159 of the Town and Country Planning (Scotland) Act 1997, to ensure that wherever appropriate, planning permissions make adequate provision for the preservation or planting of trees.

Highland Structure Plan 2001

12. **Section 2.7** of the Highland Structure Plan discusses the economy and tourism in particular, noting that tourism is a vital element of the Highland economy. The identity of the Highlands includes “its built heritage, rich wildlife, scenic beauty, history and culture” which are described as the foundations on which tourism and recreation activities are based. The Structure Plan strategy aims to build on the Highland identity and to “take a proactive approach to the wise use of the natural environment as a primary resource” for tourism.
13. The Structure Plan notes that tourism makes major demands on infrastructure and facilities and also notes that there is scope for improvement in the quality and level of provision. **Policy T2 on Tourism Development** confirms Highland Council’s support for high quality tourism development proposals, particularly those which extend the season, provide wet weather opportunities, spread economic benefits more widely and provide opportunities for the sustainable enjoyment and interpretation of the area’s heritage.
14. On the specific topic of tourist accommodation, section 2.7.8 refers to a growth trend in recent years in the self-catering sector. In anticipation of further applications for chalet and other self contained accommodation, the Structure Plan advises that they must be designed for minimal impact on services, road infrastructure and the environment. **Policy T3 on Self catering tourist accommodation** expressly states that permission will only be granted for tourist accommodation proposals on the basis that the development will not be used for permanent residential accommodation.
15. The **Highland Structure Plan** includes a detailed section on the environment. Topics such as nature conservation and landscape are discussed. Para. 2.13.1 notes that the abundance of natural habitats and species is a key element of Highland’s identity and constitutes one of the region’s main strengths. The **Structure Plan** details the hierarchy of protection of nature conservation interests, but also notes that such interests are not confined only designated sites. **Policy NI on Nature Conservation** requires new developments to minimise their impact on the nature conservation resource and enhance it wherever possible.
16. **Section 2.14** of the Plan discusses Landscape where it is declared that “no other attribute of Highland defines more the intrinsic character and nature of the area than its landscape.” The Plan notes that associated with such landscapes are the communities that live in harmony with them and the wildlife that is adapted to their conditions. It is advised that the protection and enhancement of landscape and scenery must be positively addressed. **Policy L4 on Landscape Character** states that “the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.”

Badenoch and Strathspey Local Plan (1997)

17. On the general subject of Tourism and Recreation, section 2.2.9 of the **Local Plan** notes that activities of this nature will continue to make a vital contribution to the economy, but also emphasises that the priority is to ensure that “broadening the range and quality of facilities and accommodation is balanced with protecting the areas exceptional scenic and heritage resources.” The plan suggests within communities and on their edges that tourist accommodation, recreation and leisure facilities of a scale appropriate to the community concerned will be promoted.
18. Section 2.2.10 of the Plan, entitled **Tourism**, states that the “Council will encourage the development of tourist accommodation and facilities at suitable sites within or immediately adjoining communities” and that “priority will be given to expansion of existing facilities.” This section of the Plan also requires that that tourism proposals should “either associate well with the prevailing pattern of building, or be well absorbed visually by landform and trees.
19. The landscape conservation policy is detailed in section 2.5.10. It is the policy to conserve areas of landscape importance including waterside land, open areas and scenic views. It is also advised that development proposals will be considered carefully in respect of their impacts on conservation and the environment.

Cairngorms National Park Plan (2007)

20. The Cairngorms National Park Plan sets out the vision for the park for the next 25 years. The plan sets out the strategic aims that provide the long term framework for managing the National Park and working towards the 25 year vision. Under the heading of ‘conserving and enhancing the special qualities’ strategic objectives for landscape, built and historic environment include maintaining and enhancing the distinctive landscapes across the Park, ensuring that development complements and enhances the landscape character of the Park, and ensuring that new development in settlements and surrounding areas and the management of public spaces complements and enhances the character, pattern and local identity of the built and historic environment.
21. Under the heading of ‘Living and Working in the Park’ the Plan advises that sustainable development means that the resources and special qualities of the national park are used and enjoyed by current generations in such a way that future generations can continue to use and enjoy them. Section 5.2.3 of the Park Plan acknowledges that tourism is one of the primary forms of employment in the Park, although many jobs in this and other sectors are highly seasonal and with little long term security. Strategic objectives for economy and employment include creating conditions that are conducive to business growth and investment that are consistent with the special qualities of the Park and its strategic location and the promotion of green business opportunities. Section 5.3 of the Plan concerns ‘enjoying and understanding the park’ noting that the Cairngorms National Park is known for its

outstanding environment and outdoor recreation opportunities and advises that the vision for the Park seeks to “go further and develop a world class destination which plays a significant part in the regional and national tourism economy.” Strategic objectives for sustainable tourism include : -

- raising awareness of the Park as a premier, year round, rural tourism destination;
- recognising its outstanding natural heritage and its National Park status;
- improving and maintaining the quality of the experience of the Park for all visitors, communities and those working in the tourism industry;
- maintaining a high quality environment by encouraging sound environmental management by all those involved in tourism in the Park;
- developing a wide range of opportunities for visitors to experience and enjoy the special qualities distinctiveness and natural and cultural heritage of the Park; and
- encouraging an optimum flow and spread of visitors across the Park and minimising the social and environmental impact including traffic generated by visitors and conflicts between different forms of recreation.

CONSULTATIONS

22. The proposal has been assessed by **SEPA** and the consultation response has been provided discussing foul drainage and surface water drainage. **SEPA** notes that foul drainage will be disposed of via a new treatment plant to a soakaway pit / perforated pipe system. **SEPA** have no objection to this subject to confirmation being provided to the satisfaction of the Planning Authority that the soakaway meets the minimum distances.² In terms of surface water drainage **SEPA** state that one level of treatment is acceptable, and therefore the proposals for the disposal of surface water via a separate soakaway are acceptable from a water quality perspective. **SEPA** also request in the event of consideration being given to the granting of planning permission that a condition is included requiring a construction method statement to be submitted for the agreement of the Planning Authority prior to the commencement of development, in order to prevent potential pollution of the water environment.

23. The **Area Roads and Community Works** division of Highland Council has commented on the application, recommending a set of conditions to be included in the event of the granting of planning permission. The recommended conditions include the formalisation of existing access arrangements at the junction of the private access lane with the public road; and the achievement of appropriate visibility splays and the maintenance of those splays on either side of the access off the public road. Other conditions include a requirement that the proposed holiday homes shall

² In the interests of the protection of surface waters minimum distances of 10metres from soakaway to watercourse, including ditches and field drains, and 50 metres from soakaway to well or abstraction is required. In the interests of groundwater protection a minimum distance of 1 metre from the bottom of the distribution pipes of a soakaway to the seasonally highest water table is required.

remain in the same ownership as the estate and shall not be sold off separately at any time and that each property shall be free from the adverse effects of a 1 in 200 year flood event.

24. **Kincraig and Vicinity Community Council** considered the proposal and confirmed that there are no points to raise.
25. The development proposal has also been considered by internal groups within the CNPA. The **Sustainable Tourism Officer** notes that the application is primarily for replacement units and would not therefore affect the supply of self catering accommodation in the Kincraig area. It is assumed that the replacement units would offer a better and more consistent quality of accommodation and are welcomed.
26. The **Visitor Services and Recreation Group** has commented from the perspective of access, noting at the outset that the development may have a potential impact on a right of way in the area (HB43). GIS records show the right of way using the principle access track to the development, although the reality on the ground is that a route to the north (rear) of the development site is the one used by the public and promoted by the estate. The response from VSRG therefore focuses on that commonly used route, stating that although it is basic in nature it is used extensively by horse riders, cyclists and walkers and provides a link between Kincraig and the promoted Forestry Commission network at Feshiebridge. The consultation response from **VSRG** recommends in the event of development taking place that no material is stored in the entire area to the north of the proposed site. Any permitted plans should also allow for access to the existing path from the development, and it is also recommended that planting be provided to screen the properties from the path.
27. In a consultation response from the CNPA's **Heritage and Land Management Group** it is noted in the landscape assessment that the site lies within the Cairngorms National Scenic Area. The traditional style of the older buildings on the site (Keeper's Cottage and the disused stables for example) are described as naturally fitting in with the character of the estate, although in contrast the later buildings are considered to be poorer and essentially functional, with no particular design merit. It is accepted that the function of the holiday chalets on the site is well established and does not compete with the character of the existing landscape. Concern was expressed about the initially proposed design and layout, and the development was considered to have an intensive impact. Points raised in connection with the original proposal included (1) impact upon existing trees and woodlands, (2) loss of existing buildings, (3) layout of units and surface treatments, (4) design of units and (5) planting proposals. The concerns of the landscape officer in respect of the initial concept were of such significance that it was suggested that the proposal should be refused, as the design and layout competed with and detracted from the overall landscape character.
28. The amended design proposals have been welcomed from a landscape perspective as a "big improvement". The current layout takes on board

previously expressed concerns, with the retention of two of the buildings and the realignment of the new additions providing a much more appropriate context for the estate. In conclusion the landscape officer recommends that all existing trees on the site be retained and protected in accordance with British standards and that all such measures are put in place prior to any work on the site. In addition it is also recommended that a condition is included requiring the submission of a full planting plan, which should include proposals for appropriate screen planting as well as proposals for the planting of trees which would be of long term benefit to the wider estate.

29. In terms of the ecological assessment of the development proposal, the ecology officer initially expressed concern regarding the proposed demolition of several traditional buildings, some of which could be used by roosting bats. The ecology officer noted the possibility that some of the built structures, particularly the stable block, may support birds nests and requested that any demolition works should be carried out in a manner which complies with the legal requirements to protect the nests and eggs of all bird species during the breeding season.³ As the current proposals now include retention of the stable block this is no longer considered a point of concern. Nonetheless the ecology officer highlights the fact that the woodland is also likely to be a valuable resource for a number of bird species and therefore recommends that work should not be undertaken during the recognised bird breeding period (between March and August inclusive). In the event that this is not possible it is recommended that a nesting survey should be undertaken immediately prior to any demolition. If nesting birds are recorded all works must stop until the birds have ceased nesting or a license is applied for from the Scottish Government to permit disturbance.
30. On the subject of bats **HLM** accept that the cottage and stable block, which potentially provide bat roosting habitats, are being retained. **HLM** noted during a recent site re-inspection that the three buildings which are proposed for demolition have corrugated metal roof, as well as one flat felt roof section. Metal roofs are not conducive to housing bat roosts due to the extreme variations in temperatures and the buildings are consequently considered unsuitable for roosting bats.
31. The consultation response also highlighted the need to provide enhancement opportunities, in accordance with the first aim of the National Park. Suggestions to achieve this include creating opportunities for wildlife. In particular the provision of good quality nesting and roosting opportunities for vulnerable Cairngorms species would be of assistance in enhancing the ecological value of the built environment of the site. It is also recommended that care is taken to avoid the spread of invasive, non-native plant species to the site arising from construction activities. It is recommended in the interests of conserving and enhancing the natural heritage of the national park

³ Part 1 of the Wildlife and Countryside Act 1981 (as amended). The report from the ecology officer suggests as a rough guide that the breeding season for species relevant to this situation would run from April 15th to August 31st.

that bat roosting and bird nesting opportunities should be incorporated into the design of the new buildings.

REPRESENTATIONS

32. No representations have been received in respect of the proposed development.

APPRAISAL

33. The main issues to consider in this planning application are the principle of the development, and the more detailed aspects of the proposals, such as layout and design, as well as the overall implications of the proposal on the aims of the National Park.
34. In terms of the development of holiday homes on the site, the principle of development of this nature has long been established at the site, with the four existing properties having been used for holiday letting purposes for many years. The continued use of the site for this purpose is therefore considered acceptable. It has also been indicated that the applicants are willing to accept restrictions on the proposed new replacement units, to ensure that they are retained in single ownership for holiday letting purposes. In this respect, such restrictions would ensure that the units continue to provide tourist accommodation in the area, which would be of benefit in economic development terms, and would not have the potential to be sold as open market housing, in an area which is currently identified in the existing Badenoch and Strathspey Local Plan (1997) as Restricted Countryside. The applicants are not however willing to link the holiday letting units to the remainder of Invereshie Estate, including Invereshie House, on the basis that either entity may be sold at some stage in the future. I do not however consider this to represent a particular difficulty, as the holiday letting units would remain as one entity, to be managed and operated as a coherent development.
35. Turning to the issues of design and layout, I am satisfied that the current proposal represents a significant improvement. The original proposal displayed a lack of appreciation of the traditional character of some of the buildings which were proposed for demolition, as would also have imposed a somewhat suburban layout and design into this rural setting. The current proposal is in contrast to this, and amongst its positive aspects includes the retention of two of the more traditional properties (Keepers Cottage and the stable block). as well as proposing 3 units within a u shaped structure which has been designed to resembles a steading or stable block. The overall design, proportions and detailing (including timber clad entrance porches, traditional dormer features, sash and case windows, and a harled finish under slate roofs) of the three new detached dwelling units and the u shape structure reflect a traditional character which is appropriate to the setting of the site in the vicinity of a listed building and in this rural location.

36. The amendments to the layout are welcomed, as it avoids the previous suburban type layout which took little account of the existing natural features of the site, including trees, hedges and grassed areas. The current layout would allow for the retention of the conifer woodland area close to the site access, with the U shaped structure positioned to the rear of the woodland, on open ground which currently accommodates two of the existing holiday units (Teal Cottage and Mallard Cottage). The existing access amidst the trees, would continue to be utilised to provide access and parking to serve two of the holiday units. The third unit would be served by an access to the north east of the area of conifers. The car parking arrangement in this area has been positioned to avoid an individual Scots Pine and conifer.



Fig.12 : Approach to the site

37. The position of the three detached units is also acceptable. One of the units is positioned a short distance to the west of Keepers Cottage, with car parking proposed between the existing and new property, essentially occupying the area where Pheasant Cottage currently stands. The replacement cottage in this area would result in this new higher quality, traditionally proportioned building becoming the first of the structures visible to visitors upon entering the site. In addition it has been positioned to avoid interference with existing vegetation and specimen trees in the vicinity. Although it has been necessary to amend the site boundaries in order to accommodate the remaining two of the six new units proposed on the site, I am of the view that the site enlargement is acceptable, as it has facilitated a more appropriate layout. The position of the two properties in the north eastern area of the enlarged site generally echo the positions and orientation of the adjacent Keepers Cottage and the disused stable block, while allowing for the retention of a grassed area and the specimen tree which serves as a focal point at the heart of the area, and also allows for the creation of a similar grassed area between the two new properties.



Fig. 13 : Grass area between Keepers Cottage and disused stable block

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

38. The amended development proposals represent a significant improvement on the quality and aesthetics of the existing holiday units and in this respect represent an opportunity to enhance the general landscape setting, as well as the setting of the nearby Category B Listed Building at Invereshie House. The current site layout facilitates the retention of existing trees and other vegetation on the site, which is of benefit in conserving the natural heritage of the area. The proposal also includes the retention of two of the more traditional structures on the site and this would assist in conserving both the natural and cultural heritage of the area.

Promote Sustainable Use of Natural Resources

39. Insufficient details on the sourcing of materials etc. have been provided to establish whether or not the development would assist in promoting the sustainable use of natural resources.

Promote Understanding and Enjoyment of the Area

40. The general principle of providing improved holiday accommodation at the site would assist users of the facility in enjoying the area. The development would however be unlikely to assist in promoting the understanding and enjoyment of the area by the wider general public.

Promote Sustainable Economic and Social Development of the Area

41. The improvement of the existing tourist accommodation facilities would be likely to attract increased visitor use and would therefore be of benefit to the economic development of the area.

RECOMMENDATION

That Members of the Committee support a recommendation to grant full planning permission for the demolition of existing holiday homes and the erection of 6 holiday homes at Keeper's House, Invereshie, Insh, subject to the following conditions : -

1. The development to which this permission relates must be commenced within five years from the date of this permission.
2. The proposed holiday homes shall only be used as short term tourist accommodation and shall be retained and operated as a single commercial entity. The holiday homes shall not be sold separately or be used by a tenant, lessee, owner or occupier as their only or principal dwellinghouse. No single period of occupation shall exceed two months unless otherwise agreed in writing by the Cairngorms National Park Authority acting as planning authority. Occupation shall be restricted to use by persons requiring to stay in the area for recreational purposes.
3. No demolition / construction activity shall be undertaken during the recognised bird breeding period between March and August (inclusive), unless otherwise agreed in writing with the CNPA acting as Planning Authority. In the event that work is required to be undertaken during the period from March to August, a nesting bird survey shall be undertaken immediately prior to any work. If nesting birds are recorded the works shall stop until the birds have ceased nesting or a license had been obtained from the Scottish Government to permit disturbance.
4. Keepers Cottage and the stable block shall be retained. This permission does not authorise any demolition of the two structures without the prior approval of the Planning Authority.
5. Prior to the commencement of development details shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in conjunction with SEPA, to confirm the following –
 - (a) that the soakaway meets the required minimum distances; and
 - (b) that ground test results are submitted to confirm the suitability of the ground for the proposed foul drainage system.
6. Prior to the commencement of development a construction method statement shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in conjunction with SEPA, in order to prevent potential pollution of the water environment.
7. Prior to any other works starting in connection with the proposed development the following works shall be completed and approved by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Roads Authority –
 - (a) The existing access arrangement shall be generally formalised at its junction with the public road. Construction for the full width of the

access shall consist of a minimum of 40mm thick Close Graded Wearing Course on 60mm Dense Basecourse on 350mm Type I sub base, all on a sound formation, for at least the first 6 metres measured from the nearside edge of the public road;

- (b) Visibility splays shall be provided and maintained on each side of the access. These splays are the triangles of ground bounded by the first 3.0 metres along the centreline of the access road (the x dimension) and the nearside edge of the main road (the y dimension) measured at least 120 metres in each direction from the intersection of the access road with the main road;
 - (c) Within the visibility splays nothing shall obscure visibility between a driver's eye height of 1.0 metres positioned at the x dimension and an object height of 1.0 metre anywhere along the y dimension.
8. Prior to the commencement of the development elevation drawings shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority to show the incorporation of bat roosting and bird nesting opportunities in the proposed designs. A minimum of one bat box shall be incorporated into the design of each of the holiday units.
9. Timber windows and doors shall be used throughout the development. Details of the proposed wood stain on all windows, doors and external timber cladding shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority.
10. Existing pedestrian access in the vicinity of the site shall remain unobstructed during the course of construction and following the completion of works. Prior to the commencement of development, a revised site layout plan shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, to show the access provision from the development to the existing footpath to the north of the site. The surface of any new pathways through the site shall be a permeable material in keeping with the woodland nature of the site.
11. No trees shall be uprooted, lopped, topped, felled or damaged without the prior written consent of the Cairngorms National Park Authority, acting as Planning Authority, in conjunction with Highland Council's Forestry Section.
12. Prior to the commencement of development a comprehensive landscaping plan shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, specifying the quantity, position, size, species and protection measures (tree shelters, stakes and ties) of all trees / shrubs to be planted. A maintenance programme shall also be submitted in conjunction with the landscaping plan. The landscaping of all areas within each phase of the proposed development shall be carried out in accordance with the agreed plan and shall be completed within one year of the commencement of works within that phase. Any trees or shrubs that die or become seriously damaged or diseased within a period of five years from

the time of planting shall be replaced with others of a similar size and species, suited to the climate of the area, within the next planting season.

13. All public services for the development, including electrical, cable television and telephone cables, shall be located underground throughout the site. All such work shall be carried out prior to road surfacing and junction boxes shall be provided by the developer.

Advice note :

1. Prior to any work of excavation or surfacing starting within 2 metres of the public road edge a road opening permit shall be obtained from the Roads Authority.
2. Care should be taken to avoid the spread of invasive, non-native species to the site arising from quarrying activities, restoration plans etc.. In the event of any such species arriving at the site as a result of quarrying activities, it is recommended that they are removed as soon as possible and disposed of appropriately.
3. Please note the following in connection with condition no. 5 of this permission – in order to ensure the protection of surface waters a minimum distance of 10 metres from soakaway to watercourse (including ditches and field drains), and 50 metres from soakaway to well or abstraction shall be achieved. In order to ensure the protection of groundwater minimum distances of 1 metre from the bottom of distribution pipes of the soakaway to the seasonally highest water table shall be achieved.

Determination Background : The planning application was called in for determination by the Cairngorms National Park Authority on the 24th August 2007. Following the initial assessment of the proposal, the CNPA issued a detailed request for further information and significant amendments to the proposal in September 2007, after which a meeting took place with the agents to discuss the issues raised. Although the intention was expressed to consider amendments to the proposal and submit revised details etc., the majority of the information was not received until June 2009.

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14 July 2009

The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.