

## CAIRNGORMS NATIONAL PARK AUTHORITY

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**DEVELOPMENT PROPOSED:**

Development of three affordable houses at Land 80M SW Of  
Inshcraig Insh Kingussie PH21 1NU

**REFERENCE:** 2023/0300/PPP

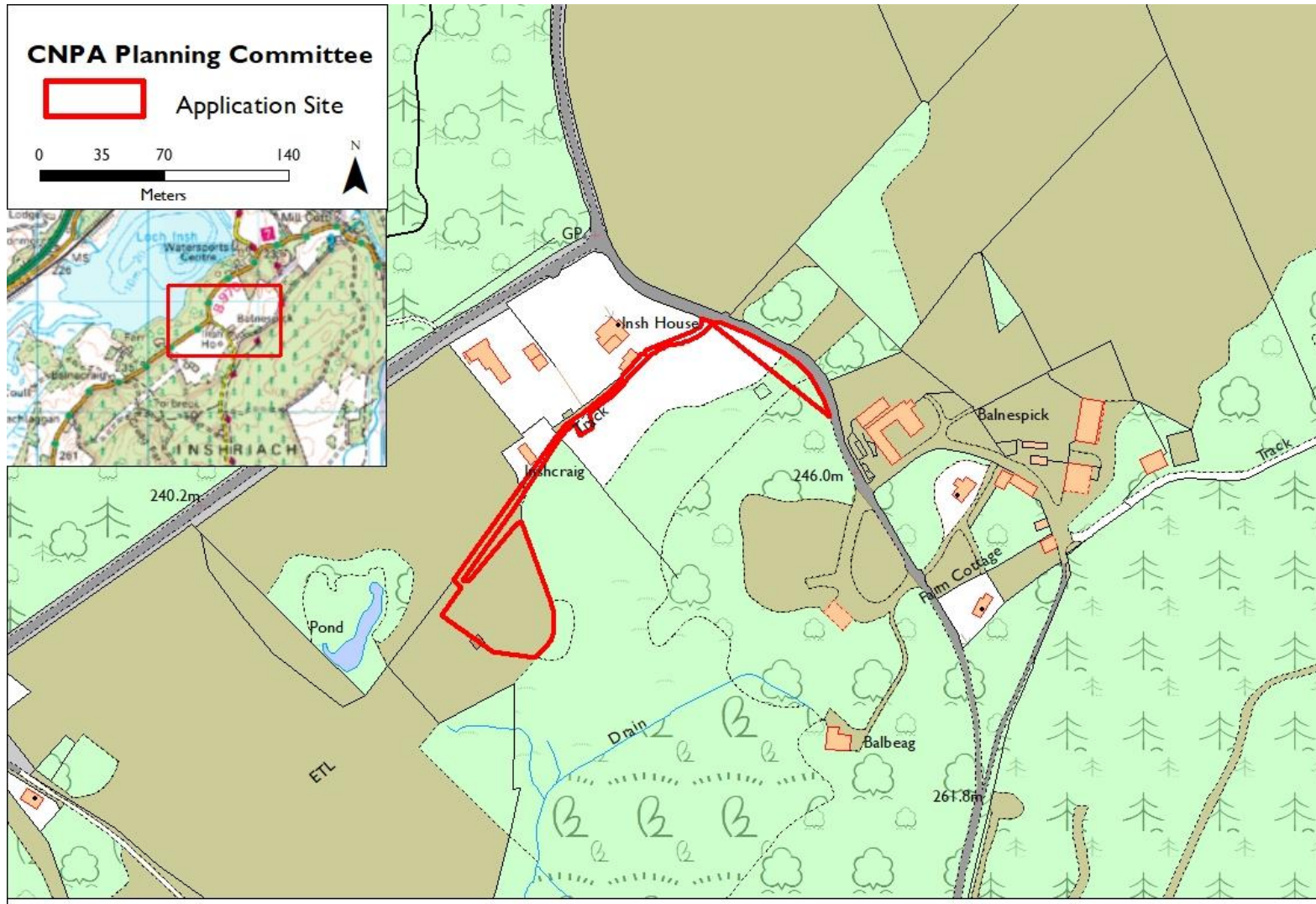
**APPLICANT:** Miss Cathryn Williamson

**DATE CALLED-IN:** 17 July 2023


**RECOMMENDATION:** Approve subject to conditions

**CASE OFFICER:** Emma Bryce - Planning Manager  
(Development Management)

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**CNPA Planning Committee**

 Application Site

0 35 70 140

Meters

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## SITE DESCRIPTION, PROPOSAL AND HISTORY

### Site Description

1. The site lies approximately 1.5 miles southeast of Kincaig and is located off the B970. The site is farmland lying directly to the rear of Insh House and its grounds, with an existing pond and wooded area to the west. It comprises flat grassland with a small group of trees beyond its northeast boundary. It is accessed from an existing track which has a junction with the public minor road, the U2099, (which continues south through to Glen Feshie) just before Balnespick Farm. To the east lies the Speyside Way which runs to the Ardgeal affordable housing development, with the village of Kincaig lying beyond.

### Proposal

2. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RXOT95SI0CP00>

Title	Drawing Number	Date on Plan*	Date Received
Plan – Location Plan	23-02-PIP 01	01/07/23	13/07/23
Plan – Site Plan (indicative)	23-02-PIP 02	01/07/23	12/10/23
Plan – Access Section	23-02-PIP 03	01/08/23	12/10/23

\*Where no specific day of month has been provided on the plan, the system defaults to the 1<sup>st</sup> of the month.

3. The application is for planning permission in principle and is for three house plots. The houses are to be affordable homes. An indicative layout shows the houses sited to the north of the site and orientated to ensure satisfactory amenity for each dwelling. The houses will have their own drive and turning area and waste water treatment tank with soakaway. The houses will be accessed off the existing track which will be extended and upgraded with passing places.

4. An indicative site plan of the proposal is included within **Appendix 1**.

### **History**

5. There is no relevant planning history for this site.

### **Habitats Regulations Appraisal**

6. It has been concluded by NatureScot that a Habitats Regulations Appraisal is not required in this instance.

## **DEVELOPMENT PLAN CONTEXT**

### **Policies**

<b>National Policy</b>	National Planning Framework 4 (NPF4) Scotland 2045 <b>Officer will delete policies that are not relevant</b>	
POLICY 1	Tackling the Climate and Nature Crises	
POLICY 2	Climate Mitigation and Adaptation	
POLICY 3	Biodiversity	
POLICY 4	Natural Places	
POLICY 7	Historic Assets and Places	
POLICY 9	Brownfield, Vacant and Derelict Land, and Empty Buildings	
POLICY 13	Sustainable Transport	
POLICY 14	Design, Quality and Place	
POLICY 16	Quality Homes	
POLICY 17	Rural Homes	
POLICY 22	Flood Risk and Water Management	

<b>Strategic Policy</b>	Cairngorms National Park Partnership Plan 2022 – 2027	
<b>Local Plan Policy</b>	Cairngorms National Park Local Development Plan (2021) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	X
POLICY 2	SUPPORTING ECONOMIC GROWTH	
POLICY 3	DESIGN AND PLACEMAKING	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	

POLICY 7	RENEWABLE ENERGY	
POLICY 8	OPEN SPACE, SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER OBLIGATIONS	X

7. All new development proposals require to be assessed in relation to policies contained in the adopted Development Plan which comprises National Planning Framework 4 (NPF4) and the Cairngorms National Park Local Development Plan 2021. The full wording of policies can be found at:

<https://www.gov.scot/publications/national-planning-framework-4/documents/>

and at:

<https://cairngorms.co.uk/wp-content/uploads/2021/03/CNPA-LDP-2021-web.pdf>

## **Planning Guidance**

8. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	Housing Supplementary Guidance	X
Policy 2	Supporting Economic Growth Non-Statutory Guidance	
Policy 3	Design and Placemaking Non-Statutory Guidance	X
Policy 4	Natural Heritage Non-Statutory Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Non-Statutory Guidance	
Policy 8	Open Space, Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	X
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Obligations Supplementary Guidance	X

## **CONSULTATIONS**

9. A summary of the main issues raised by consultees now follows:

10. **Scottish Water** has no objection to the proposals, but suggest the applicant completes a Pre-Development Enquiry (PDE) form ensuring the development can be serviced. There is currently capacity in the Aviemore Water Treatment Works to service the proposed development. The proposed development is within the Aviemore Waste Water Treatment Works catchment area but suggest the applicant completes a Pre-Development Enquiry (PDE) form ensuring the development can be serviced. There is no Scottish Water Waste Water infrastructure in the vicinity therefore the applicant is advised to investigate private treatment options.
  
11. Scottish Water records indicate that there is live infrastructure in the proximity of the development site that may impact on existing Scottish Water assets. The applicant must identify any potential conflicts with Scottish Water assets and contact the Asset Impact Team via the customer portal, for an approval of the proposals. Any conflict with assets identified will be subject to restrictions on proximity of construction. Written permission must be obtained before any works are started within the area of any Scottish Water Assets.
  
12. **NatureScot** has no objections, stating that in terms of designated sites there is unlikely to be any significant effects on any qualifying interests either directly or indirectly so long as water quality from soakaways meets SEPA standards. An appropriate assessment (HRA) is therefore not required.
  
13. **Highland Council Transport Planning Team** states that for the application to be supported a formal management system (in perpetuity) for the private access track is required to ensure it is clear who is responsible for it and are aware of any financial burden. Any further development off this track would not be supported unless it is brought up to an adoptable standard through the Road Construction Consent. They recommend a condition to any consent granted that the detailed design of the access is approved by the team and constructed before any work commences on site.
  
14. They did, however, object to the application with regard to the visibility splays from the private track onto the U2099 and sought further information. Additional information regarding vehicle speeds has been submitted and they are now satisfied with the proposed visibility splays. Furthermore, they also noted that a large clump of trees/vegetation are located within the splay and required confirmation from the Forestry Officer that they were satisfied for this to be removed. The Forestry Officer has now confirmed they are agreeable to this.

15. **Highland Council Flood Risk Management Team** do not object to the development on flood risk as SEPA's indicative maps do not show the site is at risk. They do recommend that finished floor levels are set a minimum of 250mm above surrounding ground levels to help protect against any residual risk from surface water/overland flow. They do, however object on the grounds of insufficient information on surface water drainage arrangements.
16. **Highland Council Contaminated Land Officer** states there does not appear to be any potential source of contamination on site and therefore they have no further comment.
17. **Highland Council Waste Management Team** state that in order to provide a waste collection service, Council Standards will have to be factored into the design and construction of the development to allow safe access and egress for waste collection vehicles. Should the guidance standards not be achieved waste collection cannot be guaranteed. An alternative collection point at the road end with a firm area of hardstanding would be required that would not obstruct any vehicle movements. Any future resident would have to be made aware.
18. **Highland Council Archaeologist** confirms there are no sensitive cultural heritage issues, and no specific mitigation is proposed.
19. **Highland Council Forestry Officer** states they have no objection to the proposed removal of the area of woodland within the visibility splay providing a Tree Planting Plan is provided confirming replacement planting in an area of at least the size of the scrub woodland that will be lost with woodland of a similar type nearby.
20. **Highland Council Developer Contributions Officer** states that the proposed development lies within the Alvie Primary School and Kingussie High School catchments, however, these schools do not have existing or projected capacity issues and therefore no developer contributions are required. Similarly, the plots are for affordable homes, therefore no contribution is required in respect of that issue. Although affordable housing agencies are mentioned it has not been confirmed that the plots or completed houses will meet the Highland Council's definition of affordable provision. This should be clarified.
21. **CNPA Landscape Officer** states that, based on the information currently submitted for the planning permission in principle, the proposed development could result in some adverse landscape and visual effects within the local area. Detailed design will be important in reducing these and any further application for full planning permission

should include a layout and design of the proposed houses which would relate to landscape character, visual amenity and special landscape qualities.

22. **CNPA Ecology Officer** has no objections to the proposed development subject to a number of conditions requiring a full landscaping and tree protection plan, full protected species surveys for at least, water vole, badger, red squirrel, pine marten and bats and invertebrates where appropriate. All survey work and assessments must be submitted and approved prior to work commencing on site. If works cannot be undertaken out with the bird breeding season, then pre-construction nesting checks and any subsequent bird protection plan must be undertaken and approved before works commence. A Phase 1 habitat survey and a site-specific pollution prevention plan must be included in any future detailed application. Enhancements for biodiversity should also be included to comply with the requirements of NPF4.
23. **CNPA Outdoor Access Officer** has no comments to make.
24. **Kincraig and Vicinity Community Council** state that do not have enough information to either support or oppose the proposed development, however they do have concerns regarding the Small Housing Communities Trust stating the Community Council support the proposals. They support low-cost sustainable affordable housing in appropriate locations. There are already examples of this in Kincraig. The Community Council has concerns regarding the road access and potential for road safety issues, the impact on natural habitats, potential flood risk and the land being used for underground electricity cables.

## **REPRESENTATIONS**

25. There have been seven letters of objection and one letter commenting on the proposed development. Copies of these can be viewed in **Appendix 2**. The main points of objection are summarised as follows:
  - a) Loss of privacy and amenity and views to adjacent properties;
  - b) Existing track is not owned by the applicant and is substandard and not appropriate for its proposed use;
  - c) Potential flooding of existing track and its future upkeep;
  - d) Existing track's use for farm business – how will this be accommodated in future;
  - e) Insufficient environmental information and therefore detrimental biodiversity and environmental impacts;



- f) Urbanisation of the area;
- g) Proposed 'bellmouth' not big enough;
- h) Visibility splays insufficient and obscured by existing trees and shrubs;
- i) An electricity line runs beneath site therefore there are implications for the proposed development and precludes any planting within the proximity of the site;
- j) The site lies outwith the settlement boundary as defined in the LDP and the development will set a precedent if approved;
- k) A brownfield site is more appropriate for such a development;
- l) No further housing required in the area;
- m) No natural septic tank drainage and therefore heavy vehicle movements required to empty it;
- n) Contrary to the LDP in terms of rural housing groups;
- o) The proposed detached dwellings are not considered affordable units;
- p) Misleading information in the design statement;
- q) Loss of agricultural land;

## **APPRAISAL**

26. Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the Development Plan. This now comprises the National Planning Framework 4 (NPF4) and the Cairngorms National Park Local Development Plan 2021. Where there is conflict between policies, NPF4 policies will be used.
27. The main planning considerations are considered to be: the principle of development; design, layout and the impact upon the landscape; environmental impacts; access and servicing; and developer contributions.

## **Principle**

28. At national policy level, National Planning Framework 4 (NPF4) **Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings** (paragraph 9b) states that "Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP". **Policy 17: Rural Homes** seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations. This policy (paragraph 17b) states "Development proposals for new homes in rural areas will consider how the development will contribute towards local living and take into account local housing needs (including affordable housing)..."

29. A key issue identified within the Cairngorms National Park Partnership Plan 2022-2027 is access to housing for those living and working within the Park. A principle objective of the Plan is to ensure an increase in affordable housing stock in perpetuity to achieve this.
30. In terms of local development plan policy, **Policy 1: New Housing Developments** seeks to approve appropriate housing development which supports sustainable communities and reinforces and enhances the character of its surroundings. **Policy 1.2: Housing development in existing rural groups** favours new housing development which adds to an existing rural group of three or more buildings where at least one of which is a dwelling house. The development should connect to, reinforce and enhance the character of the group, integrating with the existing built form and pattern of development; and not add more than one third to the existing number of buildings in the group within the Plan period.
31. The proposal will introduce three dwellings on a rural site outwith a settlement boundary. There is an existing group of dwellings within the immediate vicinity, the existing Insh House group of five houses (Insh House which is a category C listed building, Glebe House, Telford Cottage, Fraser Cottage and Inshcraig) being the closest. Balnespick Farm also lies within close proximity to the site. It is considered that the proposed dwellings would add to this existing group albeit three houses could be considered to slightly exceed the number policy would support.
32. Notwithstanding this, it is an overriding aim of the Cairngorms National Park Local Development Plan 2021 to increase the delivery of affordable housing in perpetuity across the Park. **Policy 1.4: Designing for affordability and specialist needs** requires that residential development will provide a mix of dwelling types and sizes to help secure a balanced housing stock, with an emphasis on smaller dwellings. **Policy 1.6: Affordable housing exception sites** supports development of 100% affordable housing in locations that would not normally be used for housing where it is justified by evidence of a local need, and it is designed to address that need. The proposal is for three modest sized, affordable houses the details of which will be subject to future consideration under matters specified in condition applications (MSC stage). The village of Kincaig and its environs is a small community where it is recognised there is a need for small scale housing opportunities to meet local need, in particular affordable housing. This is echoed in the settlement objectives set out within the adopted Local Development Plan 2021. Providing a suitable mechanism is in place to ensure the proposed houses are secured as

affordable homes in perpetuity, it is considered that the proposed development complies with the relevant parts of **Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings** and **Policy 17: Rural Homes** of NPF4 and **Policy 1: New Housing Development** of the Cairngorms National Park Local Development Plan 2021.

### **Design, Layout, Cultural Heritage and Landscape Impacts**

33. **Policy 7: Historic assets and places of NPF4** seeks to protect and enhance historic assets while **Policy 14: Design, quality and place** requires development proposals to be designed to improve the quality of an area whether in urban or rural locations and regardless of scale and are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable and adaptable. **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021 seeks to ensure that all new development is sympathetic to the traditional pattern and character of the surrounding areas, local vernacular and local distinctiveness. It also seeks an appropriate level of private amenity ground and space for off-street parking. **Policy 5: Landscape** presumes against development which does not conserve and enhance the landscape character and special qualities of the National Park and in particular, the setting of the proposed development. **Policy 9: Cultural Heritage** requires development that may affect the setting of a listed building to preserve and enhance its character.
34. The application is for planning permission in principle and therefore full details of the design are not required at this stage. An indicative site layout has been submitted showing how the three dwellings could be located and orientated on the site and how they will fit within their context and the relationship with adjacent properties. Insh House which lies adjacent to the site, is a category C listed building. It is considered that the site can be suitably developed without an adverse impact on its surroundings. The detailed design and landscaping scheme for the proposed development will be the subject of applications at the MSC stage with details secured by conditions in accordance with NPF4 Policies 7 and 14 and LDP Policies 3, 5 and 9.

### **Environmental Impacts**

35. **NPF4 Policy 1: Tackling the climate and nature crises** requires that significant weight is given to the global climate and nature crisis when consideration is given to new development, while **Policy 2: Climate mitigation and adaptation** requires development to be sited and designed to adapt to current and future risks from climate change.

**Policy 3: Biodiversity** seeks to ensure that development will conserve, restore and enhance biodiversity while **Policy 4: Natural Places** seeks to protect, restore and enhance natural assets including protected areas.

36. NatureScot identified that a Habitats Regulations Appraisal (HRA) was not required as the development is unlikely to have any significant effects on any qualifying interests in terms of designated sites providing water quality from soakaways meets SEPA standards. It is recommended that subject to appropriate conditions (requiring tree protection measures, a landscaping scheme, appropriate protected species surveys, any necessary pre-construction nesting checks and any subsequent bird protection plan and a Phase 1 habitat survey and a site specific pollution prevention plan) all issues can be addressed at the detailed MSC stage to ensure compliance with NPF4 and LDP policies. In accordance with Policy 3 of NPF4, a planning condition is recommended to secure biodiversity enhancement.

### **Access and Servicing**

37. **Policy 13: Sustainable Transport** of NPF4 supports development where transport requirements generated have been considered in line with sustainable travel hierarchies, while **Policy 17: Rural homes** supports development for new homes in rural areas which take into account the transport needs of the development as appropriate for the rural location. **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021, requires all development proposals to include an appropriate means of access and egress and space for off street parking.
38. The site is accessed from the existing track from the public U2099 road. The Transport Planning team have recommended that a condition requiring a formal management system (in perpetuity) for the track is approved to ensure those responsible for it are identified and made aware of any financial burdens associated with it. It is also recommended that the detailed design of the junction with the U2099 and the proposed access and the dimensions of the visibility splay are subject to conditions on any consent granted. Each plot provides sufficient private parking space. The site also lies in close proximity to the Speyside Way providing sustainable travel links.
39. **NPF4 Policy 2: Climate mitigation and adaptation** requires that development is sited and designed to adapt to current and future risks from climate change while **Policy 22: Flood Risk and Water Management** promotes avoidance as a first principle and reducing the

vulnerability of existing and future development to flooding. **Policy 3: Design and Placemaking** and **Policy 10: Resources** of the Cairngorms National Park Local Development Plan 2021 sets out the need for new development to be satisfactorily serviced and without harm to resources of the environment.

40. In terms of flood risk, the Council Flood team has no objections subject to a condition requiring that finished floor levels are set a minimum of 250mm above surrounding ground levels. They also require further information regarding surface water drainage arrangements. This can be the subject of a condition to be addressed at the MSC stage. The Council's Waste Management team recommend that any detailed design for refuse collection should follow Council standards. A condition is also recommended requiring waste collection details to be incorporated into the detailed design of the development to ensure satisfactory arrangements are in place for this service to be undertaken.
41. Subject to the imposition of the recommended conditions, the proposed development will comply with the relevant parts of **Policy 3: Design and Placemaking** and **Policy 10: Resources** of the Cairngorms National Park Local Development Plan 2021.

### **Developer Contributions**

42. **Policy 11: Developer Obligations** of the Cairngorms National Park Local Development Plan 2021 states that where development creates a need to increase or improve public services, facilities, or infrastructure, or mitigate adverse effects, the developer will be required to make a fair and reasonable contribution in cash or in kind towards additional costs or requirements. The proposed development will not have a significant effect on any infrastructure or facilities in the local area.

### **Other Issues Raised in Consultations and Representations**

43. The application is for planning permission in principle and as such all details, including design and external finishes will be considered at the detailed planning application stage. All other matters raised by consultees and third parties have been addressed above. The applicant will be required to liaise with SSEN regarding electricity cables that may run beneath site.

## CONCLUSION

44. This application is seeking consent in principle for three affordable homes in this rural location. There are existing groups of buildings within the immediate vicinity, and it is considered that the introduction of housing on this site will fulfil an identified local housing need which will benefit the local community. Any identified issues and points of detail that have not been sufficiently addressed at this stage will be resolved through the imposition of suitable conditions as detailed in the paragraphs above. Subject to these recommended conditions, the proposed development is considered to comply with the policies contained within National Planning Framework 4 and the Cairngorms National Park Local Development Plan 2021 and approval is therefore recommended.

## RECOMMENDATION

**That Members of the Committee support a recommendation to APPROVE the development of three affordable houses at Land 80M SW Of Inshcraig Insh Kingussie PH21 1NU subject to the following conditions:**

Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.

**Conditions in bold relate to matters that require applications to be made to the planning authority for further consent, approval, or agreement in terms of Section 59 1(b) of the Town and Country Planning (Scotland) Act 1997(as amended).**

### Conditions

1. The development hereby approved shall begin no later than 5 years from the date of this decision notice.

**Reason:** Permission for the development has been granted in principle only and is subject to the timescales and other limitations of section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. **No development shall commence on site until an Affordable Housing Delivery Plan providing details of a mechanism that will ensure affordability, in perpetuity, of the houses for all occupiers (first and**

subsequent) has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority.

Thereafter the development shall be implemented and occupied in accordance with the approved Affordable Housing Delivery Plan.

**Reason:** To comply with the policies of the Development Plan in respect of affordable housing.

3. **No development shall commence on site until full details of the site layout, design and external appearance and finishes (samples may be required) of the proposed houses and any other structures (garages, bin stores, etc.) have been submitted to and approved by the Cairngorms National Park Authority, acting as Planning Authority. These details shall incorporate proposed finished ground floor levels set at a minimum of 250mm above surrounding ground levels.**

Thereafter the development shall be implemented in accordance with those approved details.

**Reason:** To ensure that the development has a layout and design which is compatible with its surroundings and in accordance with Policy 14: Design, quality and place of NPF4, Policy 3: Design and placemaking, Policy 5: Landscape and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021.

4. **No development shall commence on site until a Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan for the site in accordance with BS8537 is undertaken and submitted to and approved in writing by the CNPA acting as Planning Authority.**

**Reason:** To ensure a proper assessment of the potential tree loss and to protect those trees which contribute to biodiversity and the landscape character of the area during and after construction works in accordance with Policy 3: Biodiversity and Policy 4: Natural Places of NPF4 and Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

5. **No development shall commence on site until a fully detailed landscaping scheme for both hard and soft landscaping proposals and the future maintenance and management of the proposed scheme has been submitted to and approved in writing by the CNPA acting as Planning Authority. This shall include, but not be limited to**

hard landscaping material specification, soft landscaping plant and tree species and planting specifications and the incorporation of biodiversity enhancements such as bird and bat boxes.

Thereafter the development shall be implemented in accordance with those approved details and not later than the expiry of the next planting season following commencement of the development or within such time as approved by CNPA acting as Planning Authority.

**Reason:** To ensure the long term retention of an appropriate landscaping setting, enhanced biodiversity and to ensure the development will not have an adverse impact on the landscape setting or ecological quality of the development in accordance with Policy 3: Biodiversity, Policy 4: Natural Places and Policy 14: Design, quality and place of NPF4 and Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

- 6. No development shall commence on site until a Phase 1 Habitat Survey is undertaken and subsequent pre-construction surveys are carried out by a suitably qualified ecologist for breeding birds (if works are to be undertaken during the breeding bird season of March to August - inclusive), and at least, for water vole, badger, red squirrel, pine marten and bats and invertebrates where appropriate. The results, together with any associated Species Protection Plans shall be submitted to and approved in writing by the Cairngorms National Park Authority acting at Planning Authority.**

Thereafter all breeding bird and protected species mitigation measures shall be implemented in accordance with any approved species protection plans and overseen by a suitably qualified Ecological Clerk of Works.

**Reason:** To determine the effects of the proposals on the ecology of the site and to inform mitigation measures for protected species during construction works in accordance with Policy 3: Biodiversity and Policy 4: Natural places of NPF4 and Policy 4: Natural Heritage of the Cairngorms National Park Authority Local Development Plan 2021.

- 7. No development shall commence on site until a Pollution Prevention Plan to ensure the risk of pollution from sediment or other pollutants that may be released during construction from entering any nearby water bodies or courses, has been submitted to and agreed in writing by the Cairngorms National Park Authority acting as**



**Planning Authority.** The development shall thereafter be implemented in accordance with the approved plan.

**Reason:** To protect the water environment and the integrity of any nearby water bodies or courses in accordance with Policy 3: Biodiversity and Policy 4: Natural places of NPF4 and Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2021.

8. **No development shall commence on site until a Traffic Management Scheme and access details have been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. The scheme shall include but is not limited to the following:**
- a) Identification of ownership of the track, rights of access over it, specification the track will be maintained to, who will be responsible for maintaining the track, how costs for maintenance will be apportioned and if owners/users require insurance for the ongoing maintenance of the track;
  - b) The first six metres of the access track will be surfaced in a bituminous material;
  - c) Provide a bin storage area appropriately sized for bins for four dwellings at the junction of the U2099 but out with the visibility splays;
  - d) Appropriate visibility splays to either side of the access track are agreed and approved by the Transport team.
  - e) Measures to ensure that surface water from the private track does not flow onto the U2099 or vice versa;
  - f) Provide a tie-in detail where the new service bay joins the U2099. (The U2099 will not be designed or built to current standards, therefore the applicant may be required to provide a full overlay across the road for the width of the new service bay to ensure the integrity of the road);
  - g) Details of how the adjacent headwall will be impacted;
  - h) The minimum amount of car parking provision as set out in Council standards.

**Thereafter no development shall commence on site until the approved scheme is implemented and maintained in accordance with the approved details.**

**Reason:** In the interests of road safety in accordance with Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

9. No development shall commence until full details of the final drainage scheme and a finalised drainage impact assessment including provision for surface water drainage have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Flood Risk Management Team. The assessment should meet the full requirements of the Supplementary Guidance: Flood Risk and Drainage Impact Assessment . The approved drainage scheme shall be implemented and maintained in accordance with the approved details in full prior to the occupation of any unit within the development.

**Reason:** To ensure that satisfactory arrangements for the disposal of surface water are provided in accordance with Policy 22 of NPF4 and Policy 3: Design and Placemaking and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021.

## **Informatives**

### **Timescales and Procedures for Applying for Requisite Approvals**

1. An application for requisite approval may be made for different matters and different parts of the development at different times. Each application shall be made in writing and must:
  - a) identify the planning permission to which it relates;
  - b) contain a description of the matter in respect of which the application is made;
  - c) state the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent;
  - d) be accompanied—
    - i. where the application relates to the alteration or construction of buildings, other structures or roads or to landscaping, by plans and drawings describing the matter in respect of which the application is made;
    - ii. where any neighbouring land is owned by the applicant, by a plan identifying that land; and
    - iii. by any fee payable under the Fees Regulations.
2. If development has not begun at the expiry of the period of five years from the date of this decision the planning permission in principle

lapses in terms of Section 59 (2A) of the Town and Country Planning (Scotland) Act 1997 (as amended).

3. The person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.
4. Following completion of the development, a notification of the completion shall, as soon as practicable, be given to Cairngorms National Park Authority, acting as Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.
5. The applicants should submit a formal connection application to Scottish Water following the granting of planning permission for review of the availability of capacity. There is no Scottish Water Waste Water infrastructure in the vicinity therefore the applicant is advised to investigate private treatment options.

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.