
CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Erection of farm buildings, associated works and formation of access at Land 100M East Of Lynovoan Lynchat Kingussie

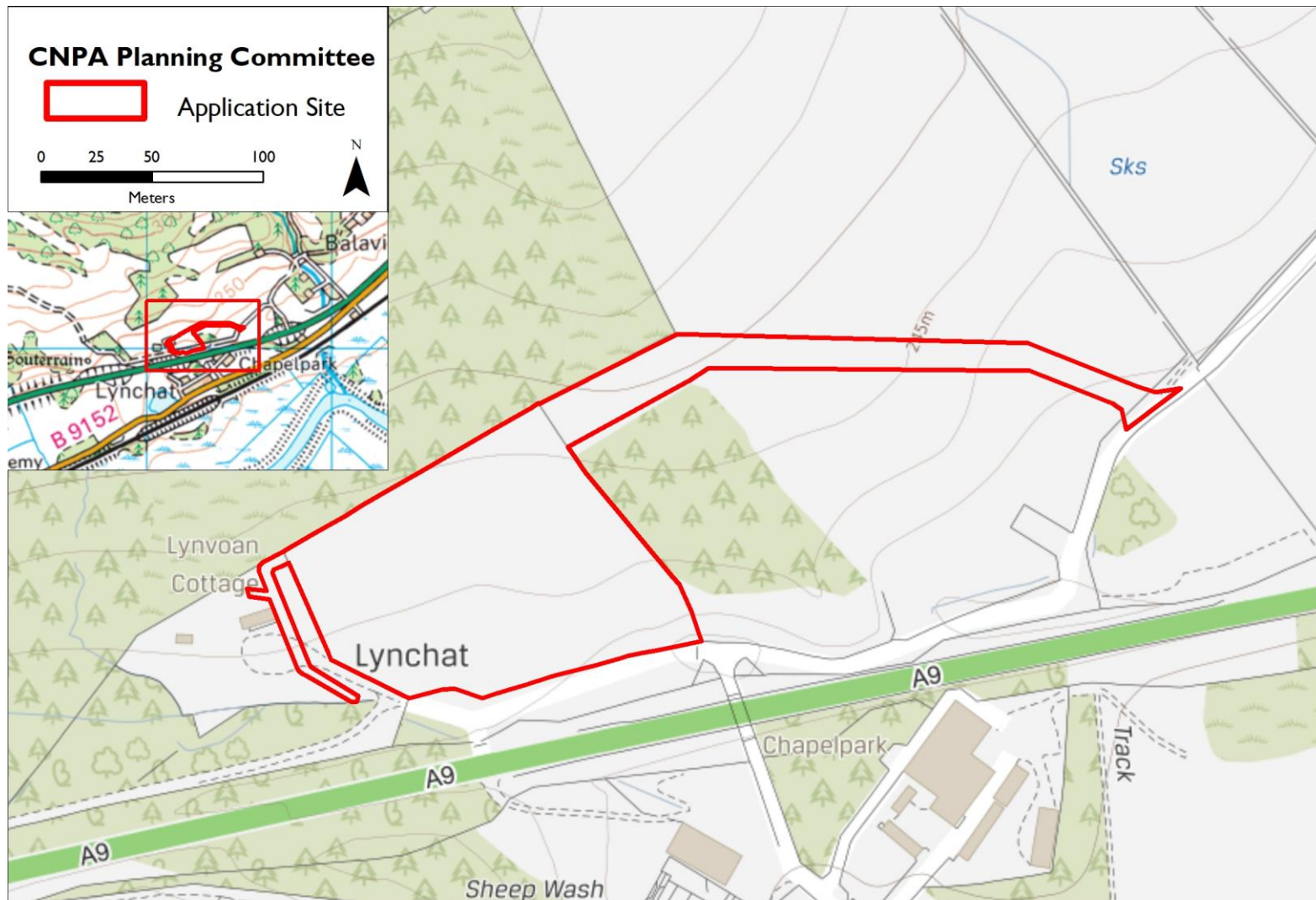
REFERENCE: 2020/0077/MSC

APPLICANT: Balavil Estate Limited

DATE CALLED-IN: 23 March 2020

RECOMMENDATION: Approve

CASE OFFICER: Stephanie Wade, Planning Officer



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SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The proposed site lies on the western side of the A9 opposite the Lynchat, approximately 3km northeast of Kingussie. The site sits within a relatively flat terrace above the existing A9 to its east, a wooded knoll to its north, with much of the estate's farmland beyond that, young plantation woodland to its east and grassland and scrub with an estate house to its south. The site is 1.92Ha in size and all adjacent land is own by Balavil Estate Limited.
2. Planning permission in principle was granted by Scottish Ministers on 19 July 2019 for the construction of a new farm unit on the western side of the A9 on Balavil Estate. The development includes: a range of farm buildings totalling 2,792 square metres, a new access track to the side from an existing estate track and associated drainage.

Proposal

3. 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=Q7DY8SSI0CH00>

Title	Drawing Number	Date on Plan*	Date Received
Plans			
Location Plan	50499-101 Rev.P01	10 February 2020	15 May 2020
Site Plan	50499-102 Rev.P01	10 February 2020	15 May 2020
Proposed Site Layout PPP Condition 1	50499-103 Rev.P03	12 May 2020	15 May 2020
Proposed Site Layout PPP Conditions 2-A and 2-R	50499-104 Rev.P03	12 May 2020	15 May 2020
Contour Base Plan PPP Condition 2-B and 2-C	50499-301 Rev.P03	12 May 2020	15 May 2020
Cross Sections North/South PPP Condition 2-D	50499-311 Rev.P03	12 May 2020	15 May 2020
Cross Sections East/West PPP Condition 2-D	50499-312 Rev.P03	12 May 2020	15 May 2020
Proposed Drainage Plan & SUDs PPP Condition 2-M and 2-N	50499-401 Rev.P03	12 May 2020	15 May 2020
Proposed Drainage Longitudinal Sections PPP Condition 2-M and 2-N	50499-402 Rev.P01	23 January 2020	15 May 2020

Proposed Drainage Details PPP Condition 2-M and 2-N	50499-403 Rev.P01	23 January 2020	15 May 2020
Proposed Mound Filter System PPP Condition 2-M and 2-N	50499-404 Rev.P02	14 May 2020	15 May 2020
Proposed Reed Bed PPP Condition 2-M and 2-N	50499-405 Rev.P01	23 January 2020	15 May 2020
Proposed Access Track PPP Condition 2-E	50499-501 Rev.P03	12 May 2020	15 May 2020
Boundary Treatment & Visitor Vehicle Parking PPP Condition 2-J and 2L	50499-601 Rev.P02	30 January 2020	15 May 2020
Landscape Proposals Planting Schedule & Maintenance Regime PPP Condition 2-G and 2-H	50499-602 Rev.P02	06 May 2020	15 May 2020
Proposed Bird and Bat Box Locations PPP Condition 2-P	50499-603 Rev.P02	14 May 2020	15 May 2020
Proposed Lighting Plan PPP Condition 2-O	50499-604 Rev.P01	19 February 2020	15 May 2020
Sheep Building Floor Plan & Elevations	PL_01 Rev.A	17 February 2020	23 March 2020
Cattle Building Floor Plan & Elevations	PL_02 Rev.A	17 February 2020	23 March 2020
Bull Building Floor Plan & Elevations	PL_03 Rev.A	17 February 2020	23 March 2020
Equipment/ Tractor Store Building Floor Plan & Elevations	PL_04 Rev.A	17 February 2020	23 March 2020
Straw & Hay Storage Building Floor Plan & Elevations	PL_05	04 February 2020	23 March 2020
Sections	PL_06	04 February 2020	23 March 2020
Supporting Documentation			
Construction Method Statement	50499 V2	01 May 2020	15 May 2020
Drainage Impact Assessment	50499 Rev.A	01 May 2020	15 May 2020
Details of External Materials	Condition 2(f)	07 February 2020	23 March 2020
Floodlight Information			23 March 2020
Summary of Information Submitted		21 February 2020	23 March 2020

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

4. This application seeks to discharge the details for the following conditions attached to the consent granted under Scottish Ministers reference: NA-CNP-002 for the Planning Permission in Principle for the relocation of Balavil Home Farm (due to the dualling of the A9) and construction of new farm buildings, farmyard, associated utilities/ drainage, landscape and access road to new farm. A copy of the Scottish Minister’s decision is attached at **Appendix 2**. The two conditions which are the subject of this application are as follows:

Condition Number	Details
1	<p>Prior to the commencement of development and to the submission for approval of the matters as specified in condition 2 below, a layout plan shall be submitted to and approved in writing by the planning authority in consultation with Transport Scotland and with Highland Council as Roads Authority. This layout plan should show:</p> <ul style="list-style-type: none"> • The proposed position of buildings, all ancillary development (including drainage design and SUDS) and the proposed access along with the areas to be reserved free of development as necessary for the delivery of the A9 Dualling Scheme. The areas to be retained free of development shall be identified in accordance with Areas A, B, and C on the Plan DMRB Stage 3 Balavil Access Plan” [Document TS018] as docketed to this planning permission in principle unless as otherwise specified and agreed in advance and in writing by the planning authority in consultation with Transport Scotland. <p>Thereafter the development shall be carried out in accordance with the approved layout plan and the areas reserved for the delivery of A9 Dualling Scheme shall be retained free of development unless and until it is otherwise confirmed in writing with the Cairngorms National Park Authority, acting as planning authority, in consultation with Transport Scotland, that these areas are no longer required for that purpose.</p>
2	<p>The submission for approval of matters specified in conditions of this grant of planning permission in principle in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall include the following matters and shall be in accordance with the layout plan as approved through Condition One.</p> <p>No work shall begin until the written approval of the planning authority has been given on these matters and thereafter the development shall be carried out in accordance with that approval.</p> <ul style="list-style-type: none"> a) Design, siting and external appearance of buildings, open space and any other structure;

	<ul style="list-style-type: none">b) A contour base plan to demonstrate a good fit of the proposed layout of buildings and all ancillary development (including drainage provision and SUDS) with landform and local hydrology;c) Existing and finished ground levels in relation to Ordnance Datum;d) A minimum of 6 detailed sections through the site north/south and east/west, extending beyond the red line boundary to demonstrate a good fit with landform;e) The proposed access track and its surface treatment showing all associated cut/fill, earth strengthening and/or retaining structures and a good fit with landform;f) A detailed specification of all external materials- note: samples may be required;g) Detailed landscaping plan with full specification for on-site and any offsite planting. All species should be native, typical of the area, and of local provenance. New planting should screen/filter views from the A9, include planting within the building cluster to enhance the immediate environment and reflect existing tree and woodland features in the landscape. The Landscape Plan shall be implemented in full during the first planting season following commencement of development;h) A long term landscape maintenance schedule and management plan for all planting areas;i) Tree survey, Arboricultural impact assessment and tree protection plan for the site, the tree covered knoll north-east of the site and along the route of the access in order to demonstrate that the key woodland and tree characteristics of this landscape will be conserved and enhanced;j) Boundary treatments including height and materials;l) Design and siting of farm and visitor vehicle parking;m) Drainage Impact Assessment;n) Final Drainage Plan including SUDS scheme and a SUDS maintenance plan, percolation tests at the location of any infiltration features, and design calculations provided for 30 years and 200 year return periods plus climate change storm events;o) Lighting plan to minimise light spillage and light pollution;p) Bird and bat box plan;q) Construction method statement that incorporates the mitigation identified in the Preliminary Ecological Appraisal;r) Waste Management and recycling facilities. <p>The development shall be implemented in accordance with those approved details unless otherwise approved in writing by the Cairngorms National Park Authority and be retained and</p>
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	maintained for the lifetime of the development hereby approved.
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5. The application is supported by a package of plans and documents which respond to each criterion of the conditions. The overall site plan identifies the location of the five agricultural buildings proposed to be erected within the site together with identification of vehicular parking areas, wash bay, vehicle turning circle and drainage connections. The five buildings are proposed as: cattle building; sheep building; bull pen building; straw and hay shed; and equipment, tractor store and workshop. All buildings are proposed to have either timber clad elevations over concrete panels or juniper green coloured tin. Proposed roofs, and doors are also proposed to be clad in juniper green coloured tin. All gates / shed ends are proposed as galvanised steel sheets. The access track is proposed to provide access to the site from the adjacent agricultural field to the north-east and to join into the existing estate road. The track is proposed to be 4.5 metres in width with the inclusion of a passing place and landscaping surrounding the track. The track will use a cut and fill approach to accommodate it into the existing topography of the area.
6. Regarding surface water drainage provisions on site, the proposal includes filter strips and drains for the collection of road and yard surface water run-off which joins into the SUDs basin. The SUDs basin also directly collects the discharge from building roof area water. Attenuation provided within the basin is at Greenfield run-off rate equivalent. The Office facility WC and associated facilities foul drainage are proposed to be discharged to a septic tank. A maintenance schedule for the surface water drainage provisions has been provided noting the frequency of checks, who undertakes them and the scope of the checks.
7. Boundary treatments for the site comprise stock-proof post and wire fencing. The landscaping plan shows the use of: Wet Meadow Mix by Scotia Seeds for the SUDs basin and ditch bottom planting; wildflower/grass seeding for the SUDs Basin and ditch sides and embankment planting; low maintenance amenity grass seeding around the boundary of the site; and tree planting along the access track and boundaries. Woodland planting is proposed along the southern site boundary to tie in with the A9 Dualling Native Woodland Planting area. A total of 3 bird boxes and 2 bat boxes are proposed to be installed on three of the buildings within the farm complex.

History

8. An application for planning permission in principle was called-in for determination by the CNPA in September 2018 for the “relocation of Balavil Home Farm (due to the dualling of the A9) & construction of new farm buildings, farmyard, associated utilities/ drainage, landscape & access road to new farm” (application reference: 2018/0354/PPP). During the progression of that application, Scottish Ministers were notified as there was an objection from Transport Scotland and the CNPA intended to grant planning permission in principle. The application was subsequently called in by Scottish Ministers on the 13 December 2018 given its possible implications for the nationally important dualling scheme of the A9 (ref: NA-CNP-002). Scottish Ministers concluded on 19 July 2019 that permission should be granted for the proposal subject to two planning conditions.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014	
Strategic Policy	Cairngorms National Park Partnership Plan 2017 - 2022	
Local Plan Policy	Cairngorms National Park Local Development Plan (2015) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	X
POLICY 3	SUSTAINABLE DESIGN	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	SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER CONTRIBUTIONS	

9. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:

<http://cairngorms.co.uk/uploads/documents/Park%20Authority/Planning/LDPI5.pdf>

Planning Guidance

10. 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	New Housing Development Non-Statutory Guidance	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	X
Policy 3	Sustainable Design Non-Statutory Guidance	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	
Policy 8	Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance	

Cairngorms National Park Local Development Plan 2020

11. The emerging Cairngorms National Park Local Development Plan [“Proposed Plan”] which will cover the period of 2020 – 2025 is currently being progressed. The proposed plan has now undergone examination by the Scottish Ministers and is due to gain consent to adopt within earlier part of this year. As the Proposed Plan examination has concluded and it has been submitted to gain consent to adopt, its contents are therefore a material consideration.

Emerging Local Plan Policy	Cairngorms National Park Local Development Plan (2020) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	X
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 CONTRIBUTIONS	

CONSULTATIONS

Summary of the main issues raised by consultees:

12. **Transport Scotland (TS)** has reviewed the submitted information for Condition I against their A9 dualling programme. They originally confirmed that the proposal had an impact on the delivery of the Crubenmore to Kincaig section of the A9 dualling scheme. With reference to Drawing No.50499-103 P02, the specific concerns were:
- a) **Area A:** The connection of the SUDs outlet to the existing watercourse potentially encroaches on CPO plot 728;
 - b) **Area B:** The access road to the proposed development encroaches on CPO plot 801; and
 - c) **Area C:** The connection of the new farm access to the existing access Balavil House access encroaches on CPO plot 801.
13. Transport Scotland confirmed that until the above areas were addressed, Condition I could not be satisfied.
14. Following extensive discussion with the applicants, Transport Scotland have subsequently confirmed they are satisfied that the proposal will no longer impact upon the delivery of the Crubenmore to Kincaig section of the A9 Dualling Scheme and on this basis, they confirm that condition I can be discharged.

15. **Scottish Environment Protection Agency (SEPA)** originally requested revisions to the scheme and the submission of further information. Following the provision of an updated Construction Method Statement, SEPA confirm they remove their request for a condition to be attached to any decision as previously advised.
16. In relation to the wash-bay, the proposal include sediment traps, an oil interceptor and reed bed system, which is considered acceptable provided that the wash-bay is only utilised for washing of equipment and not for washing of pesticide contaminated materials. This being the case, SEPA confirm that no licence under the Controlled Activities Regulations (CAR) would be required, though the relevant CAR General Binding Rules (GBRs) 10 and 11 would still require to be adhered to.
17. SEPA also request the applicant contacts the Permitting Team to confirm whether a CAR Authorisation is required for the re-alignment of the existing ditch.
18. **The Highland Council Transport Planning Team** has no objection to this application as the only significant impact on the Council roads will be temporary from the associated construction traffic. As part of the A9 dualling proposals, the Team confirm that the access to Balavil Farm is due to be changed and any approval for the design of the new access from the B9152 to will forward via the A9 dualling process.
19. **The Highland Council Flood Risk Management Team** has reviewed the submitted information and has no objection to the related conditions being purified.
20. The Team confirm that they are satisfied with the surface water drainage arrangements in terms of water quantity. Storms up to and including a 200 year plus climate change event will be managed within the site and discharge into the receiving watercourse will be attenuated to the pre-development greenfield run-off rates. The Team has no comment on the foul water drainage arrangements and permission to discharge treated effluent should be sought from SEPA.
21. **CNPA Landscape Officer** welcomes the submitted landscape plan concluding that the scheme is simple but appropriate and effective. The Officer originally requested that the maintenance schedule was altered to be cut in October per year to allow the wild flowers to develop and then set seed for the next year. Following the applicant's amendment to the scheme to reflect this, the Officer confirms that the submitted details fully satisfy the requirements for Condition 2, subsections G and H.
22. The Officer also confirms that the boundary fencing details submitted satisfy condition 2 (J).
23. **CNPA Ecology Officer** has the following comments following the submission of the revised information:
 - a) **2g&h- Landscape and Maintenance Plan:** The maintenance of wildflower areas should be annual cut in late summer/early autumn. The Officer

welcomes the use of Scotia Seed wet meadow and meadow seed mixes for the new ditch section and throughout the SUDs scheme.

- b) **2m&n- Drainage Impact Assessment, Final SUDs Plan & Maintenance:** The Officer welcomes the inclusion of an oil separator and reed bed system to treat wash-bay discharge. The Officer has no further comment on the proposed septic tank and mound system following the additional detail of the mound system sizing being provided and notes that SEPA are to advise further on this. The Officer also confirmed that SEPA has provided comments on the ditch design.
- c) **2p-** The Officer confirms that following the submission of the locations of the bat and bird boxes on a plan, and following confirmation that the ECoW on site will be present to confirm which species each box is targeting the Officer has no further comments.
- d) **2q-** The Officer states that the Construction Method Statement which has been provided will ensure all wildlife will be protected during construction of the new farm, the existing habitat is predominantly improved and semi-improvement fields with a dry ditch. An ecologist will undertake pre-construction surveys to check for the presence of protected species and provide ecological advice throughout the construction period. A pollution prevention plan has been provided to protect adjacent habitats and watercourses throughout the construction period.

24. **Kincraig Community Council** were consulted but have not provided any comments on the details submitted.

REPRESENTATIONS

25. The application has been advertised and no letters of public representation have been received.

APPRAISAL

Background and Principle of Development

26. Planning permission in principle was granted by Scottish Ministers for the site at Balavil Estate for the new location of the farm complex. The principle of development was therefore established by the granting of that permission and the consideration of the details submitted to purify the two suspensive conditions attached to the decision notice are detailed below.

Condition I - Layout Plan

27. Condition I, attached to the decision notice, requires the agreement of the layout of the proposal with identification of the areas to be retained free from development as necessary for the delivery of the A9 Dualling Scheme. Transport Scotland originally noted that the plans as submitted gave rise to a conflict between the A9 dualling and the development. Following significant discussion between the applicants and Transport Scotland, an agreement in terms of Section 53 of the Roads (Scotland) Act 1984 has been signed by both parties, executed and registered. This registration binds

successors in ownership of the land in question so that protection is required so as delivery of the A9 dualling proposals is not prejudiced. Transport Scotland have confirmed that following this agreement, they are satisfied that the proposal will no longer impact on the A9 dualling delivery. On this basis it is recommended that Condition One can be discharged.

Condition 2 Considerations

Landscape, Layout and Design

28. **Policy 5:** Landscape of the Cairngorms National Park Local Development Plan 2015 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. This is reinforced by Policy 3: New Development, which 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 is therefore clear that policy requires all new development to enhance and complement both the National Park and the character of the immediate area, using landscape to complement the setting.
29. The overall site plan illustrates the layout of the farm complex comprising a yard area and five agricultural buildings with access via the creation of the new access track. Building materials, design and boundary treatments are all in keeping with other modern agricultural farm complexes as seen throughout the National Park and the scale, design and materials of the proposal are considered to be acceptable in these circumstances. The layout of the building and yard complex appears functional for its intended use with a simple but appropriate landscape scheme. The new farm complex would be seen in context with its surroundings and wider farming landscape, and the scale of the building complex does not appear incongruous in the landscape. The additional woodland planting along the southern boundary is considered to harmoniously tie in with the A9 Dualling Native Woodland Planting area. The CNPA Landscape Officer welcomes the submitted landscape plan and concludes that the scheme is effective and meets the policy requirements of Condition 2 (G) and (H). Regarding the boundary treatments, the Officer also confirms that the inclusion of post and wire fencing which is a typical agricultural boundary treatment is acceptable and satisfies Condition 2 (J). In these overall circumstances the submitted details are considered to satisfy Conditions 2 (A), (B), (C), (D), (E), (F), (G), (H), (J) and (L) in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

Ecological Impacts

30. **Policy 4:** Natural Heritage of the Cairngorms National Park Local Development Plan 2015 seeks to ensure that there is no adverse impact on the integrity of designated sites, nor upon protected species or biodiversity.
31. Regarding impacts on European protected species, Condition 2(P) required the submission of the location of bird and bat boxes on a plan. The CNPA Ecology Officer has reviewed this information and following the confirmation that the ECoW on site

will be present to confirm which species each box is targeting on the buildings, the Officer confirms that the information submitted satisfies this part of the condition.

32. The present habitat on site is not considered to be of significant ecological value in its own right comprising predominantly improved and semi-improvement fields with a dry ditch and the CNPA Ecology Officer welcomes the use of biodiversity enhancements through the inclusion of wildflower areas within the landscaping for the site and the use of Scotia Seed wet meadow and meadow seed mixes for the new ditch sections and throughout the SUDs scheme. The Officer agrees with the CNPA Landscape Officer that Condition 2(G) and 2(H) are satisfied by the information supplied. The Officer also welcomes the inclusion of an oil separator and reed bed system to treat wash-bay discharge in accordance with Condition 2(M) and 2(N) requirements.
33. The submission of the Construction Method Statement as required by Condition 2(Q) demonstrates that all wildlife will be protected during construction of the new farm, with pre-construction surveys to check for the presence of protected species prior to the commencement of the development and the confirmation that the adjacent habitats and watercourses will be protected throughout the construction period from pollution. The CNPA Ecology Officer confirms that the details submitted satisfy Condition 2(Q).
34. Regarding the requirements for the submission of tree surveys and protection measures, the submitted information confirms that the proposal will have no impact on any existing trees on site and therefore Condition 2(I) is considered to be satisfied in this case.
35. In these overall circumstances, the proposal is considered to accord with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

Servicing and Access

36. **Policy 3: Sustainable Design** and **Policy 10: Resources** of the Cairngorms National Park Local Development Plan 2015 set out the need for new development to be satisfactorily serviced and without harm to resources or the environment.
37. In this case, surface water drainage provisions include filter strips and drains for the collection of road and yard surface water run-off which joins into the SUDs basin which is to be located within the southern area of the site. The SUDS basin also directly collects the discharge from building roof area water. Attenuation provided within the basin is at Greenfield run-off rate equivalent. The Office facility WC and associated facilities foul drainage are proposed to be discharged to a septic tank. A maintenance schedule for the surface water drainage provisions has been provided noting the frequency of checks, who undertakes them and the scope of the checks.
38. The Highland Council Flood Risk Management Team has reviewed the submitted information and has no objection to the related conditions being purified. SEPA has also reviewed the submitted details and following the provision of the updated Construction Method Statement, they have no further comments to make. The proposed wash-bay sediment traps, oil interceptor and reed bay system are considered

to be acceptable by SEPA. The drainage details are considered to be acceptable and satisfy Condition 2(M) and (N) in accordance with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

39. Regarding site access, details of the proposed access track have been provided which demonstrate its good fit within the topography of the area in accordance with the requirements of Condition 2(E). The proposed surface of the track is stated as fibre reinforced concrete with a track width of 4.5 metres. The track is shown to tie-in with the existing estate road. The site plan also illustrates the inclusion of farm and visitor parking areas within the yard complex together with appropriate space for vehicle turning between the buildings in accordance with Condition 2(L). The Highland Council Transport Planning Team has no objection to the documents submitted to satisfy the relevant parts of the conditions.
40. Waste management and recycling facilities are identified on the submitted site plan indicating a recycling bin storage area adjacent to the north elevation of the sheep building adjacent to a water storage tank. A further recycling bin storage area is proposed adjacent the north elevation of the equipment, tractor store and workshop building. The submitted details regarding waste management and recycling facilities are considered to satisfy Condition 2(R) providing an adequate amount to the level of the activity on site.
41. A lighting plan shows the positioning of proposed external lighting on the new buildings with lights predominantly located on the north, western and eastern elevations of the buildings and away from the southern site boundary and as such away from the nearby trunk road. The lighting details request the use of LED floodlights which are commonly used on farm complexes. No concern has been raised by consultees regarding the submitted lighting details and on this basis, the details are considered to be acceptable in accordance with Condition 2(O).

CONCLUSION

42. The information submitted satisfactorily addresses the condition requirements attached to the planning permission in principle for the Farm relocation (Conditions 1 and 2 of 2018/0354/PPP).

RECOMMENDATION

That Members of the Committee support a recommendation to APPROVE the following conditions:

**Condition 1 of 2018/0354/PPP
Condition 2 of 2018/0354/PPP**

At Land 100M East Of Lynovoan, Lynchat, Kingussie

Informatives

1. In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997, this permission lapses unless you commence development within 2 years from the date of this approval.
2. A CAR Authorisation may be required for the proposed re-alignment of the ditch. On that basis the applicant should contact SEPA's Permitting Team on waterpermitting@sepa.org.uk for detailed pre-application discussions so as to satisfy themselves whether or not permission is required in relation to the ditch.
3. Reference is made in the supporting information to a septic tank to soakaway/ drainage field. Discharges to ground or the water environment from private waste water drainage systems also require prior CAR authorisation from SEPA.
4. The applicant should contact the regulatory services team to revoke/surrender or update any existing authorisations for the existing farm, for example any CAR consent for the foul drainage discharge or exemptions from Waste Management Licencing (WML) etc.
5. Agricultural developments should be located and designed in accordance with The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2003 (as amended) and the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Please see www.sepa.org.uk/land/agriculture/agricultural_regulation.aspx for further advice to ensure the development complies with these regulations.
6. Management of surplus peat or soils may require an exemption under The Waste Management Licencing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012.

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.