
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(DEVELOPMENT MANAGEMENT)**

DEVELOPMENT PROPOSED: OUTLINE PERMISSION FOR THE ERECTION OF A HOUSE FOR AN ESTATE WORKER ON LAND 20 METRES NORTHEAST OF WOODEN HOUSE, TORCROY, KINGUSSIE.

REFERENCE: 08/064/CP

**APPLICANT: RUTHVEN FARM C/O NJM ARCHITECTS,
NO. 3 WEST TIRINDRISH, SPEAN BRIDGE**

DATE CALLED-IN: 21ST FEBRUARY 2008

RECOMMENDATION : GRANT WITH CONDITIONS

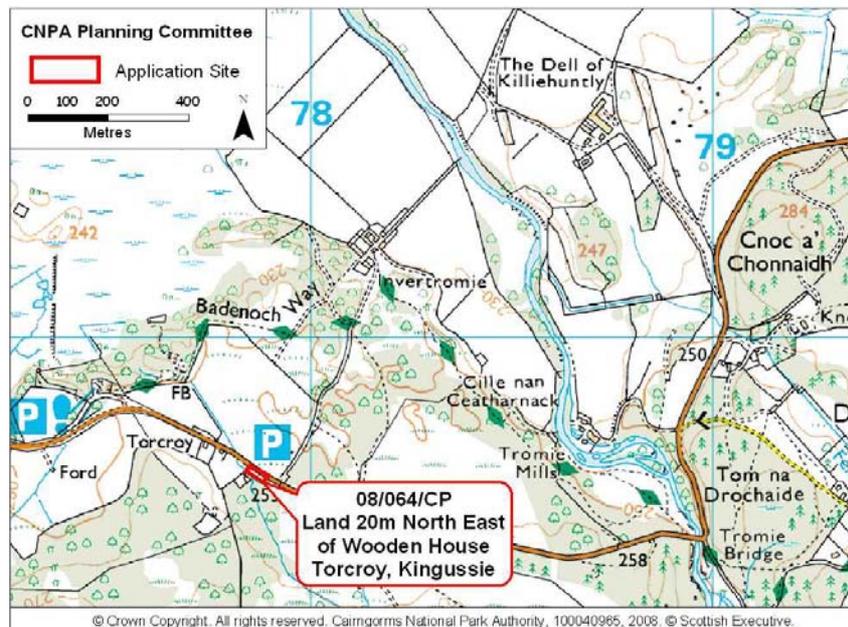


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Outline planning permission is sought in this application for the erection of a dwelling house for an estate worker on 'Lynaberack and Ruthven Estate.' The subject site is located at Torcroy, approximately 2.5 kilometres to the east of Kingussie. The site occupies an area of approximately 650 square metres (0.16 acres) and is of rectangular configuration, bounded by the B970 public road to the north (front) and a small burn to the south (rear). Much of the site is vegetated by dense woodland growth at present, with grassy heath extending into more open land to the west.
2. Despite its rural location, the proposed site is located adjacent to a group of existing residential properties, including a wooden chalet¹ located approximately 20 metres to the south west of the site and two other existing dwelling houses a short distance along the roadside to the west. Planning permission also exists² for the construction of an additional dwelling house on an area of land between the currently proposed site and the aforementioned houses. Construction activity is on going at that location at present.



Fig. 2 : View into site



Fig.3 : Site (left) and existing dwellings

3. Although this is an application for outline planning permission, an indicative site layout plan has been submitted in support of the proposal. The site layout includes the footprint of a modest scale dwelling, proposed to be located in a relatively central position

¹ Known as 'The Hut'

² CNPA planning ref. no. 04/460/CP refers to the outline planning permission on the site, which was granted by the CNPA in July 2005. The CNPA were subsequently notified of two applications for approval of reserved matters (CNPA ref no. 05/449/CP) and approval of reserved matters for an amended design (CNPA ref. no. 06/031/CP), neither of which were 'called in' for determination.

on the site. A new access is proposed to the east of the site, on land which is outside the site boundaries but nonetheless within the ownership of the applicants. The access point demonstrated on the site layout plan is in a hammerhead format, which the applicants suggest could provide access on its western side into the proposed site and would also make provision for potential future access to the adjacent land to the east.

4. The proposed servicing arrangements for the site include the use of a biodisc septic tank and soakaway. Surface water would be drained to a separate soakaway and a private water supply would be provided, with the source of the supply being the adjacent burn.

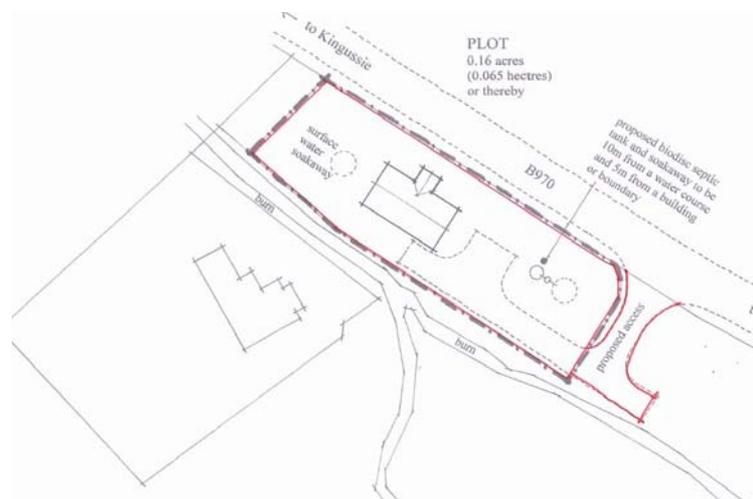


Fig. 4 : Indicative site layout plan

The Applicant's Case

5. The site is located on Lynaberack and Ruthven Estate which extends to approximately 12,600 acres in total. The estate has been jointly owned and run in partnership by brothers Nat and Michael Hone for the past twenty years.³ It has been in Hone family ownership and passed through various generations since it was first acquired by family members in 1958.
6. The case advanced on behalf of the applicants refers to a substantial reduction in one of the Estates means of income⁴

³ Nat Hone owns a total of 600 acres of the landholding, including Ruthven Farm, Gordonhall Hill and land at Tromie Bridge. The remaining 12,000 acres of the estate is in the ownership of Michael Hone.

⁴ Income is derived from a variety of activities undertaken at the estate including sporting lets for grouse shooting; mixed game shooting lets on a daily basis; stalking lets for red stags and hinds and roe buck; venison from deer cull; game sales arising from the sporting lets; holiday lets of the Lodge (outside of the sporting season) and also a cottage at Ruthven; and also one long term let.

(deer stalking and deer products) in recent times⁵ and the consequent need to develop other forms of income, some of which would necessitate employing further keeping staff in order to upgrade other shooting assets on the estate. Future activities which the estate owners are considering at present include the possibility of developing a partridge shoot, which would result in the employment of an additional gamekeeper and also further developing holiday accommodation on the estate. The current estate workforce includes a full time keeper and a full time assistant keeper, as well as part time or contract employees involved in servicing Lynaberack Lodge⁶ and a cottage which is used for holiday accommodation. The estate does not have sufficient housing at present to accommodate existing staff or any potential future staff. Information provided by the estate owners refers to the lack of accommodation for retired employees "who currently live in tied accommodation up the glen", a caravan is sometimes used by an under-keeper and there is no accommodation available in the event of employing a second keeper. The applicants are of the view that the current proposal would partially fulfil their need to provide housing for estate workers.

7. In the course of the application assessment information was sought from the applicants to establish the extent of existing residential accommodation or opportunities for conversion or rehabilitation of other existing structures on the estate. The information supplied in response in terms of habitable accommodation indicates that there are two cottages at Ruthven Farm, one of which is on a long term let and the other, Knappack Cottage, is utilised as a holiday cottage. On the Glentromie part of the estate (which is the largest part of the estate and is its main sporting asset) one existing cottage is occupied by the full time estate keeper and another cottage, Shephard's Cottage, is the main residence of Michael Hone, one of the estate owners. The final property is Lynaberack Lodge which is the main house on the estate and is a large property, primarily used for lets to large groups, including shooting and fishing parties utilising the estate amenities. Details have also been provided of other structures on the estate which are not considered by the estate owners to offer potential for use as residential accommodation. Structures include Bhran Cottage, a 2 room bothy, located 4 miles up the glen and currently used for the storage of estate machinery and vehicles; Lynaberack

⁵ The reduction in means of income from deer stalking and deer products has been attributed to compliance with the 'Glenfeshie Section 7 agreement.'

⁶ Lynaberack Lodge is let to shooting and stalking parties, as well as being utilised outside those seasons for conventional holiday lets.

schoolhouse which is in close proximity to the Lodge, and is used for the storage of equipment; and Old Shephard's Cottage, which is a partially collapsed structure on the western side of the River Tromie and does not have the benefit of any vehicular access.

8. Information submitted in support of the proposal for a dwelling house refers to the applicants reasons for selecting the proposed site. A decision was made by the applicants to position the dwelling house in an area where houses are already present. The view has been presented that Torcroy has "always been a small community" and that the estate owners do not regard this "as a single, isolated house, but one which has been carefully sited with four other houses to appear as part of a hamlet." The particular area of the estate has been chosen due to its proximity to the public road network which the applicants feel would provide easy access "for spouses and children of future estate workers, to the likes of schools and outside employment." The supporting documentation also makes the case that grouping the development at Torcroy would avoid building in Glentromie itself where a dwelling in isolation could be a problem for a family.
9. The applicants have indicated in the event of consideration being given to the granting of planning permission that they are willing to enter into a Section 75 agreement restricting the occupancy of the proposed dwelling house to an estate worker and also restricting the sale of the dwelling house separate from the estate.

DEVELOPMENT PLAN CONTEXT

National Policy

10. At national level, **Scottish Planning Policy 3 (Planning for Housing) (February 2003)** considers design in new housing developments to be an important issue when planning for housing development in both urban and rural areas. **Planning Advice Note 44 (Fitting New Housing Development into the Landscape) (March 1994)** states that "In seeking to protect and enhance the quality of the environment, developers should aim for a high standard of design and landscaping in new housing development." Particular emphasis is given to the shape, layout and form of the development and its impact on the surrounding area; the choice of materials, with colours and textures that complement development in the locality; well designed

schemes that respect both the local environment and the landscape setting; and the visual impact of new developments as seen from major roads and rail routes.

11. **Planning Advice Note 67 (Housing Quality) (February 2003)** emphasises the essential role that the planning process can play in ensuring that the design of new housing reflects a full understanding of its context in terms of both its physical location and market conditions; the design of new housing reinforces local and Scottish identity; and new housing is integrated into the movement and settlement patterns of the wider area. It refers in the main to more urban housing developments but it nonetheless emphasises the importance of general issues such as landscape and visual impact, topography, building height, relationship with adjacent development, and views into and out of a site.

12. **Planning Advice Note 72** is the most recent advice from central government on **Housing in the Countryside, (February 2005)** and on design it states "High quality design must be integral to new development and local area differences must be respected". Furthermore it states "In some areas, such as National Parks, National Scenic Areas and Conservation Areas, there may be a case for more prescription and a preference for traditional design, but it is also important to encourage the best of contemporary designs. There is considerable scope for creative and innovative solutions whilst relating a new home to the established character of the area. The overall aim should be to ensure that new housing is carefully located, worthy of its setting, and is the result of an imaginative, responsive and sensitive design process." In its concluding remarks, it states "Every settlement should have its own distinctive identity. This is determined in part by the local characteristics of the area's architectural style of individual buildings and the relationship of these buildings to each other."

13. **Paragraph 13 of NPPG 14 Natural Heritage** recognises that the scale, siting and design of new development should take full account of the character of the landscape and the potential impact on the local environment. Particular care is needed in considering proposals for new development at the edge of settlements or in open countryside.

Highland Structure Plan 2001

14. **Policy H3** of the Structure Plan states that housing will generally be within existing and planned new settlements. New housing outwith this will not be permitted unless it can be demonstrated that it is required for the management of land and related family purposes. **Policy L4 Landscape Character**, states that the Council will in the consideration of development proposals have regard to the desirability of maintaining and enhancing present landscape character. **Policy G2 Design for Sustainability**, lists a number of criteria on which proposed developments will be assessed. These include service provision (water and sewerage, drainage, roads, schools, electricity); accessibility by public transport, cycling, walking and car; energy efficiency in terms of location, layout and design (including the utilisation of renewable energy sources) and impacts on resources such as habitats, species, landscape, cultural heritage and scenery.

Badenoch and Strathspey Local Plan (1997)

15. The Landward 'Housing in the Countryside' strategy identifies the land in question as a Restricted Countryside Area. Accordingly, section 2.1.2.3 of the Plan reconfirms the sentiments of the Structure Plan policy stating that a "strong presumption will be maintained against the development of houses" in such areas. Exceptions will only be made where a "house is essential for the management of land, related family and occupational reasons." It further stresses that adherence to the principles of good siting and design will be required.

Highland Council Development Plan Policy Guidelines (2003)

16. The Highland Council produced Development Plan Policy Guidelines dealing specifically with 'Housing in the Countryside' in 2006. The Cairngorms National Park Authority was not consulted on the guidelines. In view of the lack of involvement in the formulation of the guidelines and the eminence of the Local Plan for the Cairngorms National Park a decision was taken by the CNPA Planning Committee in January 2006 not to adopt the 2006 Guidelines. Accordingly the **Development Plan Policy Guidelines (2003)** remain applicable in the assessment of applications called in by the CNPA.
17. The 2003 Development Plan Policy Guidelines include a specific section on 'Land Management Criteria for Housing in the Countryside' (of which the basic thrust is very similar to the aforementioned 2006 guidelines). The guidelines require that any case advanced for new housing in the countryside associated

with land management activities must demonstrate that a sequential approach to the identification of the need for that house has been followed. The sequential approach requires consideration of alternatives such as the potential to use existing accommodation in the area or the renovation or replacement of an existing house.

Cairngorms National Park Plan (2007)

18. The Park Plan highlights the special qualities of the Cairngorms, stating that the “Cairngorms is widely recognised and valued as an outstanding environment which people enjoy in many different ways.” It recognises that there is a wide diversity of landscape, land-uses, management and community priorities across different parts of the Park. In a section entitled ‘Living and Working in the Park’ the subject of ‘housing’ is explored. The Strategic Objectives in relation to housing refer to the need to ensure greater access to affordable and good quality housing in order to help create and maintain sustainable communities. A further strategic objective is to improve the quality, energy efficiency and sustainable design of housing in all tenures throughout the Park. It is expected that housing developments would be consistent with or enhance the special qualities of the Park through careful siting and design.
19. In terms of ‘Conserving and Enhancing the Natural and Cultural Heritage’ the National Park Plan includes a number of objectives in relation to Landscape, Built and Historic Environments. Strategic Objectives include maintaining and enhancing the distinctive landscapes across the Park and ensuring that development complements and enhances the landscape character of the Park. Of particular relevance to the current proposal are the strategic objectives relating to the built environment, which require that “new development in settlements and surrounding areas and the management of public spaces should complement and enhance the character, pattern and local identity of the built and historic environment” and to “understand and conserve the archaeological record, historic landscapes and historic built environment.”

CONSULTATIONS

20. **SEPA** were consulted on the development proposal but have no comments to make.

21. The **Environmental Health Officer** at Highland Council has examined the proposal and noted as this is an application for outline planning permission that the details which have been provided about the proposed water supply are sufficient. However it is recommended in the event of detailed permission being sought that a number of issues are addressed. As the proposed dwelling house would not be connected to a public water supply the property would have to be provided with an adequate and suitable water supply, compliant with standards required by the Private Water Supplies (Scotland) Regulations 1992. In this respect the applicant would be required to consult the Environmental Health section of Highland Council in order to ensure that the water from the proposed supply would be wholesome. The applicant would also be required in the course of a detailed application to provide the Planning Authority with evidence to show that the proposed supply would be adequate for the proposals.⁷

22. The consultation response from the **Transportation and Community Works** division of Highland Council recommends that a number of conditions are attached in the event of the granting of planning permission. Conditions include the provision of a standard combined access / service bay at the point of access to the site; the setting back of any fencing along the front boundary of the site by 2 metres from the edge of the public road and also 1 metre from the edge of the service bay; the provision and maintenance of visibility splays on each side of the access at its junction with the public road; a requirement that any gates provided would open into the property only; the provision of parking and manoeuvring space for at least 2 no. vehicles within the curtilage of the site and in a position that all vehicles may enter and leave the site in forward gear; a stipulation that no water shall discharge onto the public road; and a requirement that the site shall be free from the effects of flooding.

23. **Kingussie Community Council** were consulted, however, at the time of report preparation no response had been received.

24. The development proposal has been assessed by the CNPA's **Heritage and Land Management Group**. Some concern has been expressed from an ecological perspective, where it is

⁷ The required evidence may necessitate a report from a suitably qualified professional including details of the source, the flow rate, an assessment of the sufficiency of the supply for the proposed development and any existing uses, the proposed distribution system and a statement to the effect that the supply will be installed in accordance with current water byelaws.

noted that the site is an area of semi natural broad leaved woodland and an adjacent area of grassy heath. Reference is made to the development being likely to result in clearance of the woodland area.⁸ Concern has also been expressed from a landscape perspective, again on the grounds of the potential loss of some of the wooded area, which could reduce the extent of this landscape feature in this roadside location. It is also suggested that the removal of the woodland could “take away the natural end point of the settlement” as well as having the potential to expose the wooden building to the rear of the site. Consequently the **Heritage and Land Management Group** consider in their assessment that the development would appear not to be in accordance with the first aim of the National Park. Notwithstanding this, the report recommends in the event of consideration being given to the granting of planning permission, that the development should be required to contribute to the enhancement of the natural heritage. It is suggested in particular that the building design should incorporate dedicated roosting opportunities for bats.

REPRESENTATIONS

25. One letter of representation has been received, from N.W. Stobie of Edinburgh, who is the owner of the wooden holiday house to the south west of the proposed site. Reference is made to the strip of land between the road and the footbridge which provides access to the wooden house and is 2.74 metres wide. In the event of the existing house being upgraded for example by the supply of electricity or the installation of a septic tank, the author refers to the need for access by diggers and lorries and Mr. Stobie consequently suggests that the width of the access strip should be increased to 4.5 metres in order to accommodate vehicles to his property.⁹

APPRAISAL

⁸ The woodland consists mainly of semi-mature birch, with some rowans and at least one riparian willow.

⁹ The agent acting on behalf of the applicants has written to the representee indicating that her clients would be willing to discuss the sale of extra land to widen the access to the existing property.

26. There are a number of issues to consider in this application, including the principle of a new dwelling house in this restricted countryside area, and the suitability of the proposed site in terms of general siting, visual impact, amenity and road access.
27. As referred to in the Development Plan Context section of this report the proposed development is located in a 'restricted countryside area' where there is a strong presumption against the development of houses, except in instances where the house is essential for the management of land, related family and occupational reasons. Paragraphs 5 – 9 of this report provide details of the background to the proposal. I am satisfied that a sufficient case has been advanced to demonstrate that the house is required in order to accommodate a worker that would be employed in land management activities on the 12,600 acre Lynaberack and Ruthven Estate. In addition the applicants have indicated their willingness to enter into a Section 75 legal agreement to restrict the occupancy of the property to an estate worker and also to restrict its sale separate from the estate. I am therefore of the view that the proposal can be treated as an exception to the normal presumption against new housing in this restricted countryside area.
28. In terms of the location and siting of the proposed development, there are a number of favourable points. Although the location of the proposed development is on the northern periphery of the estate on which a worker occupying the proposed property would be employed and would therefore be likely to necessitate their reliance on a vehicle to access the majority of the working area, the location could be of benefit to an estate workers family, being within relatively easy access to services, education and other employment opportunities, as opposed for example to a remote location at the heart of the estate lands. In terms of the specific siting, the subject site is located immediately adjacent to an existing rural housing group and in my view has the potential to assimilate into that group. Given the various plot sizes associated with the existing properties, and the position of the dwelling houses on those plots, I do not feel that the proposed dwelling would result in the appearance of inappropriate ribbon type development along this minor road, but would instead be part of a more organic pattern of growth in this rural location. The dwelling house currently proposed at this location is however the extent of development that I would consider appropriate or capable of assimilation into the existing rural group. Any acceptance of the current proposal at this location should not be taken to imply an acceptance of any future plans of the Estate owners, as referred to in some of their

supporting documentation, to seek permission for further residential units to accommodate estate workers in the vicinity of the proposed site.

29. The proposed site is limited in size and as already detailed much of it is currently wooded. I accept that the construction of a dwelling house on the site, together with its associated infrastructure will necessitate the removal of some of the trees on the site. However, as this is an application for outline planning permission and the site plan currently submitted is purely indicative, it cannot be definitively ascertained that the removal of the entire wooded area would be necessary. I am therefore of the view that it would be possible as part of an application for detailed planning permission, to create a site layout that would position the house, access and hard standing etc. in a manner which would allow for the retention of some of the existing trees. The woodland features of the site could also be further enhanced through an appropriate scheme of landscaping, including the planting of local origin species.

30. Despite being of the view that an alternative site layout to the indicative one provided could address some of the concerns expressed in particular by the CNPA's **Heritage and Land Management Group** it is necessary to acknowledge that the site is quite limited in size and the potential for a more creative layout is somewhat inhibited by this. The indicative site layout submitted in support of this application (please refer to Figure 4) identifies the proposed access to serve the site lying outside the site boundary. In the event that the access was to be developed in this peripheral location, it would be a significant hindrance to new landscaping opportunities on the eastern side of any new dwelling house. In order to resolve the conflicts arising from this current proposal and balance concerns regarding the impact of development on the natural heritage of the area with the fact that the proposal complies in policy terms with the Badenoch and Strathspey Local Plan on Housing in Restricted Countryside Areas, I suggest that a marginal extension of the identified site boundaries be considered. In the event that the area of land on which the access is indicated (and which is also in the ownership of the applicants) was incorporated into the actual site boundaries, this marginal increase in the site area would offer greater potential to devise an alternative layout which could (a) fulfil all technical requirements regarding servicing arrangements, (b) facilitate the positioning of the access in a less prominent location than on the extremity of the site, whilst also achieving the required visibility, and (c) would also allow the proposed dwelling to be positioned further to the west, primarily on the

grassy heath area instead of within the woodland section as presently shown. Such a layout could facilitate the retention of greater numbers of the existing trees and would also result in a larger land area being available on the western side of any proposed dwelling house, where further planting could be carried out, thereby having scope to continue to use a woodland element to form a natural end to the group of houses at this location, as alluded to in the comments from the CNPA's **Heritage and Land Management Group**. In the event of consideration being given to the granting of planning permission I would suggest that it be subject to a requirement to extend the site boundary further westwards into the more open grassy heath to incorporate the area currently identified for access provision on the indicative site layout plan. For the avoidance of doubt the indicative site layout plan is not considered acceptable, nor is access provision on the periphery of the site acceptable.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

31. The subject site is not affected by any natural heritage designations. The indicative site layout accompanying this application suggests that the loss of a significant amount of trees on the site would be necessary. However, an alternative layout could be devised to position the dwelling house and services in a location which would allow for the retention of some of the woodland on the site, as well as offering potential to provide additional new landscaping, thereby enhancing the natural heritage of the site.

Promote Sustainable Use of Natural Resources

32. As this is an application for outline permission no details of house design or materials have been submitted and it is not therefore possible to assess whether or not the development would promote the sustainable use of natural resources.

Promote Understanding and Enjoyment of the Area

33. The development proposal does not make any particular contribution towards the achievement of this aim.

Promote Sustainable Economic and Social Development of the Area

34. A case has been put forward for the proposed dwelling house on the basis of it being used for an estate worker and as such it could be considered to assist in promoting the on going economic development of the land management activities on the estate.
35. However, the location of an additional house in the countryside has the potential to add to servicing costs for the local community in terms of services such as school transport, refuse collection, fire and health etc and would tend to promote reliance upon the private car. The location of the proposed dwelling house is however in one of the less remote areas of the 12,600 acre estate, and is adjacent to an existing group of houses where many of the services are already being provided.

RECOMMENDATION

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

Grant outline planning permission for the erection of a dwelling house on land 20 metres northeast of Wooden House, Torcroy, Kingussie, subject to :

- (a) the submission of an amended site plan to show the subject site extended into the open land to the west to include the extent of area on which access provision is shown on the indicative site plan;**
- (b) the completion of a S75 Legal Agreement which restricts the occupancy of the new dwelling house to an essential estate worker employed on 'Lynaberack and Ruthven Estate' on which it is proposed and restricting the sale of the proposed dwelling house separate from the estate; and**

(c) subject to the following planning conditions:-

1. A formal planning application and detailed plans indicating all matters relating to the siting, design and external appearance of all buildings shall be submitted for the prior approval of the Planning Authority within 3 years of the date of this consent and the development must be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all the foregoing Reserved Matters.

2. The proposed dwelling house shall be located towards the western area of the site, on open ground, outwith the majority of the woodland area, ???.
3. The proposed dwelling house shall be designed in accordance with the traditional vernacular architecture of the area and shall be a maximum of 1 ½ storeys in design, and shall incorporate the use of external materials that visually compliment existing properties in the wider area.
4. An application for approval of reserved matters shall be accompanied by a detailed landscaping plan and a maintenance plan for the proposed site and the associated landholding, which shall include
 - (i) Proposals for the retention of the majority of the existing woodland on the site;
 - (ii) proposals for the planting of groups of semi mature trees and shrubs of indigenous species to the west of the proposed dwelling house;
 - (iii) details of all other types of new boundary treatments proposed; and
 - (iv) details of all surface treatments.

The landscaping and maintenance programme shall be implemented and maintained in accordance with the approved plan. The plan shall include details of the siting, numbers, species (which shall be appropriate to the proposed setting) and heights (at the time of planting) of all trees, shrubs and hedges to be planted and shall ensure:-

- (a) Completion of the scheme during the planting season next following the completion of the development, or such other date as may be agreed in writing with the Planning Authority;
 - (b) The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
5. An application for approval of reserved matters shall include details to verify the sufficiency of the water supply, as well as evidence that the water supply is wholesome (by reference to

the Private Water Supply (Scotland) Regulations, 2006) or is capable of being treated to a wholesome standard.

6. Prior to any other works commencing in connection with the proposed development, the works listed in the following paragraphs shall be completed and approved by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Area Roads and Community Works division of Highland Council :-
 - (a) A standard combined access / service bay shall be provided at the point of access to the site. Construction for the first 6 metres measured from the nearside edge of the public road shall consist of 40mm thick Close Graded Wearing Course on 60mm Dense Basecourse on 350mm thick Type 1 sub base; all on a sound formation. Thereafter construction shall consist of 350mm thick well bound Type 1 sub base on a sound formation. The same standards apply to the construction of proposed new access;
 - (b) Fencing along the frontage of the site shall be set back 2 metres from the edge of the public road and 1 metre from the rear edge of the service bay;
 - (c) visibility splays shall be provided and maintained on each side of the existing access at its junction with the private road. These splays are the triangles of ground bounded by the first 3 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 90 metres in each direction from the intersection of the access road with the private road;
 - (d) within the visibility splays of each of the existing and proposed entrances 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 metres anywhere along the y dimension;
 - (e) parking and manoeuvring space for at least 2 no. cars shall be provided within the curtilage of the property such that all vehicles may enter and leave the site independently in forward gear; and
 - (f) any gates that are provided shall open into the property only.

7. No water shall discharge onto the public road and the applicant shall be responsible for any measures necessary to prevent road water entering the site and such measures shall be to the satisfaction of the Cairngorms National Park Authority acting as

Planning Authority, in consultation with the Transportation and Community Works division of Highland Council.

8. The private foul drainage system shall be designed to ensure the protection of surface waters and groundwater, by ensuring that all minimum distances are adhered to.
9. All public services for the development, including electrical, cable television and telephone cables, shall be located underground throughout the site.
10. The water supply to serve the proposed development shall be adequate and suitable for human consumption.

Advice note:

- (i) *In the interests of biodiversity and to enhance the natural heritage of the area, the applicant is encouraged to incorporate within the design details of the building, opportunities for wildlife and ecological enhancement, such as bat roosts and bird nests*
- (ii) *The applicant is advised to contact the Environmental Health section of Highland Council to discuss the requirements of condition no. 5 of this permission. A report from a suitably qualified professional may be required including details of the source, the flow rate, an assessment of the sufficiency of the supply for the proposed development and any existing uses (i.e. the assessment should take account of any existing use of the supply by the applicant or others, including for example cattle troughs for agricultural use, the proposed distribution system (including storage provision), and a statement to the effect that the supply will be installed in accordance with current water bye laws.*

Mary Grier

19 June 2008

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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.