# CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING

**APPLICATION** 

Prepared by: NEIL STEWART, PLANNING OFFICER

(DEVELOPMENT MANAGEMENT)

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DEVELOPMENT PROPOSED: FULL PLANNING PERMISSION FOR

ERECTION OF CLUBHOUSE (AMENDED PLANS), SITE OF PROPOSED GOLF CLUBHOUSE, DALFABER VILLAGE,

DALFABER DRIVE, AVIEMORE

REFERENCE: 08/084/CP

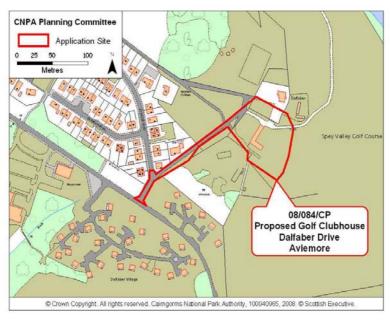
APPLICANT: MACDONALD RESORTS LTD. WHITESIDE

HOUSE, BATHGATE, WEST LOTHIAN, EH48

2RX

DATE CALLED-IN: 20 MARCH 2008

RECOMMENDATION: GRANT, SUBJECT TO CONDITIONS



# Fig. 1. Location Plan SITE DESCRIPTION AND PROPOSAL

- 1. The Committee will recall a previous application for a golf clubhouse on this site dating from 2007. This previous application (07/025/CP) was approved, subject to conditions, by the CNPA at the Planning Committee of 16 November 2007. The current application is to revise the design and layout of the new building.
- 2. The site is located on the east side of Aviemore at Dalfaber, and served off Dalfaber Drive. On site at present, there is an "L"-shaped steading building which sits on a flat raised area above the new Dalfaber championship golf course which sits below to the east and north east between the site and the River Spey. The steading is slate and stone and benefitted from a temporary planning permission for the internal storage of golf buggies related to the Dalfaber Golf Course until it expired on 28 August 2007. Flat hardcored areas surround the steading but on the north side there is a line of conifer trees which lie within the proposed site. Beyond the site to the north is a vacant 2 storey house. The site is served at present by a track which leads from Corrour Road near its junction with Dalfaber Drive.



Fig. 2. Site viewed from south side

3. Including the recently expired temporary permission for the use of the steading for golf buggy storage, and prior to the 2007 application, the site has been the subject of previous

applications. In April 1999, permission was granted for the formation of the golf course and clubhouse facilities. December 2003, permission was granted for revisions to the clubhouse proposals. In April 2004, Highland Council granted permission for a further amended design for the clubhouse which involved retaining the existing steading building and extending it. This permission remains extant until April 2009. Also of some relevance, are the proposals for residential development on adjacent sites at Dalfaber. The Committee will recall that these previous applications for residential development were refused by the CNPA in February 2006 but subsequent appeals by the applicant (Reidhaven Estate), were sustained. applications were though the subject of a third party action at the Court of Session. However, this challenge was unsuccessful and the decision of the Court was to uphold the appeal Nevertheless, new outline applications for these residential developments have been submitted. These remain under consideration with the CNPA.



Fig.3. Site and steading viewed from the south east (vacant house not part of the site).



Fig.4. Site from golf course looking south **Previous proposal** 

4. The previous approved proposal included a permanent change of use of the existing steading building for golf buggy storage purposes but also a new building immediately adjacent on the south east side. This accommodated a bar/restaurant with related stores and kitchen areas, a "pro" shop, office, and male and female changing, shower and toilet facilities. This new building took a single storey form with curved glazed frontage

with outdoor decking, taking advantage of the elevated views over the golf course. Materials included zinc colour coated standing seam roof (with some rooflights), glazing, stone reclaimed from the site, white wet dash render, and some timber panels. The curved glazed frontage extended above the ground levels which slope down to the golf course and this area was supported by columns. Planting was indicated on the decking area. The juxtaposition of the two buildings created a courtyard area which was enclosed by a wall and railings with a gate.



Fig. 5. Elevations – Previous Proposal

## **Revised Proposal**

5. The applicant's have re-appraised the extent of the proposed development and now wish to progress with a more modest building. It is similar in design concept to the previous one but is much smaller in size and scale. The accommodation provided is similar to that previously proposed and includes a bar/restaurant with associated food preparation area, open plan meeting space/pro shop, and male and female changing and toilet facilities. Materials are now proposed as aluminium standing seam roof, aluminium framed glazing to the curved frontage and timber cladding to the walls. A decked viewing area constructed on columns over the slope down to the golf course is still proposed and a central courtyard area is still being created between the new building and the existing steading. The

steading will continue to be used as a golf buggy storage area. Parking areas for 55 cars adjoins the buildings.





Figs. 9 & 10. Layout Plan and Elevations

6. Access continues to be from the existing track leading from Corrour Road. The junctions of Corrour Road and Dalfaber Drive, and Corrour Road and the existing track will be upgraded, and a new 2m wide remote path created along the length of the access to the site. At the junction of the new upgraded access road to the site and Corrour Road, the design retains priority for vehicles on Corrour Road. Existing trees along the track are shown as being retained and new planting is also indicated in this location.



Figs. 11 & 12. Existing junction of Corrour Road and site access, and existing access track looking from site towards Corrour Road/Dalfaber Drive

#### **DEVELOPMENT PLAN CONTEXT**

# Cairngorms National Park Plan 2007

7. Strategic objectives for Landscape, Built and Historic Environment include ensuring development complements and enhances the landscape character of the Park; and new development in settlements and surrounding areas complementing and enhancing the character, pattern and local identity of the built and historic environment. Strategic objectives for Water include promoting sustainable flood management consistent with natural fluvial processes. Strategic objectives for Sustainable Tourism include; improving and maintaining the quality of experience in the Park for all visitors, communities and those working within the tourism industry. Strategic objectives for Outdoor Access and Recreation include encouraging people of all ages and abilities to enjoy and experience the outdoor environment; and promoting high standards of responsible eniovment of the Park.

# <u>Highland Structure Plan 2001</u>

8. Policy G2 (Design for Sustainability) advises that developments will be assessed on the extent to which they (amongst other things); are compatible with service provision (water, sewerage, drainage, roads etc.); are accessible by public transport, cycling and walking as well as by car; makes use of brownfield sites, existing buildings and recycled materials; impacts on resources such as habitats, species, landscape, cultural heritage etc; and demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of appropriate materials. Policy SR3 (Golf Development) advises that golf development should be consistent with the Highland Golf Development Strategy and those which are accompanied by a satisfactory golf course management plan will be supported. Policy T2 (Tourism Developments) supports high quality tourism development proposals, particularly those which, amongst other things, extend the tourism season and spread economic benefits more widely. Policy L4 (Landscape Character) advises that regard will be had to the desirability of maintaining and enhancing present

landscape character in the consideration of development proposals. Proposals NH1 (Flood Consultation Areas) requires Local Plans to identify areas with a perceptible risk of flooding. Within these areas, all development proposals will be assessed for their compatibility with the flood risk and with flow character of the watercourse.

# <u>Badenoch and Strathspey Local Plan 1997</u>

9. The site lies within the settlement envelope of Aviemore. Under Neighbourhood Facilities, Policy 6.3.7, advises that the farm building and steadings at Dalfaber are suitable for conversion to community, visitor or business use. Scope exists for possibly high technology use, a farm museum or golf clubhouse facilities. General Policy 2.2.9. (Tourism and Recreation), states that tourism and recreational activities will continue to make a vital contribution to the economy. The priority is to ensure that broadening the range and quality of facilities accommodation is balanced with protecting the exceptional scenic and heritage resources. General Policy 2.4.12 (Flooding – Development Restraint) states that there will be a presumption against any building development within flood risk areas, except where it is considered essential to continued agricultural use of the land.

## **CONSULTATIONS**

- 10. Aviemore and Vicinity Community Council note that the proposed building will be just 25% of the floor area of the previous scheme. They are disappointed with this "Alice in Wonderland" treatment of the proposals which they feel will result in a building no longer in keeping with the widely advertised Championship Golf Course.
- 11. **Highland Council's Archaeology Service** advise that the proposal will affect a building that is depicted on the first edition OS map of c1870. A visual record should therefore be made prior to any site work commencing.
- 12. **Highland Council's Scientific Officer** has liaised with the applicant's consultants on the issue of contaminated land and gas emissions assessment and monitoring. They are now content that the information provided in the submitted Contaminated Land Site Investigation Report and subsequent amendments, is satisfactory and meets with current standards.

- 13. The CNPA's Outdoor Access Officer. advises that this development site falls over one of the two most significant access points to the Spey – the other one being the Fisherman's car-park to the north. The combination of the two access points gives a short but scenic river side loop walk and connects recreational users to longer walks along the Spey. Without the route through the development site, access to the River Spey would only easily be gained from the Fisherman's car-park and this would be inadequate given the demand for access from a population the size of Aviemore, and the fact that the golf course is now a major linear barrier between the town and the river. The riverside path and the route through the Dalfaber steading were identified by the community as important routes in the core path planning process, and have been proposed in the Draft Core Path. As such, the access route through the proposed development site of the Clubhouse is of utmost significance and must be afforded maximum protection through the planning process.
- 14. People currently cross the golf course by taking a line between the steading and the old farmhouse property and a line leads directly down to the river, now utilising some of the surfaced 'golf buggy' tracks put in as part of the new golf course development. This route is already well-used, is partially surfaced and has the advantage of being the most direct route to the river and therefore is the most desirable route from the public's point of view. It divides the tee of the 1st hole and the green of the 18th hole to the north; and the practice green to the south golf play is away from the route at the 1st hole and practice green, and towards the route on the 18th although some protection is given by bunds separating the course itself from the practice area, and the route itself passes behind the practice green.
- 15. The CNPA's Outdoor Access Officer therefore notes and supports the inclusion of a 2m wide path alongside the access road and the inclusion of a separate access into the car park for recreational users beyond the vehicle entrance, facilitated by a continuation of the 2m wide path. A simple gap is preferable to give access into the car parking area, but if a gate is installed it must be unlocked at all times and present no barriers to a wide range of users including all-abilities. Any gate should comply with the BT Countryside for All Standards and Guidelines. If perimeter fencing is used where the access route emerges onto the golf course, a further gap or gate must be installed to the same standard as above. Clear and welcoming waymarking must be in place from the turnoff at Dalfaber Drive to where the access route crosses the course, directing recreational users to the river.

This waymarking must be compliant with the Scottish Outdoor Access Code.

- The CNPA's Landscape Officer has reviewed this proposal and 16. compared it with the previous application. He states - it would appear that the most significant change is that it is smaller. However many of the design details that caused concern previously are still there. The reduction in size might reduce the impact of the scheme to some extent but not eliminate it. An improved planting scheme might assist this considerably. general, the concerns previously stated about the car park and the entrance gate, have not been significantly addressed and the issues raised then are still present. These are the proximity of car park bays to the boundary of the site, poor use of the open spaces and the inappropriate entrance feature. It is possible that extensive planting in accordance with the suggestions in the earlier response would reduce this impact to an acceptable level. The planting to the side of the building and along the entrance road is noted. The latter is acceptable however the former is inadequate to fully integrate the building into the landscape. The details of the planting at present are far from conditioned acceptable but this might be recommended for approval. The implications to the planting alongside the road if the housing applications are approved are not apparent. It would be unacceptable to have this removed to facilitate that later application.
- 17. **SEPA** are content with the proposals, contained within the submitted Drainage Impact Assessment, for disposal of roof waters. However, they recommend that surface water from the parking bays areas and access road provide two levels of treatment. In relation to flood risk, a Flood Risk assessment was submitted at the time of the previous application and has now been re-submitted. As required at the time of the previous application, SEPA have stated that the finished floor levels of the clubhouse require to be set a minimum of 208.4m AOD (N) and that surface water discharges need to be restricted to below pre-development run-off rates.
- 18. **Highland Council's Area Roads Manager** has no objections to the proposal, subject to the imposition of conditions relating to provision of the new access arrangements in advance of any other works, surfacing, and the provision of the remote footpath, parking areas, and visibility splays.

19. On the previous application, **Scottish Water** advised that Blackpark Water Treatment Works currently has sufficient capacity to service the development but there may be issues in the water network. The Aviemore Waste Water Treatment Works has sufficient capacity to serve the development but again, there may be issues within the network.

#### **REPRESENTATIONS**

- 20. The application was advertised in March 2008. One letter of representation has been received. The matters raised include:
  - The landowner supports the plans for the new clubhouse but has concerns about the new tree planting between the existing track and the proposed remote footpath – this new planting is on ground which will form the solum of the new road for the proposed adjacent residential developments as allocated in the Adopted Local Plan – planting therefore should be removed. A landscape assessment and new landscaping is being carried out as part of these proposed housing and roads layouts.
- 21. Copies of this letter and the Community Council letter, are attached.

#### **APPRAISAL**

## Principle and Policy

- 22. In addition to the previous application in 2007, this site benefits from a planning permission for a golf clubhouse, dating from 2004. Indeed this permission is still extant. Prior to this, permissions were granted for the golf course and associated clubhouse in 1999 and then a revised clubhouse design in 2003. The existing steading has also benefited from a temporary permission for golf buggy storage in the past. The golf course itself is, of course, in existence and operational with temporary "clubhouse" and administration facilities at the existing Dalfaber Country Club on Dalfaber Drive.
- 23. In the adopted Local Plan, the site is earmarked for business, visitor or community use. A golf clubhouse facility is given as a specific and appropriate use in this regard. There are positive steers for the principle of this type of use in both the Highland Structure Plan and the National Park Plan.

24. I therefore continue to take the view that the principle of a golf clubhouse at this site is acceptable.

# Design, Landscape Impact and Natural Heritage

- 25. At the time of the previous application in 2007, some concerns were raised from representees and consultees about the design of the new building proposed at that time. The concerns were that the building was large and out of scale and character in relation to the existing steading and its surroundings.
- 26. The site does lie within a National Scenic Area and on the edge of the settlement where the character changes from urban residential to countryside. The existence of the River Spey, the network of paths and the golf course itself makes the area well used by local people and visitors. The existing steading building, which would have formed part of a traditional farm complex, also carries some cultural heritage interest because it is shown on the first OS maps dating from 1870. The area therefore is reasonably sensitive.
- 27. In my assessment on the previous application, the starting point was the design of the building approved under the 2004 permission. This comprised a pitched roof timber clad structure with a clock tower. It was in fact the former "Santa Claus" building from the Aviemore Resort which was to be relocated. This permission still remains extant and could be implemented at any time up until April 2009. It is not known though if this structure still exists. Nevertheless, my view previously was that the new design at that time must be seen in the context of this existing permission.

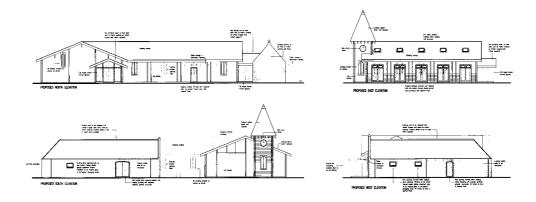


Fig. 13. Extant Permission Design from 2004

- 28. It is understandable that some concern had been raised at that time about the design of the new building because of the difference in character and appearance between the existing steading and the new building. However, I took the view that the revised design was acceptable in that instance. In design terms, golf clubhouse buildings often act as a focus and a feature in a landscape and I did not find that the scale was It was certainly different in character and excessive. appearance to the existing steading but its profile and height was low. I also argued that the approved clubhouse design from 2004 was also very much different in character and appearance to the steading and its immediate surroundings, and indeed it was higher in profile. As good designs should, the new building took advantage of the open aspect and sloping ground towards the golf course and the river. The concept was to provide its main relationship with the golf course it serves.
- 29. The Committee agreed with this assessment and approved the 2007 proposal.
- 30. The revised design reduces the size and scale of the new building considerably. An approximate calculation is that it is now about 30% of the floor area of the 2007 proposal. The scale of the revised clubhouse is now such that I would consider it to be "subservient", in visual terms, to the adjoining steading building. Interest is still achieved by the retention of the curved glazed frontage and decking area which fronts the golf course and extends over the slope. Subject to approval of some samples, I am content with the proposed finishing materials and in particular I welcome the use of timber cladding. The reduction in the size and scale of the design of the new building does offer a less imposing structure and I can understand the concern from the Community Council about the perceived reduction in the "importance" of the clubhouse in relation to what is promoted as a championship golf course. However, the revisions do help address some of the previous concerns raised by representees and consultees about the impact of the proposal.
- 31. Some concern from the CNPA's Landscape Officer remains regarding the design and layout of the car parking and the lack of space for meaningful landscaping in and around the building. The applicants lease the land from the Estate. The boundary of the site within their control remains relatively "tight". Nevertheless, the reduced size of the proposed building and the subsequent reduced number of car parking spaces required has

allowed for more space for landscaping than was evident previously. Indeed, a greater area of landscaping is indicated to the south and east sides. I take the view that, at present, the site is quite open with the existing steading somewhat "isolated" in the landscape. I do not necessarily consider that this openness is a concern. However, the additional land available for landscaping will help off-set the remaining concerns about landscape impact.

32. The existing steading will remain and, as part of the new complex, be retained as a golf buggy store. Apart from the removal of a small lean-to part on the north wing gable, no work in addition to what has already been done to create the golf buggy store under the previous temporary permission, is proposed for the steading. There is no requirement therefore for detailed surveys for natural heritage habitats. Nevertheless, SNH confirmed previously, that there are no bats or bat roosts in the steading.

#### **Roads and Access**

- 33. The issue of access to the site raised concerns from representees at the time of the previous 2007 application. The concerns were addressed by amendments to the design of the site access junction and by conditions. No changes to the previous access arrangements are proposed this time. The landowner still raises an issue with regard to the planting proposed along the access road. As advised previously, since the land of the access is within the control of the Estate, it is clearly within their interests to try and ensure that the design of the upgraded access to the clubhouse does not prejudice their future proposals for the allocated residential land in the Adopted Local Plan. The solution that is still being put forward allows for the required upgrade of the access to serve the clubhouse which meets the standards of the Area Roads Manager, but also does not prejudice any further upgrade if the residential developments go ahead in the future. The arrangement of the junctions and the new path, and the provision of new tree planting along the south eastern side of the access, is such that they are reversible. It should be noted though that granting permission for the current proposal on the basis of the access arrangements put forward at present, does not, in any way, indicate acceptance of the residential developments or any proposals to upgrade the access further.
- 34. The issue of retaining open public access to and through the site is not affected by the revised proposals.

## Flooding, Drainage and Contaminated Land

35. The applicants have confirmed that the development is to be constructed with finished floor levels at a 211.5m AOD (N) level. This complies with SEPA's requirements and a similar condition to that imposed previously can be applied. In the same way, issues surrounding surface water drainage can be addressed through the imposition of the same condition as applied before. There are no remaining issues surrounding contaminated land.

#### IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

## Conserve and Enhance the Natural and Cultural Heritage of the Area

36. The site does not impact on any natural heritage designation and provided the photographic record of the existing building is provided, there are no implications for cultural heritage. The site is within a National Scenic Area but as stated in the paragraphs above, and taking account of the use and function of the building, the reduced scale of the proposal and the provision of more space for meaningful landscaping,, I feel that the design of the building and its landscape impact continue to be acceptable in this location.

#### Promote Sustainable Use of Natural Resources

37. A condition was imposed by the Committee on the 2007 application which required the submission and subsequent implementation of an energy efficiency scheme within the building. This can be imposed again. In addition, the building now incorporates the use of timber wall cladding.

## **Promote Understanding and Enjoyment**

38. The proposal will retain popular public access to and through the site to the golf course and existing routes along the River Spey.

## Promote Sustainable Economic and Social Development

39. The development will still provide new facilities for users of the existing golf course and as such will improve the quality of the visitor product here.

#### **RECOMMENDATION**

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

Grant Full Planning Permission for Erection of Clubhouse (Amended Plans), Site of Proposed Golf Clubhouse, Dalfaber Village, Dalfaber Drive, Aviemore, subject to the following conditions;

- 1. The development to which this permission relates must be begun within five years from the date of this permission.
- 2. That the lowest finished floor level of the clubhouse hereby approved shall be set at a minimum of 208.4m AOD, and that no landraising operations shall take place within the site below the level of 207.8m AOD. In addition, surface water drainage discharges shall be restricted to below pre-development run-off rates, as stated in the Revised Drainage Impact Assessment (Ramsay and Chalmers 13/07/07).
- 3. That prior to the commencement of development on site, a photographic record shall be made of the remains of the existing steading, its surroundings and any other features which are affected by the proposed development, all in accordance with the attached specification. This record shall thereafter be submitted to the CNPA acting as Planning Authority. No further site clearance work shall be undertaken until written confirmation, that the record made has been lodged and is satisfactory, has been received from the CNPA acting as Planning Authority, following consultation with Highland Council's Head of Environment.
- 4. The development, including the upgraded access road, shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by the CNPA acting as Planning Authority before development commences. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and to the extent of any areas of earthmounding, 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 CNPA acting as Planning Authority.
  - (b) The maintenance of the landscaped areas in accordance with a detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the CNPA acting as 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. That from the date at which this planning permission is granted, the trees marked for retention on the approved plan (Drawing No. PL001 Rev.I) shall not be uprooted. These trees shall only be felled with the prior written approval of the CNPA acting as Planning Authority.
- 6. That no development shall commence on this site until the trees marked for retention on the approved plan (Drawing No.PL001 Rev I.) have been protected to the satisfaction of the CNPA acting as Planning Authority, and in accordance with B\$5837:2005, Trees in Relation to Construction.
- 7. That the 2m wide path on the south east side of the access road and extending into the site, shall be constructed to all abilities standards (BT Countryside for All) and shall be completed and available for use, prior to the occupation of the clubhouse hereby approved.
- 8. That on completion of the development hereby approved, and unless otherwise agreed in writing with the CNPA acting as Planning Authority, uninterrupted public access through the site shall be maintained at all times in the future. For the avoidance of doubt, any gates installed shall be self-closing, be a minimum of 2m in width and shall remain unlocked at all times.
- 9. That prior to the occupation of the clubhouse hereby approved, a detailed scheme (numbers, locations and designs of signs) for the way marking of the public access route (compliant with the Scottish Outdoor Access Code) to and through the site shall be submitted for the further written approval of the CNPA acting as Planning Authority.
- 10. That prior to the commencement of works on site, a detailed method statement indicating on-site constructional and operational management procedures which will allow for continued public access to and through the site (or provision of a temporary alternative route) during construction shall be submitted for the further written approval of the CNPA acting as Planning Authority.
- 11. That prior to the commencement of any construction works associated with the following, details and specifications (samples may be required), shall be submitted for the further written approval of the CNPA acting as Planning Authority;
  - a. the aluminium standing seam roof, including colour;
  - b. all boundary enclosures, including gates and walls;

- c. the surfacing of the car parking areas.
- 12. Notwithstanding the details submitted in the Revised Drainage Impact Assessment (Ramsay Chalmers, 13/07/07), and unless otherwise agreed in writing with the CNPA acting as Planning Authority, the internal accesses, and vehicle parking areas shall be provided with two levels of surface water treatment, all to the satisfaction of the CNPA acting as Planning Authority, following consultation with SEPA.
- 13. That, unless otherwise agreed in writing with the CNPA acting as Planning Authority, following consultation with Highland Council's Area Roads Manager, the upgraded road layout, as shown on the approved plan (Drawing No. PL001 Rev. I), shall be constructed prior to the commencement of any other works associated with the development hereby approved. For the avoidance of doubt, only the initial length of the upgraded access road will be considered for adoption.
- 14. That construction of the access road shall consist of a minimum of 40mm thick Close Graded Wearing Course on 60mm Dense Basecourse on 70mm thick dense roadbase on a minimum thickness of 250mm Type 1 sub base, all on a sound formation, upto the north-east boundary of the property known as "Pawprints". Thereafter construction shall consist of a minimum of 350mm thick Type 1 sub base on a sound formation.
- 15. That unless otherwise agreed in writing with the CNPA acting as Planning Authority, the vehicle parking shall be constructed and completed prior to the commencement of the use of the clubhouse hereby approved.
- 16. That prior to the occupation of the clubhouse hereby approved, a location and design for the provision of secure cycle parking/storage on the site, shall be submitted for the further approval of the CNPA acting as Planning Authority.
- 17. Visibility of splays of not less than 4.5 metres x 70 metres shall be provided in both directions at the junction of the Corrour Road and Dalfaber Drive prior to the commencement of any other works associated with the development hereby approved and thereafter maintained free from any obstructions exceeding a height of 1 metre above the adjacent road channel levels.
- 18. Visibility of splays of not less than 4.5 metres x 30 metres shall be provided in both directions at the junction of Corrour Road and the upgraded access road prior to the commencement of any

- other works associated with the development hereby approved and thereafter maintained free from any obstructions exceeding a height of 1 metre above the adjacent road channel levels.
- 19. That prior to the commencement of development on site in relation to the construction of the building hereby approved, a detailed scheme for the promotion of energy efficiency within the building, shall be submitted for the further written approval of the CNPA acting as Planning Authority. Thereafter, the agreed energy efficiency proposals shall be implemented in the development and operation of the building.

#### **Neil Stewart**

17 June 2008

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