

CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Residential development for up to 20 dwelling houses at Land At School Road
And Craigmore Road Nethy Bridge

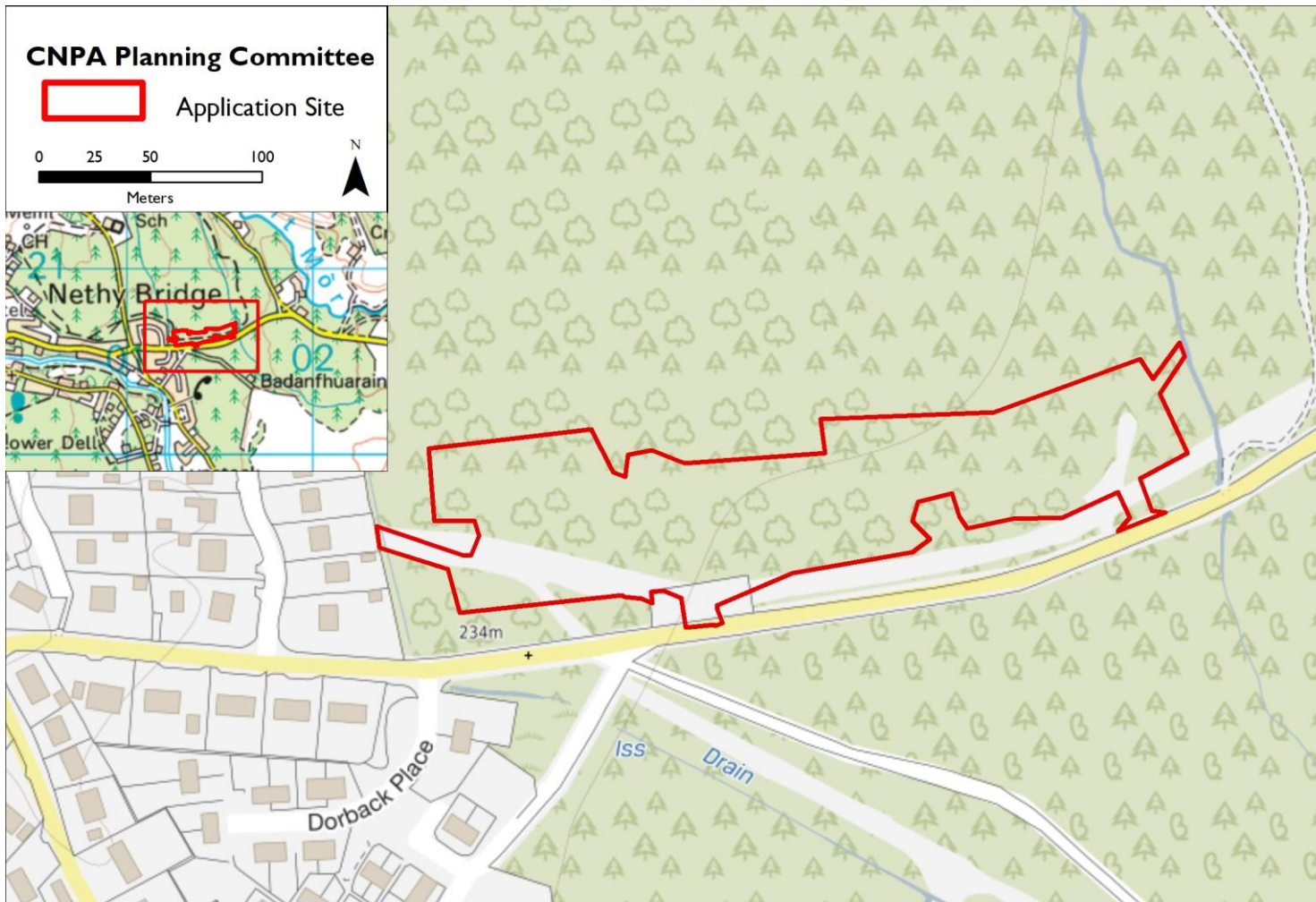
REFERENCE: 2020/0064/PPP

APPLICANT: CastleGlen Properties (Aberdeen) Ltd

DATE CALLED-IN: 9 March 2020

RECOMMENDATION: Approve subject to conditions

CASE OFFICER: Stephanie Wade, Planning Officer



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SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The application site comprises approximately 1.9 hectares of mature coniferous plantation woodland, located to the north-eastern area of Nethy Bridge. The site is bound on the south by Craigmore Road with mature woodland surrounding the remainder of the site. Adjoining the woodland on the west is the residential cul-de-sac of Dirdhu Court and on the southern side of the road to Dirdhu Court are the residential dwellings of Dorback Place. A vehicular access off of Craigmore Road provides access to an off-road parking area with informal footpaths leading from here into the woodland. The existing overhead SSEN power line runs through the site adjacent to the southern boundary.
2. The wider woodland area to the north and east, known as School Wood, as well as an area adjacent to the Hotel in Nethy Bridge, are also within the applicant's control with the landowner's consent. Those woodlands contain numerous formal and informal paths and are popular with local residents and visitors for walking, dog walking and cycling in particular.
3. The wood is included within the Ancient Woodland Inventory as being Ancient Woodland (Category 2a Semi-natural woodland dating back to at least 1860). There are two burns which are within 40 metres of the development boundary which eventually flow into the Allt Mhor, forming part of the River Spey SAC. There are Special Protection Areas (SACs) to the north and south of Nethy Bridge at Craigmore Wood and Abernethy.

Proposal

4. 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=Q6NWIUSI0CH00>

Title	Drawing Number	Date on Plan*	Date Received
Plans			
Location Plan	70599/200	07 February 2020	09 March 2020
Site Location Plan	PL02 Rev.A	01 October 2019	09 March 2020
Proposed Indicative Site Layout Plan	PL01 Rev.G	01 February 2020	09 March 2020
Development Layout Plan	70599/201	07 February 2020	09 March 2020

Road Layout Plan	70599/202	07 February 2020	09 March 2020
Roads Longitudinal Sections	70599/205	07 February 2020	09 March 2020
Vehicle Swept Path Analysis	70599/207	07 February 2020	09 March 2020
Ground Investigation Plan	70599/208	07 February 2020	09 March 2020
Proposed Adoptable Areas	70599/204	07 February 2020	09 March 2020
Drainage Layout Plan	70599/203	07 February 2020	09 March 2020
Surface Water Exceedance Routing	70599/206	10 February 2020	09 March 2020
Tree Protection Plan	NBC-2002-TP	20 February 2020	09 March 2020
Arboricultural Assessment Plan	NBC-2002-AA	20 February 2020	09 March 2020
Supporting Documents			
Planning Statement			09 March 2020
Drainage Impact Assessments (4 Parts)	70599/DIA/01	11 February 2020	09 March 2020
Preliminary Ecological Appraisal and Extended Phase I Habitats Survey	NBC-2002-PEA (Rev 1)	19 May 2020	27 May 2020
Compensatory Planting Preliminary Ecological Appraisal and Environmental Walkover Survey	NBC-2—2-PEA	14 February 2020	09 March 2020
Tree Survey Report	NBS-2002-TR	19 February 2020	09 March 2020
Woodland Management Survey	NBSW-2005-TM	28 May 2020	29 May 2020
Capercaillie Survey	NBSC-2006-CHA	19 June 2020	22 June 2020

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

5. This application seeks planning permission in principle for the erection of 20 dwellings, including 7 affordable units, access, and drainage and landscaping on site. An indicative site layout has been provided which shows the erection of dwellings in a linear form, parallel to Craigmores Road and set back from the road, with the creation of two vehicular access points to the public road. The indicative layout presents the dwellings

in two segments of the site with woodland separating the two areas. Two SUDs detention basins have also been indicated on the plan.

6. The application is supported by the following information:
- a) **Planning Statement:** sets the framework and policy context, which informed the development of the submitted scheme.
 - b) **Drainage Impact Assessment:** details the assessment of the existing drainage and proposed drainage connections to the site. The report confirms that for foul drainage, it is proposed to convey foul water flows to the existing Scottish Water foul water sewer located in Dorback Place. Due to the topography, it will be necessary to pump the wastewater from the development to the existing sewer. Gravity sewers will convey foul flows to the proposed new pumping station located to the south west corner of the site. For surface water, due to the high seasonal water table, conditions are not favourable for the disposal of surface water by means of infiltration type SUDs. Therefore, it is proposed that discharge to watercourses on the east and west site boundaries with attention and water quality being achieved by design of a suitably sized detention basin for each catchment. Flow controls will be installed to control the discharge from each basin. Regarding flood risk, the flood risk assessment confirms that potential flood risk from the two minor watercourses located to the east and west of the site can be mitigated by a 500mm freeboard to set finished floor levels above the predicted 200 year flood levels. The predicted 200 year flood level on the western watercourse is more than 2 metres below the finished floor levels of the proposed adjacent houses and the predicted 200 year flood level on the eastern watercourse at its nearest position to the site is more than 1.5 metres below the finished floor levels of the proposed adjacent houses. Regarding maintenance, it is proposed that the surface water sewers, detention basins, foul water sewers, pumping station and rising main serving the development are put forward for adoption by Scottish Water.
 - c) **Preliminary Ecological Appraisal and Extended Phase I Habitats Survey:** An ecological and Phase I Habitats Survey, dated 19 February 2020, has been prepared and undertaken by Astell Associates and submitted in support of the application. The report demonstrates the consideration of the proposed development's implications on the ecological and landscape aspects of the site, and proposes further survey work and mitigation measures. The report confirms the site supports the following habitats: native pinewood, mixed semi-natural woodland with mature and veteran trees, woodland edge/ dry dwarf scrub heath (with juniper scrub), wet flushes (acid/ natural), and a variety of different deadwood. The woodland on site has extra value by virtue of its status on the Ancient Woodland Inventory as "Ancient of Semi-natural origin". This is demonstrated by the presence of a number of "ancient woodland specialist species including the Lemon Slug. The report notes that many of the important habitats in the area will be retained and roads and houses will be designed to avoid these important areas where possible. Regarding protected species, the site supports: brown shield moss, interrupted clubmoss and creeping lady's tresses smut. A small area of green shield moss was found within 20 metres of the site boundary. Four species of nationally scarce invertebrate are known to be

present on site, with twenty six other UK BAP, nationally rare/scarce or critically endangered invertebrates found in the nearby area. Several amber and red listed woodland birds use the site for nesting and foraging. The site is likely to support populations of rare pinewood specialists including the Crested Tit, Scottish Crossbill and Parrot Crossbill. The site has particular value as a dispersal route for capercaillie. The report notes that the development will result in minimal loss of foraging habitat for otters, pine martin, red squirrels and wildcat. Further survey work required and mitigation measures are outline within the document.

- d) **Compensatory Planting Preliminary Ecological Appraisal and Environmental Walkover Survey:** An ecological appraisal and walkover survey of the compensatory planting site, undertaken by Astoll Associates, has been submitted in support of the application. The report notes that the current habitats on site have low ecological value and the proposed compensatory planting scheme will replace species-poor, semi-improved rough grassland with native coniferous deciduous woodland, heathland and juniper scrub. No rare or protected plants, fungi, amphibians, reptiles or fish are found on site. It is noted that bats may use trees on site for roosting and the open areas for foraging, but not other protected species of mammal use the site for foraging or breeding. Regarding birds, meadow pipits may potentially use the site for breeding although the site has low suitability for ground-nesting birds due to high levels of disturbance from dog-walkers. No other rare or protected bird species are known to use the site. It is noted that the broom scrub on site will be retained which may support the provisionally nationally scarce stilt-legged fly *Micropeza lateralis*. The report makes a number of recommendations including: retaining the current trees and areas of broom scrub on site; the carrying out of planting outwith the bird breeding season; and the retention of open areas adjacent to the buildings around the site with interconnecting pathways to retain the use by the general public.
- e) **Tree Survey Report:** The report confirms that site inspections took place on 3 occasions within December 2019 and January 2020 by Astell Associates. The report references the previous survey undertaken in 2009 which collected data on the three species on site/ Scots pine, silver birch and willow. The woodland is described as having wet ground for less than 5% of the site. Large open grown willows are present with smaller willows scattered within the Scots pine areas. Small numbers (less than 5 stems per hectare) of rowan, aspen and larch species are also present. Local knowledge and site observation indicated that the woodland was felled in 1947 and the current trees were established by natural regeneration. The report did not survey the tall, thin, close grown trees. Larger trees mainly outwith the development site, but closely associated, have been surveyed. Out of the 19 trees surveyed, three are proposed to be felled which are rated as either low quality with an estimated remaining life expectancy of at least ten years or as trees which cannot be retained long-term for reasons such as: a serious structural defect.
- f) **Woodland Management Survey:** A woodland management report has been submitted regarding the proposed management plan of the trees to maintain ecology at School Wood. The report confirms that the School Wood Scots pine and understory vegetation are to be retained untouched, and the Norway spruce

will be retained at present. The smaller, suppressed trees are proposed to be felled and the wood stacked at stump as wildlife habitat. The Lodgepole pine in the north-west and west area are proposed to be felled in three operations at 5 year intervals. Mitigation includes the creation of a riparian buffer strip along the banks of the Caochan Fhuarain, which will provide cover for otters. The document also proposes the creation of a more varied woodland structure, and provides further details of the compensatory planting area adjacent to Nethybridge Hotel.

- g) **Capercaillie Survey:** Considers the impact of the proposal on capercaillie and concludes that the proposal would not have an adverse impact on capercaillie, with the proposed site having no potential as breeding habitat and noting that most of the proposed development site already falls within a 150m disturbance zone from paths, roads and settlements.

7. Indicative plans of the proposal are included within **Appendix I**.

History

8. An application seeking outline planning permission for the erection of 40 dwellings and business units was submitted to The Highland Council in February 2002 (ref: 02/45/OUTBS). The Highland Council resolved in September 2002 to grant outline planning permission, subject to a section 75 Legal Agreement to cover matters including the provision of affordable plots for self-build purposes and the undertaking of certain off-site works.
9. In March 2009, an application was made for approval of the Matters Specified in Conditions (MSC)- Application No. 09/052/CP. This application was refused at the Cairngorms National Park Authority Planning Committee on the 07 January 2011. In summary the reasons for refusal were:
- a) *The proposal contravened the terms of the outline planning permission (Highland Council ref. no. 02/00045/OUTBS).*
 - b) *Essential required detail and surveys were not provided in support of the current development proposal.*
 - c) *The proposed layout of the housing and business unit sites would give rise to tree loss in this woodland setting.*
 - d) *The proposed development did not meet the site specific requirements associated with the housing allocation and the economic development allocation, in the Nethy Bridge settlement proposals map in the Cairngorms National Park Local Plan 2010.*
 - e) *The proposed development failed to adequately respond to the characteristics of the site and failed to reflect its unique setting on the woodland periphery of a traditional highland village.*
 - f) *The proposed development failed to demonstrate that it would not adversely impact on existing outdoor access opportunities in the immediate vicinity.*
 - g) *Insufficient detail was provided in this application to demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments. The detail provided also failed to demonstrate that the development would not accord with fundamental sustainable design principles.*

10. The decision was subsequently the subject of an appeal which was dismissed by the Report from the Scottish Government's Department of Planning and Environmental Appeals (DPEA) on 18 July 2011.
11. During the Second World War, the site was occupied for a few years by a sawmill operated by the Canadian Army Forestry Corp, but there are few visible signs remaining on the ground and geotechnical samples from the site found no evidence of contamination.

Recent History

12. An application for the "erection of 58 houses, associated roads and footways" at land at School Road and Craigmore Road (ref. 2013/0119/DET), was submitted in April 2013 and determined at the November 2014 Planning Committee. The application proposed the dwellings to be erected on two parcels of land with 14 of the dwellings proposed at an L-shaped area of land of 1.65 hectares which would have been accessed off Craigmore Road. The committee subsequently refused planning permission. In summary the reasons for refusal were:
 - a) *The proposal is extended beyond the settlement boundary.*
 - b) *Lack of mitigation for loss of ancient woodland and impacts on green shield moss.*
 - c) *The proposed development was contrary to Natural Heritage Supplementary Planning Guidance.*
 - d) *Lack of evidence that the development would not harm protected species.*
 - e) *Lack of evidence that the development would not harm other habitats and species.*
 - f) *Impacts on landscape character.*
 - g) *Lack of evidence of the sustainability of the development.*
 - h) *Lack of information on affordable housing provision.*
 - i) *Lack of amenity space.*
 - j) *Lack of alternative access provision.*

Habitats Regulations Appraisal (HRA)

13. A Habitats Regulations Appraisal has been undertaken to consider the effects of the proposal upon the conservation objectives of the Natura Sites of the following designated areas: River Spey Special Area of Conservation (SAC) and the Craigmore Wood Special Protection Area (SPA). A copy of the HRA is included in **Appendix 2**.
14. The HRA concludes that there will not be any adverse effects on the site integrity of Craigmore Wood SPA. It also concludes that with appropriate standard mitigation measures covering pollution and siltation prevention details as well as SUDs, that would have to be addressed through further applications for matters specified in conditions, there will not be an adverse effect on site integrity for the River Spey SAC.

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	X
POLICY 2	SUPPORTING ECONOMIC GROWTH	
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	X

15. 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>

16. The site is designated in the Nethy Bridge settlement statement of the Cairngorms Local Development Plan 2015 for housing development under the designation H1: Craigmore Road where it is stated as follows: *this site has capacity for around 15 units in the east of the village. Development of the site will retain enough woodland to allow for movement of species between areas of woodland to the sides of the site and retain the woodland setting of this part of the village. A small water course runs near to the site and a flood risk assessment may be required I support of any further planning application or reserved matters.* The H1 site within the Local Development Plan covers area of land as included within this application.

Planning Guidance

17. 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	X
Policy 2	Supporting Economic Growth Non-Statutory Guidance	
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	X

Cairngorms National Park Local Development Plan 2020

18. The emerging Cairngorms National Park Local Development Plan (“Proposed Plan”) which will cover the period 2020 – 2025 is currently under examination, with a report and recommendations from the DPEA currently expected by the end of August. The Proposed Plan outlines the CNPA’s preferred approach to the next five years. The current allocation of the site has not been carried forward to the Proposed Plan, principally because of the impacts on ancient woodland habitat.
19. Unless an element of the Proposed Plan did not receive objections, only very limited weight can be given to it in decision-making until the firstly the reporters Examination Report and recommendations have been received, and secondly until the Proposed Plan itself is adopted. The CNPA did receive objections to the removal of this site from the Proposed Plan so were matters for the reporters to consider.
20. Following receipt of the Examination Report from the reporters the CNPA will need to submit an amended plan to Scottish Ministers to gain consent to adopt. It should be noted that Ministers can also direct the CNPA to refuse to accept changes recommended by the Reporter. Though rare, this occurred when the current adopted LDP was submitted in 2014.
21. If the Examination Report is received by the CNPA prior to the Planning Committee decision, officers will orally update the committee on any relevant recommendations within it and implications for the determination of this application.

CONSULTATIONS

Summary of the main issues raised by consultees

22. **Scottish Natural Heritage (SNH)** were consulted on the application and Habitats Regulations Appraisal (HRA) and have confirmed that they agree with the conclusions of the HRA.
23. **Scottish Water** has no objection to the application, however note that this does not confirm that the proposed development can currently be serviced. They confirm that there is currently sufficient capacity in the Aviemore Water Treatment Works for the supply of water. The proposed development would be serviced by Nethy Bridge Waste Water Treatment Works and the applicant would need to submit a formal connection application to Scottish Water after full planning permission has been granted to confirm capacity.
24. **Highland Council Transport Planning Team** originally noted that further information would be required to address the following matters:

- a) Clarification on the availability and accessibility of school and public bus services is required.
 - b) Details of visibility splays at internal and external road junctions are required;
 - c) Transverse cross sections together with an earthworks outline drawing required to show the proposed main road and house plots relative to existing ground levels and identify the cut/fill requirements throughout the site;
 - d) Suitable information shall be provided regarding the location of existing and proposed utilities apparatus serving the development;
 - e) A parking strategy or the development should be clearly set out and explained. The level and detail of car parking provision shall comply with the Council's Roads and Transport Guidelines for New Developments, Chapter 6;
 - f) Provision for the storage and collection of waste materials for all phases of development shall be made in accordance with the requirements of the Council's supplementary planning guidance, Managing Waste in New Developments;
 - g) Street lighting shall be provided to the satisfaction of the Council's Area Lighting Engineer;
 - h) In the interests of the safety and security for both motorised and non-motorised road users, it is recommended that Craigmore Road is upgraded to serve the new development.
25. The Team subsequently confirmed that they have no objection to the above outstanding matters being addressed by conditions in any planning principle permission granted.
26. **Highland Council Contaminated Land Officer** notes the site appears to be previously undeveloped land although a suggestion has been made that WW2 munitions were buried on site at the end of the war. The Officer has reviewed the Fairhurst Geo-environmental and Geotechnical Interpretative Report which described the soil as natural superficial deposits encountered in all six boreholes drilled on site. There was no evidence of contamination or munitions. Given the lack of evidence of potential contamination, there is no requirement for further site investigation. The Officer suggests the inclusion of an informative to make the applicant aware of the potential for buried munitions.
27. **Highland Council Flood Risk Development Team** has reviewed the submitted information together with the Flood Risk Assessment and confirm that they have no objection to the proposal subject to the inclusion of a condition requiring the final detailed drainage design to be submitted for review and approval.
28. **Highland Council Forestry Officer** was consulted but has not provided any specific comments.
29. **CNPA Ecology Officer** notes that the preliminary ecological assessment shows that the site is a rich and diverse area for biodiversity and fully justifies its inclusion within the Ancient Woodland Inventory. The Officer advises that the site comprises of ancient semi-natural woodland habitat of high ecological value and the features present within the site indicate that the woodland is a rich and complex resource. The indicative plan seeks to mitigate the impact upon the site however even after this, the

officer considers that it will have a high significant and adverse ecological effect. The mitigation proposed is through the site layout design, improvement of other habitat and provision of new habitat, chiefly more woodland. However, there is insufficient information to be clear on how effective this mitigation might be due to the acknowledged limitations of the PEA and lack of information on the management of the wider woodland and new planting. It is widely accepted that the loss of ancient woodland is considered irreplaceable and therefore compensation for loss of this resource is not possible.

30. Following the submission of the updated ecological appraisal which included an updated otter survey, the Officer confirms that the survey found no sign of otter use within the 200m survey area. The evidence of otter activity earlier in the year but lack of recent activity suggests that otter are using the area infrequently and known to visiting in spring months as there is an increase in food supply. They are not currently using the area within the site or to 200m from the site for breeding. The Officer therefore concludes that an impact on otter breeding in the area though the proposals is not likely. Simple mitigation measures will need to be put in place through a Species Protection Plan to avoid disturbance during construction. A pre-construction survey must also take place which would be included as a planning condition. The Officer also provides a summary of conditions to be included and discharged as part of a matters specified in condition application which includes; further survey work, tree constraints and protection plans, Construction management plan, woodland management plans, species protection plans and full details of the compensatory planting area.
31. A Habitats Regulation Appraisal has also been undertaken by the Team which concludes that mitigation measures are required to ensure that all conservation objectives of the sites can be maintained.
32. **CNPA Landscape Officer** considers that the proposal will result in a significant change to the landscape character of the site. This will be an adverse effect upon the character however this is partially mitigated through the indicative layout which seeks to maintain trees within the site between and around the new housing and provide additional tree planting. The design of the buildings will be very important in determining the overall character of the site, this cannot be assessed at this point. The proposal will also significantly affect the landscape character of the setting of the village and change the nature of the entrance on Craigmore Road. This effect is adverse and will be localised due to the limited visibility of the site from the surrounding areas. The proposed new woodland will be a significant benefit to the landscape of the village by enhancing its woodland character close to the village centre and providing an attractive recreation facility in the long term. The Officer also recommends that should permission be granted for this application then additional information would be required as reserved matters, including: a full tree protection plan, landscape details and a management plan, details of the land for school learning and its management plan, full details of the compensatory planting,
33. **CNPA Outdoor Access Officer** has the following comments regarding the submitted scheme:

- a) The site and its immediate surrounds contain a number of informal paths which are currently subject to regular use, predominantly by local residents.
 - b) These paths interface with the public road (Craigmore Road) adjacent to which an informal car parking area has developed at NJ 01370 20580 which supports public use of the path network in the locality.
 - c) The Officer advises that should the proposed development impinge upon or lead to the loss of existing informal access opportunity available to the public, then this impact requires identification and suitable mitigation measures to counteract any potential permanent loss. The Officer notes the submitted planning statement indicates the likelihood of further work on this subject should an application be progressed which the Officer welcomes.
 - d) The Officer suggests that the above task should include an exercise towards mapping those public access routes likely to be affected to ensure that all are identified and allow suitable mitigation to be drawn up and examined.
34. **Nethy Bridge and Vicinity Community Council** support the proposal. They request that the development is carried out in a sensitive way with dwellings to be built on cleared spaces among the trees thus allowing as many semi-mature trees to survive. They also request that the belt of trees adjacent to the road are retained. Regarding the proposed compensatory planting area, the Community Council would prefer if the planting took place on other areas of land around the fringes as this is currently an open space.
35. The Community Council express interest in the community taking ownership of part of the forest adjacent to Nethy Bridge Golf Course along School Road which could be managed in perpetuity for the benefit of the village. Whilst that is an admirable aspiration, Committee members should note that any such transfer of land would be outside the planning process and would not be a relevant consideration in the determination of this planning application. A copy of the Community Council's comments can be viewed at **Appendix 4**.

REPRESENTATIONS

36. The application was advertised when first submitted. Over 50 letters have been received in response to the advertisement, with 53 objecting, one respondent noting their support and a further respondent providing general comments. Copies of the public responses can be viewed at **Appendix 3**. A summary of the comments is provided below:
37. From the letters of objection, the main points are summarised as:
- a) There should be a presumption against development on ancient woodland sites; Area is currently irreplaceable ancient woodland. Scottish Planning Policy requires ancient woodland to be protected;
 - b) Rare and protected species of flora and fauna this ancient woodland sustains would also be destroyed. No evidence supplied of what species exist there;
 - c) Area is a wildlife corridor or stepping stone between Special Protection Areas which are the habitat of priority species including the capercaillie;

- d) The trees, other growth and soil of this area will go towards meeting the UK's legally binding target of net zero greenhouse gas emissions by 2050 to help mitigate climate change;
 - e) Species of this area form part of the biodiversity the UK must not lose;
 - f) CNPA Partnership Plan has as its first aim to "conserve and enhance the natural and cultural heritage of the area" and it says "if there is a conflict between the first aim and any of the others then greater weight must be given to the first aim";
 - g) Previous 3 applications for the same site have been refused;
 - h) Inappropriate house building- houses should be for local need not second homes;
 - i) CNPA should suspend all consideration until after covid 19 restrictions removed;
 - j) Full consideration should be given to 2020 Proposed Plan and give it precedence over the old 2015 Plan.- not designated for housing in the proposed LDP;
 - k) Contrary to planning aims and policies including aims of the CNPA, Scottish Planning Policy an 2020 Local Development Plan;
 - l) Contrary to policies: conservation and enhancement of natural heritage and sustainable use of natural resources;
 - m) Main ecological and environmental evidence provided by the developer is based on flawed inadequate report;
 - n) Compensatory planning will not replace the diversity and ecological richness of what will be destroyed;
 - o) Proposal is contrary to Scottish Government's ambition to address the climate and ecological emergency and increasing woodland cover;
 - p) Contrary to the 4 aims of the National Park;
 - q) Insufficient information to demonstrate the proposal wouldn't negatively impact on protected species including lack of a lepidoptera survey to assess impact on moths and butterflies;
 - r) Impact of residential use with surrounding natural environment and associated residential paraphernalia;
 - s) Detract from established wooded landscape character and special qualities of National Park;
 - t) Insufficient information on re-routing of existing path network;
 - u) Contrary to CNP Forest Strategy 2018;
 - v) Concern regarding how the site became allocated within the current LDP originally;
 - w) Contrary to LDP allocation as in excessive of housing units;
 - x) Outside of settlement boundary of the village;
 - y) Road safety concerns due to increase in traffic created by development;
 - z) Places additional pressure on local services;
38. The letter of support notes that the new dwellings will be an asset to the community and local businesses helping to serve the severe shortage of housing in the village and the other letter received states general observations about the proposal including requesting more road safety measures for the immediate road network and junctions.

APPRAISAL

Principle of Housing

39. **Policy I:** New Housing Development of the Cairngorms National Park Local Development Plan 2015 provides support for new housing development within settlements where they are on an identified site. In this case, the application site lies within the defined settlement boundary of Nethy Bridge, on a site designated for housing in the Local Development Plan.
40. **Policy I:** New Housing Development also requires the provision generally be made for 25% affordable housing provision on site. The development proposes the erection of 20 dwellings, of which seven are proposed to be for affordable housing. This equates to 35% affordable housing provision on the site. Nethy Bridge continues to have a high demand for affordable housing, with first choice waiting list numbers from the Highland Housing Register three times the number of re-lets and twenty times the number when other choices are included. The high cost of housing in Nethy Bridge and the lack of supply of new affordable housing means that it is and will continue to be increasingly difficult for people working in the local economy to find housing in the area. The proposed level of affordable housing units to be erected at the site, in excess of the policy 25% requirement is therefore welcomed, and delivers affordable housing in a rural settlement where there has been no new affordable housing delivered during the life of the current Local Development Plan. Accordingly, under the terms of **Policy I** there is clear policy support for housing subject to the other planning considerations outlined below.

Environmental Issues- Protected Species and NATURA Sites

41. **Policy 4:** Natural Heritage of the Cairngorms National Park Local Development Plan 2015 seeks to ensure that there are no adverse impacts upon protected species or biodiversity whilst **Policy 10:** Resources sets out the need to fully consider impacts on flooding and water resources.
42. The application site is of environmental interest in terms of habitat qualities of the woodland site, as well as any impacts from the development upon the qualities of the Special Protection Areas (SPAs) in the area which are designated for their capercaillie interest, and also the River Spey Special Area of Conservation (SAC).
43. Scottish Natural Heritage confirmed that the proposal could affect a number of SPAs and the River Spey SAC and the CNPA were therefore required to consider these affects through a Habitats Regulations Appraisal (HRA). The HRA (**Appendix 2**) has concluded that there would not be an adverse effect on the integrity of the NATURA sites subject to the mitigation measures outlined within the appraisal, being included as planning conditions and implemented.
44. In relation to Protected Species, an updated ecological appraisal, including an updated otter survey have been submitted in support of the application. The CNPA Ecology Officer confirmed that the mitigation measures and survey work recommended within these documents must be included as planning conditions on any subsequent decision

notice. The mitigation measures are to include: species protection plans, pre-construction mammal surveys, tree constraints and protection plans, woodland management plans and full details of the compensatory planting area, including its management.

45. Subject to the inclusion of the post determination conditions as recommended, the proposal is considered to comply with **Policy 4: Natural Heritage** and **Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015** with regards to its impact on the designated NATURA sites and protected species.

Environmental Issues- Effects on Woodland

46. The site is 1.97 hectares in size and part of a wider woodland area of School Wood, which is recorded within the Ancient Woodland Inventory. The CNPA Ecology Officer advises that the site comprises a semi-natural woodland habitat of high ecological value and the features present within the site indicate that the woodland is a rich and complex resource. The site itself therefore has potential for many of the species characteristic of the native pine woodlands surrounding Nethy Bridge. The mitigation proposed is through the site layout design, improvement of other habitat and provision of new woodland habitat. The indicative site layout plan shows the houses set in good sized plots with gardens predominantly to the rear and parking to the front. The plan at present predominantly shows the removal of the un-surveyed trees within the central area of the site to allow for the construction of the dwellings with the retention of 9 surveyed trees within the red-line area of the site and the retention of 15 surveyed trees outwith the red line area. Un-surveyed trees are also proposed to be retained along the south of the site, between the two areas of housing on site and to the northern boundary. The proposal in its simplest form therefore proposes the removal of semi-natural ancient woodland and it is widely accepted that the loss of ancient woodland is considered irreplaceable and therefore compensation for loss of this resource is not possible.
47. Alongside the housing development, the applicant is proposing to commit to creating a new woodland habitat area in the form of compensatory planting within the village at a site adjacent to Nethybridge Hotel and the applicant is proposing to commit to managing the remaining woodland in its ownership in accordance with a woodland management plan to be agreed with the CNPA. This would aim to improve the ecological value of School Wood and the proposed new planting area over time, aiding native woodland regeneration. Although the application development would represent loss of ancient semi-natural woodland, a different approach to managing the land and creating a new woodland habitat would bring about ecological benefits to the wider area of ancient and other woodland.
48. Although the proposal could therefore provide a biodiversity enhancement, by creating new woodland habitat and improving the ecological value of an existing woodland habitat through its management, the proposal cannot be considered to fully comply with **Policy 4: Natural Heritage** of the Cairngorms National Park Local Development Plan 2015 as it does propose the permanent loss of an area of woodland which is included within the Ancient Woodland Inventory. However, the inclusion of conditions to minimise habitat loss, the addition of new woodland habitat and the management in

the longer term of the wider woodland site would also have positive benefits for biodiversity that can be taken into account.

49. The proposed development cannot fully comply with the Scottish Government's Control of Woodland Removal Policy which has a presumption in favour of protecting Scotland's woodland resource, and where woodland removal should only be allowed where it would have significant and clearly defined public benefits. In this case, the site is allocated for housing development in the adopted Cairngorms National Park Local Development Plan 2015, would include seven affordable housing units and deliver a clear social and economic benefit for Nethy Bridge and the National Park. The area of loss of woodland is small in the context of Nethy Bridge and the National Park, and conditions can minimise tree loss and secure enhanced management for a wider area of woodland to provide some ecological enhancement, and the provision of further woodland habitat creation.

Design and Layout and Landscape Impacts

50. **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 settlement itself, using landscape to complement the setting.
51. The application is for planning permission in principle. In assessing applications of this nature, the Planning Authority need to be satisfied that enough space has been identified for the uses proposed for the site and that the uses are in the appropriate locations.
52. The Indicative site layout plan identifies how the housing, open space and surrounding woodland could interact with each other through the use of splitting the housing into two smaller sites and separated by the woodland with a connecting pedestrian path. As part of the indicative site plan, there would be up to 20 residential units on site. This would be a combination of detached, semi-detached and terraced houses to address the housing need and demand within the housing market area. This level of development would lead to a higher density of residential development across the site than that as suggested within the allocation.
53. The indicative layout is in keeping with similar developments within the area, taking a linear form to the road network, and the details will need to be considered through future applications for matters specified in conditions. The Design Statement which accompanies the application shows the use of no more than 1 ³/₄ storeys in height. This is not dissimilar to the existing, nearby housing within the area.
54. The landscape strategy for the site has sought to ensure the setting of any development is of an appropriate quality retaining the maximum level of woodland

with the minimal amount of trees required to be felled to continue to support the established landscape character and setting.

55. The CNPA Landscape Officer agrees that most of the current trees on this site are likely to be self-seeded dating from the last clearance of the site in 1947. The proposed construction of dwellings, gardens and roads is considered by the Officer to adversely affect the landscape character although this would be localised due to the limited visibility of the site from surrounding areas. The Officer also notes that the proposed development would therefore extend the village edge along Craigmore road and would remove some of the woodland that forms its distinctive setting. The Officer is of the opinion that the proposal does not achieve a number of the Local Plan objectives for Nethy Bridge including: “requiring development to contribute to a clear definition between settlement and countryside”.
56. However, the CNPA Landscape Officer does note that the proposal itself would be surrounded by mature woodland, which would then maintain a similar relationship of building to woodland as that established within the area. The Officer also makes reference to positive features as identified on the indicative site layout plan which include: the linear development form to the road; dividing the dwellings into two groups within the site and planting additional trees within the gap to help reduce the apparent density of housing; the retention of trees and proposal for additional planting; and the retention of trees on either end of the site and along the frontage. The design of the buildings will be very important in determining the overall character of the site, which would be secured by conditions and determined within a subsequent matters specified in condition application. The Officer also is of the opinion that the proposed new woodland, adjacent to the Nethybridge Hotel, will be a significant benefit to the landscape of the village by enhancing its woodland character close to the village centre and providing an attractive recreation facility in the long term.
57. This application for planning permission in principle, has the opportunity for detailed design to limit tree loss, enhance planting and maintain trees to the Craigmore road edge as well as in breaks between plots. The application does not affect the woodland to the east of the site so the limit of the development along this site of Craigmore road will continue to appear as being contained by woodland and the development itself would be consistent with the woodland village character of Nethy Bridge. The indicative site layout plan demonstrates an appropriate layout is achievable that addresses good practice in terms of layout and design whilst addressing the site constraints. The detail of further planning applications will define the layout of the development and its infrastructure as well as the direct and indirect impacts on its woodland. Careful design and compact plots would minimise tree loss and provide an opportunity to conserve areas of woodland and veteran trees. An appropriate landscaping scheme with post construction replanting and management of the retained woodland together with management of the compensatory planted woodland will secure long term woodland cover. It is considered that the proposal is capable of complying with **Policy 5: Landscape** and **Policy 3: Sustainable Design** of the Cairngorms National Park Local Development Plan 2015 with appropriate conditions applied.

Servicing and Access

58. **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. **Policy 3:** Sustainable Design also requires that new development should include an appropriate means of access, egress and space for off-street parking.
59. The Highland Council's Flood Risk Planning team have no objection to the application and conditions can be applied to manage surface and foul water discharge to their satisfaction. The proposal is considered to comply with **Policy 10:** Resources of the Cairngorms National Park Local Development Plan 2015.
60. The Highland Council Transport Planning Team also do not object to the application subject to conditions being applied to seek the further road and access details of the scheme.
61. It is considered that with appropriate conditions applied to this application for planning permission in principle, the proposal complies with **Policy 3:** Sustainable Design and **Policy 10:** Resources of the Cairngorms National Park Local Development Plan 2015.

Developer Contributions

62. **Policy 11:** Developer Contributions of the Cairngorms National Park Local Development Plan 2015 sets out that where development gives rise to a need to increase or improve public services, facilities or infrastructure or mitigate adverse effects then the developer will normally be required to make a fair and reasonable contribution towards additional costs or requirements. The proposed development will not have a significant effect on any infrastructure or facilities in the local area.

Other Issues Raised in Consultations and Representations

63. Nethy Bridge and Vicinity Community Council support the proposal. But also would prefer if the compensatory woodland planting did not take place on the site identified that is currently rough grassland and scrub. Officers consider that it will be possible to provide compensatory planting within that area and to retain open space and maintain the character of Nethy Bridge.
64. The Highland Council Contaminated Land Officer confirms that there was no evidence of contamination on site from its previous uses and the Officer recommends an informative is attached to make the applicant aware of the potential for buried munitions.

Relationship with the Aims of the National Park

65. In most planning applications, recommendations of approval to the Planning Committee are made in the context of an application complying with LDP policies and therefore meeting the collective aims of the National Park. In this application there is a conflict between delivery of the first aim of the National Park (to conserve and

enhance the natural and cultural heritage of the National Park), and the fourth aim (to promote sustainable economic and social development of the area's communities). The nature of that conflict is subtle because this is a small development proposal, and conditions can be applied to limit habitat loss and to enhance the management of a wider area of woodland. However, in considering this planning application, members should be satisfied that they give greater weight to the first aim as required by Section 9(6) of the National Parks (Scotland) Act 2000, in reaching a decision.

66. There is conflict between a loss of good quality woodland, the conservation of which is associated with the first aim, and the creation of housing, associated with the fourth aim. In a simple choice between those, the obvious application of planning policy and of the Section 9(6) of the National Parks (Scotland) Act 2000 would be to refuse the application ensuring that the first aim had been given greater weight in the decision.
67. However, the application and the decision are more complex. Firstly, this site is allocated for housing development in the adopted Local Development Plan and (if approved at this stage, followed by approval of planning applications to discharge matters specified in conditions, and subsequently implemented) would deliver a range of housing, including affordable housing, in a community where there is a shortage of affordable housing and very limited opportunities for further supply. Secondly, the direct impacts of the development proposal could be reduced by the application of conditions, in effect giving greater weight to the first aim through the decision making process. Thirdly, the application creates an opportunity to conserve and enhance a larger area of woodland in the long term and creates a new area of woodland habitat, an option that very clearly gives greater weight to the first aim of the National Park, as it embeds that aim in the management of that woodland. Although approval of planning permission in principle would not guarantee that development would happen, it would create an opportunity for the delivery of affordable housing that would have a significant positive contribution to the fourth aim.
68. Under refusal of the application there is no loss of habitat and no requirement to change management of the woodland. There will be no private or affordable housing provided on the site. There are no clear positive impacts on either the first or fourth aims of the National Park, there is simply no change in the status quo.
69. Under approval of the application (subject to approval of further applications for the detail, followed by a lawful start to development), an area of high quality native and ancient woodland habitat would be permanently lost. This small area of loss of woodland would not significantly affect the extent or range of the habitat or the species within it, nor the integrity of the wider habitat networks. At the scale of the National Park the effect is not significant. The impact on the first aim of the National Park is negligible and it is small but of greater significance at the local scale of Nethy Bridge and its surroundings. The provision of twenty houses, including 7 units of affordable dwellings in Nethy Bridge makes a very significant contribution the fourth aim of the National Park at the local scale of Nethy Bridge and has a small but significant contribution at the National Park scale. The associated positive management to improve the ecological value of the wider woodland in addition to the creation of new woodland habitat at the site adjacent to Nethybridge Hotel, is considered to make a positive contribution to the first aim at the local level.

70. A recommendation of approval of the application can be made that aims to deliver the aims of the National Park collectively, and in recognising the conflict between the aims of the National Park, gives greater weight the first aim in the decision making process by ensuring that habitat loss is minimised and that an opportunity to secure positive management for conservation of a larger area of woodland is secured. Without that ability to secure that conservation management, the CNPA would not be able to take account of that positive contribution to the first aim of the National Park and officers could only recommend refusal of the application.

CONCLUSION

71. This application for planning permission in principle presents a number of challenges.
72. On the one hand, the application is on an area of native, ancient woodland. While it's loss to development is negligible at the scale of the National Park or even Badenoch and Strathspey and small in the context of Nethy Bridge and its surroundings, it would inevitably lead to a small loss of what's considered irreplaceable habitat, including species characteristic of high quality Scots Pine woodland, and the displacement of other mobile species. These issues could provide legitimate reasons for refusal of the application.
73. On the other hand, the site is allocated for housing in the adopted LDP, the applicant has confirmed their willingness to provide an area of compensatory planting adjacent to Nethybridge Hotel, and to accept a condition requiring a management plan for the remaining woodland at School Wood to be submitted, approved and implemented, to provide a long term certainty of management of the wood to further improve the biodiversity of the woodland. This would also provide a significant long term benefit in terms of securing conservation management of that much larger area of woodland neighbouring the site and benefitting Nethy Bridge. In addition, the application, which is on an allocated site within the adopted Local Development Plan, would make a significant contribution to the supply of affordable housing units within Nethy Bridge during this plan period, where no other units on an allocated site within the village have been developed. These provide compelling reasons to recommend approval of the application subject to appropriate conditions to minimise habitat loss and disturbance and retain as many of the best features and character of the area as possible.
74. Taking into account the impacts and potential benefits of this planning application and the potential contribution to the aims of the National Park of approving or refusing the planning application, we recommend approval subject to conditions. In making that recommendation, we consider that while there is conflict between the first and the fourth aim of the National Park, greater weight is given to the delivery of the fourth aim in accordance with Section 9(6) of the National Parks (Scotland) Act 2000, whilst also aiming to deliver the aims collectively.

RECOMMENDATION

That Members of the Committee support a recommendation to approve the Residential development for up to 20 dwelling houses at Land At School Road And Craigmore Road Nethy Bridge subject to the following conditions:

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

Conditions

- I. **No development shall commence on site until the following details are submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with the Highland Council, where appropriate; irrespective of the approved proposed site plan, the submission shall be in the form of a fully detailed layout and shall include detailed plans, sections and elevations and all other structure.**

Approval of matter:

- a) **Detailed plans of the proposed layout of buildings and all ancillary development (including drainage provision and SUDs) on a contour base plan to demonstrate a good fit with the landform and local hydrology, minimise tree loss;**
- b) **Affordable Housing Delivery Plan specifying the tenure, delivery mechanism and delivery programme for the 7 affordable housing units;**
- c) **Design, siting and external appearance of buildings, open space and any other structures;**
- d) **Existing and finished ground levels in relation to Ordnance Datum;**
- e) **A detailed specification of all external materials- note: samples may be required;**
- f) **Lighting plan to minimise light spillage and light pollution;**
- g) **Detailed landscaping plan with full specification for on-site and any off site planting. All species should be native, typical of the area, and of local provenance. The Landscape Plan shall be implemented in full during the first planting season following commencement of development;**
- h) **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 in accordance with BS8537. The tree protection measures shall be implemented in full in accordance with the details of the approved tree protection plan prior to the commencement of development;**
- j) **Bat survey of trees with bat roost potential to be felled or within 5m of site works;**
- k) **Botanical survey including NVC survey for rare and notable species such as green shield moss;**
- l) **Full invertebrate survey, accompanied by a species protection plan;**

- m) Ecological surveys and species protection plans, where relevant, for red squirrel, pine marten, otter, bats, pinewood mason bee, wood ants, reptiles;
- n) Woodland management plan for School Wood including specific ecological mitigation measures
- o) Full details of the woodland compensation planting area, showing layout of proposals and management plan;
- p) Boundary treatments, including design, height and materials;
- q) Access arrangements, visibility splays for road and private accesses, road layout including surface treatments, design a specification (including the disposal of surface water) all in accordance with the Highland Council's roads standards;
- r) Details of the upgrade to Craigmore road, incorporating a twin track carriageway and suitable roadside footway, street lighting and the 30mph speed restriction with the necessary signing together with the road improvement measures. The approved details shall be implemented in full prior to the construction of any development within the red lined area of the site;
- s) Design and siting of car and cycle parking and on site turning provision, including dimensioned parking space drawings;
- t) Servicing arrangements;
- u) Construction traffic management plan;
- v) Final drainage plan including a SUDs scheme complying with CIRIA C753 guidelines and SUDs maintenance plan, copies of discharge permissions from the relevant bodies, including Scottish Water;
- w) Construction method statement that incorporates any necessary mitigation identified in species protection plans;
- x) Waste management and recycling facilities;

Reason: To ensure that the proposed development is in compliance with Policies I, 3, 4, 5, 10 and 11 of the Cairngorms National Park Local Development Plan 2015. Planning permission for this development has been granted in principle only and subsequent approval is required for these matters before the development described in this permission begins in accordance with the timescales and other requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997 as outlined in informative one of this permission.

2. The development shall be implemented in accordance with those approved details unless otherwise approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with the Highland Council where appropriate, and retained and maintained for the lifetime of the development hereby approved.

Reason: To ensure that the proposed development is in compliance with Policies I, 3, 4, 5, 10 and 11 of the Cairngorms National Park Local Development Plan 2015. If consent is granted for this PPP further information is required as part of full planning application.

Informatives

1. Timescales and Procedures for Applying for Requisite Approvals

For the avoidance of doubt, conditions requiring requisite approval (applications for approvals of matters specified in conditions) are all those referenced with Section 59 of the Act in the reason for the condition and must be made before whichever is the latest of the following:

- a) The expiration of 3 years from the date of the grant of the permission;
- b) The expiration of 6 months from the date on which an earlier application for the requisite approval was refused; and
- c) The expiration of 6 months from the date on which an appeal against such refusal was dismissed.

Only one application may be made by virtue of (b) and (c) above after the expiration of the 3 year period mentioned at (a) above.

An application for requisite approval may be made for different matters and different parts of the development at different times. Each application shall be made in writing and must:

- a) Identify the planning permission to which it relates;
- b) Contain a description of the matter in respect of which the application is made;
- c) State the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of the agent; and
- d) Be accompanied by plans and drawings describing the matter in respect of which the application is made and any fee required under the Fee Regulations.

2. Lapsing of Permission

- a) If you fail to comply with the time periods set out in Section 59 of the Act as details in Informative One with regard to the submission of the requisite approvals then this permission will lapse.
 - b) If you have made submissions for requisite approvals within the timescales set out above under Section 59 of the Act, as details in Informative One and these have been approved by the Cairngorms National Park Authority then you must commence development within 2 years of the date of the last requisite approval or this permission will lapse.
3. The person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.
 4. Following completion of the development, a notification of the completion shall, as soon as practicable, be given to Cairngorms National Park Authority, acting as

Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.

5. You are required to apply to Highland Council for Roads Construction Consent under section 21 of the Roads (Scotland) Act 1984 prior to any work on or adjacent to the public road network and will be required to cover the Highland Council's cost associated with amending the 30mph Traffic Regulation Order.
6. The applicant should be made aware of the potential for buried munitions at the site.

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.