
CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Erection of house at 17 Dulicht Court, Grantown-On-Spey

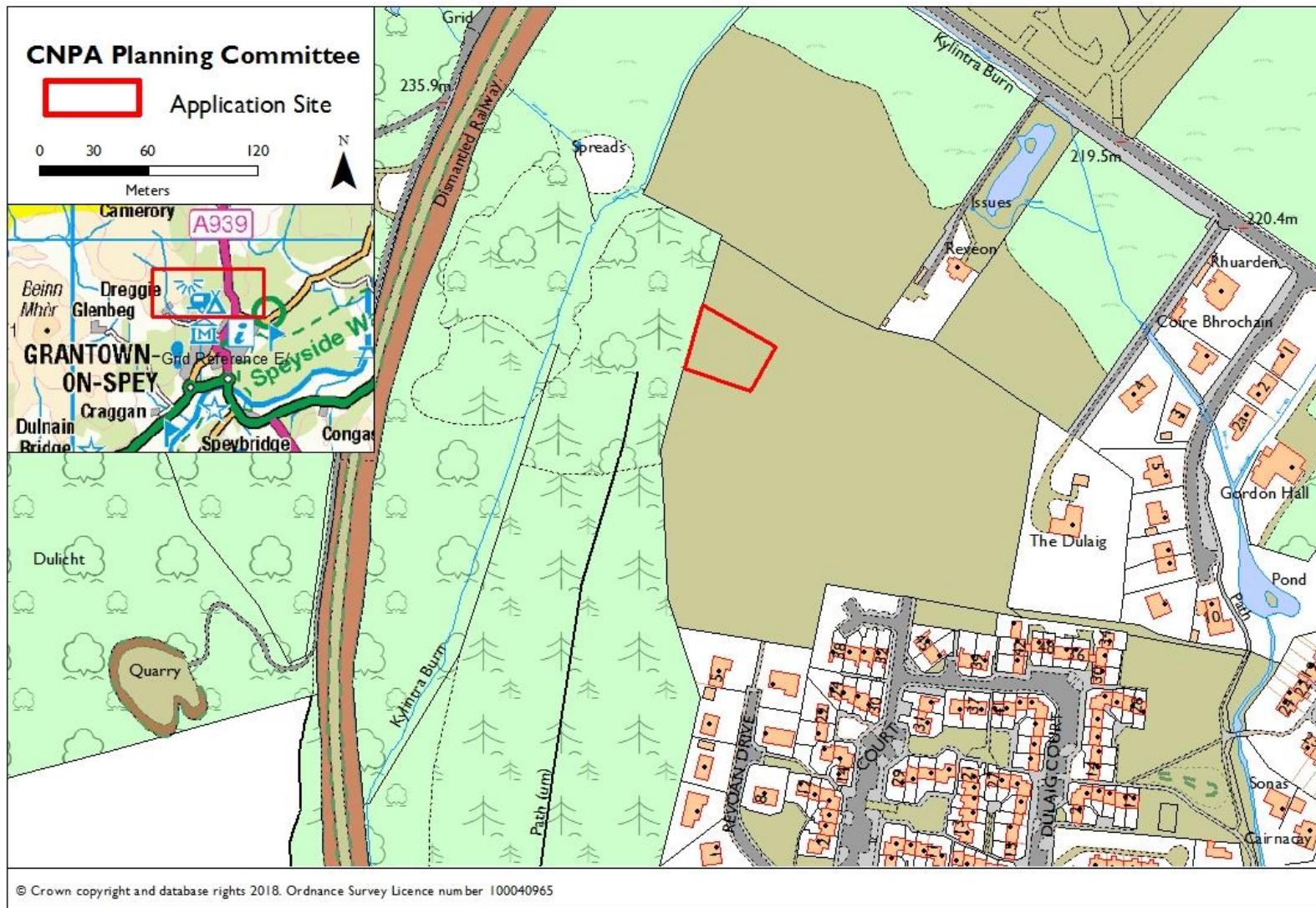
REFERENCE: 2018/0138/DET

APPLICANT: Mr Geoff Stott

DATE CALLED-IN: 16 April 2018

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

CASE OFFICER: Katherine Donnachie, Planning Officer
Colin Bradley, Graduate Planner



SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The application site was originally grazing land located on the north-west side of Grantown-on-Spey. It lies in the western part of a wider ongoing housing development at Beachan Court, accessed via Seafield Avenue, which was approved in 2016 in terms of the road layout, infrastructure and landscaping (reference number 2016/0060/DET). Further applications have been approved for the details of houses on land to the east and construction has begun on these.
2. The site is part of a row of six proposed plots running along the south west part of the wider site bounded by Beachan woods to the west. The wider site slopes westwards up to these plots. To the east of the application site is the internal access road serving these plots which around 4 metres below the proposed house level. Beyond this, further east, are housing plots where a two storey pair of semi-detached houses have been approved within a group of semi-detached two and 1 ¾ storey houses. A proposed village green area as approved with the original consent lies to the south east. The site location and layout is shown in in **Appendix 1**.
3. The internal access roads are currently under construction, and this access network then leads onto the main access road from Seafield Avenue to the north east via a new access point which is being constructed as per the original planning permission here. A copy of the originally approved site layout is attached for information as **Appendix 2**.
4. The application site measures some 28 metres wide along the road frontage, with depth of 45.5m along northern boundary and 38 metres on southern boundary. It is located between plot six to the north and an area of proposed amenity ground to the south. This amenity ground will form part of the wider landscaping of the overall site with a footpath link proposed through it to the Beachan woods beyond. It also ties into the village green to the east.
5. In terms of the overall context of the application site, the lower part of the wider development site here is bounded to the west by the Kyntra Burn which leads into the River Spey Special Area of Conservation (SAC). This burn also runs along the roadside to the north boundary along Seafield Avenue, and within the wider site. The overall site access runs through this land. A SUDS pond is being constructed here too, to the immediate west of the drive to the Dulaig, which is a large detached property to the far east of the application site.
6. With regard to other designations in the area, on the far side of Grantown lies Anagach Woods designated as a Special Protection Area (SPA) for capercaillie interest. The River Spey Special Area of Conservation (SAC), designated for its Atlantic salmon, lamprey, fresh water pearl mussel and otter interest lies to the south of Grantown. The River Spey is also designated as a Site of Special Scientific Interest (SSSI) for these interests.

Proposal

7. 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=P6RQWGSIOCA00>

Title	Drawing Number	Date on Plan*	Date Received
Plot 5 Garage Plan	00_101	21/09/17	16/04/18
Plot 5 Street Elevation	90_300	19/03/18	16/04/18
Elevations	00-300 Rev A	07/03/18	
Sections	00_200 Rev A	19/03/18	03/05/18
Plot 5 Site Plan	90_100	21/09/18	03/05/18
Plot 5 Site Plan Air Source Pumps	90_100 Rev A	14/06/18	14/06/18
Plot 5 Site Plan Road Details	90_100	21/09/17	03/05/18
Boundary Conditions	90_102	24/04/18	03/05/18
Plot 5 Plan (floor plan)	00-100 Rev A	21/09/17	
Plot 5 Location Plan	90_104	19/03/18	03/05/18
Soft Landscape Proposals – Roads and Strategic Landscaping Areas	HLD K240.16 / SL_01 Rev. E	29/04/16	03/05/18
Proposed Soft Landscape Maintenance and Management Regime – Roads and Strategic Landscaping Works	HLD K240.16	07/06/18	03/05/18
Design Statement			03/05/18
Site Sections	90-103	24/04/18	

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

8. This application seeks full permission for the erection of a single storey, three bed-roomed house centrally located on plot 5 of the wider Beachan Court development, described in the application as 17 Dulicht Court. A detached pitched roof garage is also proposed with a footprint measuring some 6 metres by 6 metres.
9. It is proposed to take access of the internal site roadway to the east, at the southern part of the site with the access then curving round the north of the proposed house to the garage and parking/turning area. Due to the difference in ground levels this will involve ground excavations. Sections have been provided to demonstrate how this will be achieved with retaining walls proposed along the route of the access road and the house sitting above this.

10. The proposed house design is single storey with two pitched roof, front wings to front and rear. The proposed finishes are a mixture of white render and horizontally clad, Siberian larch walls, grey roof tiles, grey painted windows, doors and fascias. Proposed boundaries are post and wire fencing with landscaping proposed along the eastern (roadside) frontage of the site as proposed in the original landscape scheme here comprising six trees of mixed native species and beech hedging.
11. A design statement was submitted with the application, along with further information on landscaping, drainage and site sections following discussion with Officers. Plans of the layout, design and sections are included in **Appendix 1**.
12. It is proposed to connect to the previously approved surface water drainage network for the wider development, and to public water supplies and sewage. Bin storage is proposed at the bottom of the site beside the access roadway with space provided for bin and recycling collection point, and cycle storage will be available within the garden. Parking is provided within the plot with double garage, parking space to side of garage and turning space provided. Air source heat pumps are to be used.

History

13. The application site as noted earlier lies within land covered by an earlier planning consent as follows:
14. 2016/0060/DET -Creation of residential plot layout (43 units), Roads, Drainage and Strategic Landscaping at Land 150M NW of Beachen Court Grantown-on-Spey which was approved at October 2016 Planning Committee. At this time an overall plot layout was approved and the current application fits into this utilizing the approved servicing.
15. This development is under construction in terms of the new access roads and SUDS drainage. (The approved layout is attached as **Appendix 2**.) The details of individual houses on the scheme were to be the subject of further full planning applications as set out in Condition 28 which stated as follows:

Applications for full planning permission shall be required for all residential units and these shall include full details of siting, design, layout, landscaping, external finishes, boundary enclosures, access, drainage (foul and surface water), waste management and parking arrangements. These details shall reflect the principles of the approved Design Code and the principles set out in the Cairngorms National Park Authority approved Development Brief for the site together with the following requirements:

- a) *Incorporation of integrated flexibility for home-working and high speed fibre broadband connections within all units;*
- b) *Landscaping within the plots to reflect the principles and details established in the approved landscape plan and maintenance regime;*

- c) *Parking provision within plots at ratio of two private spaces per single residential unit (up to four bedrooms) and 1.2 residents and 0.3 visitor spaces per flatted unit;*
- d) *Cycle storage provision for units;*
- e) *Parking provision for resident and visitor cycling;*
- f) *Details of bin storage and recycling facilities;*
- g) *Details of existing and proposed ground levels and final floor levels;*
- h) *Details of any bird/bat box provision;*
- i) *Boundary enclosures designed to retain an open feel to the development avoiding enclosure of front gardens;*
- j) *Maximum height of new development 1 ¾ storey;*

16. 2017/0286/DET: To the south and north east of the current application site planning permission was granted at the December 2017 Planning Committee meeting for the erection of 16 houses comprising of eight blocks of semi-detached houses and work is underway on this development. This included two storey properties.
17. 2015/0394/DET - Immediately to the south of the wider application site, beside Beachen Court, permission was also granted at the October 2016 Planning Committee meeting for the erection of ten affordable houses and these houses are under construction. They share their construction access road with the access road being formed for 2016/0060/DET, but will ultimately take vehicular access through Beachen Court.
18. 2018/0139/DET – an application is currently pending for the erection of a two storey house on plot 4 to the far south of the current application, on the other side of the amenity space.

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	

19. 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>

20. The application site is expressly designated for housing in the Local Development Plan settlement statement for Grantown on Spey located within the site designated as HI. A Development Brief has also been approved which covers the site setting out the design principles, constraints and key issues to be considered when developing the site. This informed the original planning application for 43 plots and is non-statutory planning guidance.

Planning Guidance

21. 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	

CONSULTATIONS

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

23. **Highland Council Transport Planning Team** have no objection to the proposed development on the proviso that conditions are attached to ensure (1) that the tie-in of the private driveway with the public access road and footway is formed as a footway crossing so that pedestrian priority is retained and (2) that a suitably installed drain is provided across the mouth of the private driveway to ensure that any run off does not end up on the public road and (3) that a minimum of the first 6m of the private driveway is surfaced with a bituminous material.

24. **Grantown Community Council** has noted that whilst the design if considered to be fairly bland, its single storey nature helps it to fit into the

landscape, and this should be taken as the benchmark for other houses plans in that vicinity. A copy of the Community Council comments is attached as **Appendix 3.**

REPRESENTATIONS

25. No representations have been received. The agent has requested the opportunity to address the Planning Committee.

APPRAISAL

Principle and Provision of Affordable Housing

26. The principle of housing on this site is well established by both the Local Development Plan designation and by the existing consent for roads and infrastructure here. The servicing in terms of roads, water supply, public drainage and surface water drainage was also covered by the previous application, as was developer contributions. Accordingly the proposed development readily complies with the principles of Policy I: New Housing Development of the Cairngorms National Park Local Development Plan which supports new housing development within identified sites providing they reinforce and enhance the character of the settlement.
27. Policy I: New Housing Development of the Cairngorms National Park Local Development Plan also requires that a contribution be made towards affordable housing for any proposals for four or more open market dwellings. In this regard it noted that the matter of affordable housing provision for the wider site was fully considered with the previous application 2016/0060/DET when it was agreed that the adjacent ten house affordable housing development (2015/0394/DET) formed part of the 25% provision. This approach was also confirmed with the Highland Council Housing Service. The agreed provision was based on 25 % of the entire development site at the time (53 plots) being affordable – a total of 14 units. As ten units were provided on the Highland Council site this left four more to be provided on the 43 plot site.
28. This requirement for four more affordable units on the wider site is controlled by the Condition 18 of that permission (2016/0060/DET) which requires the ten affordable houses approved adjacent to be available before any residential units are occupied on the wider 43 plot site. These ten houses are now reaching completion. This condition also requires that no more than 30 houses are occupied on the wider 43 plot site until details of the delivery of the four affordable units are provided. In this case there is no requirement for the current submission for a single plot to make any further contribution to affordable housing provision and this matter is adequately addressed by the terms of the existing permissions here. The proposal therefore complies with Policy I: New Housing Development of the Cairngorms National Park Local Development Plan 2015.

29. In these circumstances it is the detail of the house type on this individual plot, its layout on the site and how it fits into the landscape and how it is serviced that falls to be considered with this application and this will now be considered.

Design and Layout and Residential Amenity Impacts

30. Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan requires development to be sympathetic to the traditional pattern and character of the surrounding area, use materials that will complement the setting of the development and protect the amenity of neighbours.
31. The proposed house style is of satisfactory design using front wing features to break up its frontage with a mixture of render and timber finishes helping to create variety. The final detailing of these finishes will require to be agreed to help ensure the house sits well in the landscape here and an appropriate planning condition can be imposed to this end in the event of the application being approved. It is centrally located in its large plot with no issues of overlooking or privacy which could prejudice the future development of the plot to the north. To the south is open space so there are no privacy issues there and the house is set well back from the access road and the approved houses to the south. The style of house is similar in scale to others in the wider area and similar in finishes to houses approved on the 43 plot “parent” development.
32. It is therefore considered that the proposed development complies with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

Landscape Impacts

33. Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan requires development to be sympathetic to the traditional pattern and character of the surrounding area, and use materials that will complement the setting of the development. Policy 5: Landscape also requires that development proposals conserve and enhance the landscape character and special qualities of the National Park, paying particular attention to the setting of the proposed development. This is expanded on within the guidance contained in the approved development brief for this site and the design code which sets out basic design principles to be followed. The development brief explains that the built form should be carefully integrated with the terraced topography of the site, working together with and in sympathy with the slopes to preserve the excellent views over the rooflines of houses below, but avoiding unacceptable engineering operations such as platform creation. Condition 28 of the planning consent also highlights that development should not be more than 1 ¾ storey and that any detailed submission should reflect the principles of the approved Design Code and the principles set out in the Cairngorms National Park Authority approved Development Brief for the site.

34. In this case the key landscape impact arises from the prominence of the site, with the application site prominently located as part of the row of six plots which sit on the western extremity of the site although the levels start to drop down again at this plot leading northwards. It is however important that the house sits well in the landscape. Sections submitted by the applicants illustrate that this will be the case as the single storey nature of house will enable it to be viewed against a backdrop of the mature trees to the rear at Beachan woods and to fit in satisfactorily with the houses approved to the east. Whilst there will be changes to ground levels these are not excessive. Satisfactory landscaping is also proposed between the house and its access road which will also help create a setting over time with “street” trees proposed here. As a result the proposed development is considered to comply with the principles set out in the approved design code and development brief for the site.
35. Due to the changes of level in relation to the siting of the house itself as compared to main access road (which lies at a lower level) the internal site driveway will have to address this and it is proposed to do this by forming a retaining wall using gabion baskets. It is also proposed to use simple post and wire fencing for boundary enclosures which will help retain an open, natural aspect to the site.
36. In these circumstances it is considered that the proposed development complies with Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015, subject to planning conditions to cover the details of landscaping and boundaries.

Environmental Impacts

37. Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan seeks to ensure that new development does not have an adverse impact on designated sites or protected species.
38. The impacts of the wider site on designated sites in the area was fully considered with the previous application with a Habitats Regulation Appraisal undertaken then and mitigation measures required (site specific construction method statement) followed during construction of the associated infrastructure. This single house site does not result in any additional environmental impacts, with landscaping provision within the plot having the potential to improve biodiversity over time along with the provision of bat/bird boxes which have not been included within this application submission. However, this can be readily addressed by planning condition in the event of the application being supported.
39. It is therefore considered that the application complies with Policy 4: Natural Heritage of the Cairngorms Local Development Plan 2015.

Servicing

40. Policy 3: Sustainable Design seeks to ensure that new development is appropriately serviced and sustainably designed.
41. In this regard the site can be satisfactorily serviced, connecting to the previously approved road layout (subject to imposition of conditions required by the Roads Service) and connecting to the previously approved surface water drainage arrangements with conditions covering this attached to the wider consent. Connection will also be made to public water and drainage supplies, and satisfactory bin storage is proposed within the site. Satisfactory parking and bike storage can also be provided within the site, and there is sufficient space within the house to enable home working, all as required by the conditions of the original consent.
42. Finally in relation to servicing it is proposed to use air source heating pumps for the development. This type of energy provision is generally in line with the Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015 which seeks to minimise the effect of development on climate change.
43. In these circumstances the development is considered to comply with Policy 3: Sustainable Design and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

CONCLUSION

44. The principle of development for housing is established so it is only the detail of this submission that is being considered. The application involves provision of adequately serviced new housing of satisfactory design, scale and massing in the middle of a wider housing development, including provision of landscaping which will create a good setting for the new development over time. The proposal therefore complies with the relevant policies of the Local Development Plan.

RECOMMENDATION

That Members of the Committee support a recommendation to the Erection of house at 17 Dulicht Court, Grantown-On-Spey 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.

1. **No development shall commence until details of the design (scaled drawings and sections) and finishes (samples) of the proposed retaining wall have been submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority.**

The retaining wall shall thereafter be constructed and retained in accordance with the approved plans and details.

Reason: To ensure that the development conserves and enhances the landscape character of the area and complements the setting of the development in accordance with Policy 5: Landscape and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

2. **No development shall commence until revised access plans have been submitted to show the following details (a) the tie-in of the private driveway with the public access road and footway to be formed as a footway crossing so that pedestrian priority is retained and (b) a suitably designed drain to be provided across the mouth of the private driveway to ensure that any run off does not end up on the public road and (c) that a minimum of the first 6m of the private driveway is surfaced with a bituminous material. The house shall not be occupied until the access has been formed in accordance with the approved details. Thereafter the access shall be maintained in accordance with the approved details.**

Reason: To ensure that appropriate access provision is made in the interests of road and pedestrian safety and in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

3. No development shall commence on the construction of the house until details of provision for bat and bird boxes have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The house shall not be occupied until the provision is made in accordance with the approved details. This provision shall then be maintained and retained in situ throughout the lifetime of this development hereby approved.

Reason: To ensure the provision of enhanced opportunities for bat roosting and enhanced nesting opportunities for birds in accordance with Policy 4: Natural Resources of the Cairngorms National Park Local Development Plan 2015.

4. No development shall commence on the construction of the house until details (samples or brochures) of the external finishes have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The house shall thereafter be constructed in accordance with the approved plans and details.

Reason: To ensure that the new development conserves and enhances the landscape character of Granttown-on-Spey and is sympathetic to the character

of the area in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

5. Unless otherwise agreed with the Cairngorms National Park Authority acting as Planning Authority and notwithstanding the provision of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 and any amendments, all boundary enclosures shall be constructed and thereafter maintained in accordance with the approved plans throughout the lifetime of the development hereby approved.

Reason: To retain the open aspect of the site in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

6. All landscaping shall be implemented in accordance with the approved landscaping details in the first planting season following occupation of the development hereby approved. All hard and soft landscaping shall thereafter be managed and maintained in accordance with the approved plans and documents.

Reason: To ensure that the development conserves and enhances the landscape character of the area, and that an appropriate landscape setting is provided and maintained in accordance with Policy 5: Landscape and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

7. The development hereby approved shall not be occupied until the access, car parking, bin storage and turning areas have been implemented in accordance with the approved plans and thereafter retained in accordance with the approved plans (including the requirement for visibility splays to be kept free from obstruction) throughout the lifetime of the development hereby approved.

Reason: To ensure that the development conserves and enhances the landscape character, is sympathetic to the character of the area and to ensure that safe access is provided in accordance with Policy 5: Landscape and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

8. The development shall be constructed in accordance with the approved plans and sections.

Reason: To ensure that the development conserves and enhances the landscape character, is sympathetic to the character of the area and to ensure that safe access is provided in accordance with Policy 5: Landscape and Policy

3:Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

Informatives

1. The development hereby approved must commence within 3 years of the date of this decision notice. If development has not commenced within this period then this planning permission will lapse.
2. Planning permission for the creation of residential plot layout (43 units), roads, drainage and strategic landscaping (reference 2016/0060/DET) was granted on 27 October 2016. The single house development covered by this planning permission will be situated on part of the site covered by the permission 2016/0060/DET. This permission builds on permission 2016/0060/DET and reflects Condition 28 thereof. The single house development permitted by this permission will therefore be subject to compliance with both permissions and the conditions imposed.
3. All construction works (including deliveries of materials) shall take place within the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1300 on Saturdays and there shall be no work or deliveries of materials on Sundays and Public Holidays.
4. 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.
5. Following completion of the development, a notification of the completion shall, as soon as practicable, be given to the 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.

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.