

## CAIRNGORMS NATIONAL PARK AUTHORITY

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### **DEVELOPMENT PROPOSED:**

Construction of 47 no. houses/flats, associated roads and footways at Land 80m SE of  
2 Carr Place, Carrbridge

**REFERENCE:** 2019/0120/DET

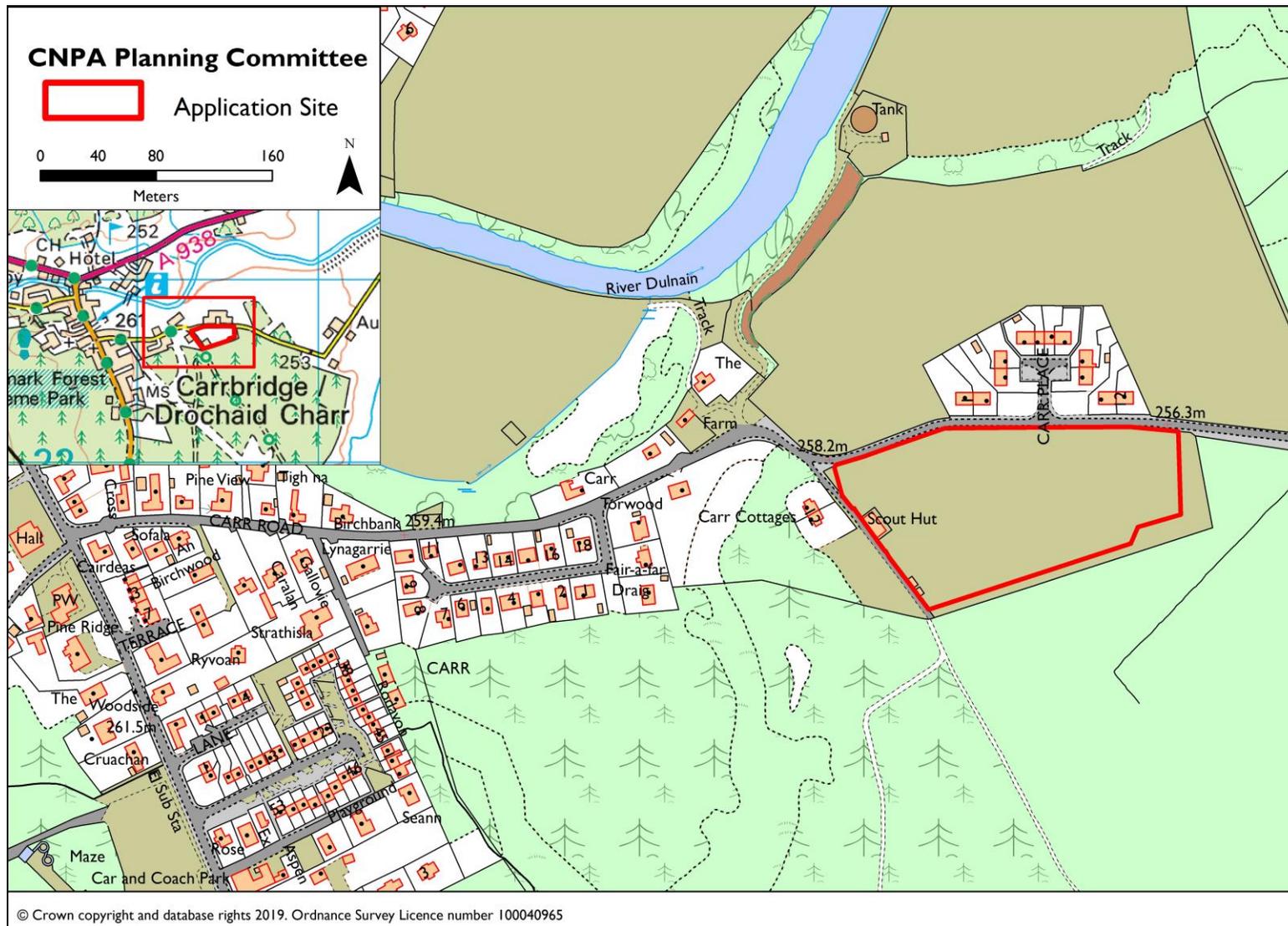
**APPLICANT:** Tulloch Homes Ltd

**DATE CALLED-IN:** 16 April 2019

**RECOMMENDATION:** Approve subject to conditions and developer  
contribution

**CASE OFFICER:** Stephanie Wade, Planning Officer

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## **SITE DESCRIPTION, PROPOSAL AND HISTORY**

### **Site Description**

1. The application site comprises 1.99 hectares of improved grassland, located within the settlement boundary of Carrbridge. The site is very gently sloping with a fall from north west to south east and is enclosed by post and wire fencing. The site is bound to the north by Carr Road and the residential cul-de-sac of Carr Place. The mature woodland of Carr Plantation abuts the site to the south and east. The west of the site is bound by the public access route 'Sustrans Route 7' (Core path ref: LBS53), which also provides access to the residential properties 1 and 2 Carr Cottages. The site is currently served by access off of Carr Road.
  
2. The site is not covered by any specific environmental designations, although it is in the catchment of the Feith Mhor - a small tributary of the River Dulnain - which is part of the River Spey Special Area of Conservation (SAC) (qualifying interests are otter, atlantic salmon, sea lamprey and freshwater pearl mussels). Also of relevance in the wider area are the Abernethy Forest, Anagach Woods, Cairngorms, Craigmore Wood and Kinveachy Forest Special Protection Areas (SPA) where relevant qualifying interests relate to Capercaillie. The site is adjacent to bog woodland, which is identified in the Cairngorms Biodiversity Action Plan as a priority habitat.

### **Proposal**

3. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:  
<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PQ254SSI0CH00>

| <b>Title</b>                             | <b>Drawing Number</b> | <b>Date on Plan*</b> | <b>Date Received</b> |
|------------------------------------------|-----------------------|----------------------|----------------------|
| <b>Plans</b>                             |                       |                      |                      |
| Location Plan                            | 4465-02-001<br>Rev.B  | 01 March 2019        | 24 April 2019        |
| Site Layout Plan                         | 4465-02-003<br>Rev.L  | 01 September 2019    | 13 September 2019    |
| Site Levels Plan                         | 4465-02-004<br>Rev.A  | 01 September 2019    | 13 September 2019    |
| Site Layout Plan- Design Principles      | 4465-02-007<br>Rev.B  | 01 September 2019    | 13 September 2019    |
| Plans & Sections – Lochy (Detached)      | 4465-01-010           | 01 March 2019        | 24 April 2019        |
| Elevations - Lochy (Detached)            | 4465-01-011           | 01 March 2019        | 24 April 2019        |
| Plans & Sections - Birch (Semi-detached) | 4465-01-012           | 01 March 2019        | 24 April 2019        |
| Elevations - Birch (Semi-detached)       | 4465-01-013           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – Cedar (Detached)      | 4465-01-014           | 01 March 2019        | 24 April 2019        |

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**Planning Committee Item 5 11/10/2019**

| <b>Title</b>                                     | <b>Drawing Number</b> | <b>Date on Plan*</b> | <b>Date Received</b> |
|--------------------------------------------------|-----------------------|----------------------|----------------------|
| Elevations - Cedar (Detached)                    | 4465-01-015           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – Cedar (Semi-detached)         | 4465-01-016           | 01 March 2019        | 24 April 2019        |
| Elevations – Cedar (Semi-detached)               | 4465-01-017           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – Torrin (Semi-detached)        | 4465-01-018           | 01 March 2019        | 24 April 2019        |
| Elevations – Torrin (Semi-detached)              | 4465-01-019           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – Ness (Detached)               | 4465-01-020           | 01 March 2019        | 24 April 2019        |
| Elevations – Ness (Detached)                     | 4465-01-021           | 01 March 2019        | 24 April 2019        |
| Amended Plans & Sections – Tarvie (Detached)     | 4465-01-022<br>Rev.A  | 01 July 2019         | 03 July 2019         |
| Amended Elevations – Tarvie (Detached)           | 4465-01-023<br>Rev.A  | 01 July 2019         | 03 July 2019         |
| Plans & Sections – 2No. Corran & Orrin (Terrace) | 4465-01-024           | 01 March 2019        | 24 April 2019        |
| Elevations – 2No. Corran & Orrin (Terrace)       | 4465-01-025           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – 2No. Orrin – Corran (Terrace) | 4465-01-026           | 01 March 2019        | 24 April 2019        |
| Elevations – 2No. Orrin – Corran (Terrace)       | 4465-01-027           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – 4No. Orrin (Terrace)          | 4465-01-028           | 01 March 2019        | 24 April 2019        |
| Elevations – 4No. Orrin (Terrace)                | 4465-01-029           | 01 March 2019        | 24 April 2019        |
| Plans & Sections- Corran (Semi-detached)         | 4465-01-030           | 01 March 2019        | 24 April 2019        |
| Elevations – Corran (Semi-detached)              | 4465-01-031           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – Lochy DG (Detached)           | 4465-01-032           | 01 March 2019        | 24 April 2019        |
| Elevations – Lochy DG (Detached)                 | 4465-01-033           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – 2B3P Bungalow                 | 4465-01-034           | 01 March 2019        | 24 April 2019        |
| Elevations - 2B3P Bungalow                       | 4465-01-035           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – 3B5P Bungalow                 | 4465-01-036           | 01 March 2019        | 24 April 2019        |
| Elevations – 3B5P Bungalow                       | 4465-01-037           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – 3B5P Villa                    | 4465-01-038           | 01 March 2019        | 24 April 2019        |
| Elevations – 3B5P Villa                          | 4465-01-039           | 01 March 2019        | 24 April 2019        |
| Plans & Sections – 2B4P Cottage Flats            | 4465-01-040           | 01 March 2019        | 24 April 2019        |
| Elevations – 2B4P Cottage                        | 4465-01-041           | 01 March 2019        | 24 April 2019        |

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| <b>Title</b>                                   | <b>Drawing Number</b> | <b>Date on Plan*</b> | <b>Date Received</b> |
|------------------------------------------------|-----------------------|----------------------|----------------------|
| Flats                                          |                       |                      |                      |
| Plans & Sections – 5BI0P Villa                 | 4465-01-042<br>Rev.A  | 01 July 2019         | 03 July 2019         |
| Elevations – 5BI0P Villa                       | 4465-01-043<br>Rev.A  | 01 July 2019         | 03 July 2019         |
| Road Layout Plan                               | 2407:101 Rev.B        | 12 September 2019    | 13 September 2019    |
| Road Longitudinal Sections                     | 2407:102              | 01 December 2018     | 24 April 2019        |
| Road Adoption Areas                            | 2407:104              | 01 March 2019        | 24 April 2019        |
| Vehicle Swept Path                             | 2407: 109             | 01 April 2019        | 24 April 2019        |
| Sketch Landscape Proposal (1 of 3)             | 383.02.01c            | 01 September 2019    | 13 September 2019    |
| Sketch Landscape Proposal (2 of 3)             | 383.02.02c            | 01 September 2019    | 13 September 2019    |
| Sketch Landscape Proposal (3 of 3)             | 383.02.03c            | 01 September 2019    | 13 September 2019    |
| Sketch Landscape Proposal                      | 383.02.11a            | 01 March 2019        | 24 April 2019        |
| Tree Constraints Plan (1 of 2)                 | 105601-TCP            | 25 February 2019     | 24 April 2019        |
| Tree Constraints Plan (2 of 2)                 | 105601-TCP            | 25 February 2019     | 24 April 2019        |
| Boundary Treatments Plan                       | 4465-02-005<br>Rev.A  | 01 September 2019    | 13 September 2019    |
| Boundary Enclosure Details Plan                | 4465-01-100           | 01 July 2019         | 03 July 2019         |
| Site Sections Plan                             | 4465-01-005           | 01 July 2019         | 03 July 2019         |
| Street Elevations Plan                         | 4465-01-006           | 01 July 2019         | 03 July 2019         |
| Visualisation Plan- Aerial NE                  |                       |                      | 03 July 2019         |
| Visualisation Plan- Central Courtyard          |                       |                      | 03 July 2019         |
| Visualisation Plan- NW Access Road             |                       |                      | 03 July 2019         |
| Visualisation Plan- Street Courtyard           |                       |                      | 03 July 2019         |
| <b>Supporting Documentation</b>                |                       |                      |                      |
| Supporting Statement                           | Document Version 01   | 01 April 2019        | 24 April 2019        |
| Drainage Impact Assessment                     | 2407 Issue No.3       | 01 April 2019        | 24 April 2019        |
| Ecological Survey and Assessment Report        |                       | 28 February 2019     | 24 April 2019        |
| Amended Transport Assessment                   | 18_38A                | 03 July 2019         | 03 July 2019         |
| Additional Information- Agent Supporting Email |                       | 03 July 2019         | 03 July 2019         |

| <b>Title</b>                            | <b>Drawing Number</b> | <b>Date on Plan*</b> | <b>Date Received</b> |
|-----------------------------------------|-----------------------|----------------------|----------------------|
| Soils Investigation Report              | 2407 Issue.1          | 11 June 2019         | 03 July 2019         |
| Ecology Survey and Assessment Timetable |                       |                      | 10 July 2019         |

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

4. This application seeks planning permission for the erection of 47 dwelling houses with associated access, drainage, service and landscaping works. The development includes a range of housing types including: flats, terraced houses, semi-detached houses and detached houses. A total of 11 of the 47 units are proposed to be affordable dwellings, which includes 4 flats. The open market housing accommodation schedule is as follows:

| <b>Number of units</b> | <b>Number of storeys</b> | <b>Accommodation Type</b> | <b>Number of bedrooms</b> |
|------------------------|--------------------------|---------------------------|---------------------------|
| 2                      | 1                        | Semi-detached             | 2                         |
| 9                      | 2                        | Terrace                   | 2                         |
| 4                      | 2                        | Semi-detached             | 3                         |
| 4                      | 2                        | Terrace                   | 3                         |
| 4                      | 1                        | Semi-detached             | 3                         |
| 3                      | 1                        | Detached                  | 3                         |
| 4                      | 2                        | Semi-detached             | 3                         |
| 4                      | 1                        | Detached                  | 3                         |
| 2                      | 2                        | Detached                  | 4                         |

5. The affordable housing accommodation schedule is as follows:

| <b>Number of units</b> | <b>Number of storeys</b> | <b>Accommodation Type</b> | <b>Number of bedrooms</b> |
|------------------------|--------------------------|---------------------------|---------------------------|
| 2                      | 1                        | Detached                  | 2                         |
| 2                      | 1                        | Detached                  | 3                         |
| 2                      | 2                        | Semi-detached             | 3                         |
| 1                      | 2                        | Detached                  | 5                         |
| 4                      | 2                        | Flatted block             | 2                         |

6. All dwellings have been designed with dual pitched roofs, incorporating porch and dormer features. Proposed finishes are white roughcast walls with sections of "eternit" cladding, UPVC windows and grey roof tiles. The Supporting Statement accompanying the application confirms that fenestration, fascias and soffits are proposed to be grey in colour to provide a contemporary feel with a variation in principal elevation door colours to deliver identity. Heating for each dwelling is proposed to be provided by air source heat pumps.
7. Access to the site is proposed via two main junctions off of Carr Road, which are to include raised speed tables to keep traffic speeds low with visibility splays of 4.5m x 60m. A continuous road link between the two vehicular access points is proposed to be installed within the site running east to west through the development. The internal

road is proposed with a mix of surface materials, a build out and a variation of road widths to promote shared use of the space with pedestrians. Ten individual house accesses are also proposed off of Carr Road serving the properties proposed to be erected along the northern site boundary.

8. A footway is proposed to be installed, running parallel with Carr Road, along the site frontage. Regarding the internal site layout, it is understood from the application details that the development has been designed to provide permeable, direct routes for pedestrians and cyclists with a network of footways running north-south and east-west through the site together with a number of access points along the site boundary to provide external links to the existing footpath network within the area. A covered, communal cycle store is proposed to be located to the rear of the flatted units providing storage space for four bicycles.
9. A total of 88 car parking are proposed to be installed within the site. These spaces are provided either within the curtilage of a proposed dwelling house or within a communal parking area. A breakdown of the parking provision is as follows:

| <b>Unit Type</b>                       | <b>Number of Units</b> | <b>Number of Spaces Provided</b> |
|----------------------------------------|------------------------|----------------------------------|
| Housing with parking in curtilage      | 19                     | 38                               |
| Houses and flats with communal parking | 28                     | 34                               |
| Visitor Parking                        | 47                     | 16                               |

10. Outwith the development site, there will be traffic-calming measures required for Carr Road and these are included within the Transport Assessment. These works will require separate consent by the Highland Council Roads Team and there will be public consultation on the details of these measures. Any planning decision relating to this application will therefore be subject to a suspensive condition requiring the prior agreement of the final traffic calming measures in consultation with the Highland Council Transport Planning Team.
11. The development is proposed to be serviced by connecting to the existing Scottish Water combined sewers, which are located in Carr Road. The connection to the existing network is proposed via a pump station and rising main which are to be erected within the south-east corner of the development site. The proposed surface water arrangements include the use of permeable site materials and infiltration with a gravel soakaway proposed to be installed adjacent to the pumping station for the collection of road water. Five refuse collection points are located at various points within the site providing communal refuse collection areas to serve multiple properties.
12. All dwellings have been set back from the existing fence line on the east and south by 20 metres to provide a safe distance from the existing trees along these boundaries.
13. Each dwelling is proposed with its own private garden area and an area to the south of the proposed flatted block provides enclosed amenity space for the occupiers of the 4 flats. Two communal areas of open space are proposed within the development,

located centrally within the site. Both areas are proposed with fixed seating and are accessed by the internal site footpath network. The south open space is proposed with a flowering lawn mix and ornamental, scented shrubs and trees. The north open space is proposed as a grassed area with bulb planting and large and medium sized trees to create a 'parkland' feel. The SUDs to the eastern site boundary is proposed to be sited within a wildflower meadow surrounded by clusters of native trees and hedgerow. Elsewhere, throughout the site areas of vegetation are proposed including large shrub beds, small trees, grassed areas and ornamental hedging. The proposal includes a mix of boundary treatments comprising: stone walling, hedging and fencing.

14. The application is supported by the following information:
- a) **Supporting Statement:** provides an outline of the framework that informed the design development of the proposal. The document considers the development constraints and opportunities, ecology, landscape design and summarises the technical elements of the scheme including drainage and environmental considerations. The document confirms that a drop-in public consultation event was held on Thursday 21<sup>st</sup> March 2019 at the Village Hall in Carrbridge, with attendance from 60 people. The affordable housing element of the scheme is also detailed confirming that 11 units of accommodation will be provided as affordable housing units. A letter from the Highland Council Housing Development Officer is included within the document which confirms that due to the requirement for a bespoke 5 bedroom, wheelchair liveable unit, they are content to recommend that 11 units be provided as affordable housing within the site.
  - b) **Transport Assessment:** provides the assessment of the current transport network around the site, and assesses the impact of the development, recommending mitigation where required. The report takes into considerations the needs of all transport users including: pedestrians, cyclists, vehicle drivers and public transport users. The report notes that Carr Road is lit and operates as a shared space for pedestrians, cyclists and vehicles; no footways are present and signs are provided at a number of locations warning drivers of the potential for pedestrians to be walking on the road. The report concludes that the site is accessible by pedestrians and cyclists and by public transport. The traffic impact from the development is concluded as having a potential small impact, but the report stresses that traffic speeds on Carr Road should be limited to less than 20mph to maintain a safe and pleasant environment for other users of the shared road space. Given that Carr Road currently operates as a shared space, but with a 30mph speed limit and no specific traffic-calming measures, the report identifies that the proposed scheme would provide significant safety improvements for non-motorised users of Carr Road. The Assessment confirms that the developer acknowledges the development brief requirement for a new useable footpath link to the primary school from the development and that the developer is happy to enter into discussions regarding the contribution amount.
  - c) **Ecological Survey and Assessment Report:** An ecological survey and assessment report dated 28<sup>th</sup> February 2019, has been prepared and undertaken by A9 Consulting and submitted in support of the application. The report considers any potential impacts from the development on designated sites, natural habitats, protected mammals and birds on and around the site and proposes further survey work and mitigation measures. Survey work was undertaken for signs of badger, bats, otter, pine martin, red squirrel, Scottish

wildcat, hairy wood ants, and birds. The report concludes that no Schedule 1 species were noted during the walkover survey. Further survey work required and mitigation measures are outlined within the document.

15. During the progression of the application, the agent has provided additional and amended information in response to queries raised during the consultation process, which is summarised as follows:
- a) **Amended plans:** including amended site plan with alterations to internal road and footpath detailing, amended road layout plan, amended landscaping scheme and two amended house type drawings to reflect the minor adjustments in site layout and an enhanced gable feature.
  - b) **Additional plans:** including boundary treatments, site sections and visualisations.
  - c) **Soils Investigations Report:** supplements the Drainage Impact Assessment and details the soils investigations to establish and inform the general ground conditions for foundations, roads and drainage design at the development site. A total of 15 exploratory trial pits were excavated, 3 boreholes were carried out and standpipes installed to allow monitoring of ground water levels; 6 percolation tests were carried out and testing using a Dynamic Cone Penetrometer to measure the CBR of the soils was carried out at 4 locations across the site. The report concludes that infiltration drainage will be appropriate for the disposal of surface water from the site.
  - d) **Amended Drainage Impact Assessment:** details the assessment of the existing drainage and the proposed drainage connections to the site. The report confirms that existing Scottish Water combined sewers are located in Carr Road, north west of the site and to the rear of Carr Place. A foul sewer connection is therefore proposed to be made to the existing network via a pump station and rising main located within the site. The surface water discharge in the site is proposed by infiltration. The site is not at risk of flooding. Carr Road, along the development frontage, is proposed to be constructed with traditional trapped gullies which will outlet to a contiguous filter drain located in the adjacent road verge and will outlet to the below ground gravity sewer. This will then discharge to a gravel soakaway located close to the east boundary of the site.
  - e) **Ecological schedule of surveys and assessment:** documents the further ecological survey work and scheduling time table. Further survey work is scheduled for badgers, bats, birds, otter, pine martin, red squirrel, Scottish wildcat and reptiles. The results of the survey work will feed into species protection plans, and licensing will be obtained where required.
  - f) **Amended Transport Assessment:** the transport assessment has been revised in response to the original comments received from the Highland Council Transport Planning Team. Two further bus services were added to the data with an assessment of bus stops provided in section 6.3 of the report concluding that no upgrades are proposed. Traffic flow data has been corrected and the east – west trip distribution has been discussed in more detail within the report. Regarding traffic calming measures, the proposed scheme has been updated with all elements less than 100m apart. For the internal layout, further detail has been included under section 4.2, the previous footway design has been amended to provide a continuous link throughout the site and cycle parking has been included for the flatted properties.

- g) **Carr Road Passing Places Assessment:** An assessment was submitted in response to Highland Council Transport Planning Team's request. The assessment confirms that the existing system of passing places on Carr Road are largely informal and are spaced at an average of 220 metres apart with around half of these adjoining passing places being inter-visible. The report identifies a total of 35 passing places and notes that despite passing place provision not meeting the criteria required for new rural roads, the section functions adequately and the report concludes that the very low increase in traffic flows as a result of the development is not sufficient to warrant substantial upgrades. However, the applicant is willing to discuss a proportionate contribution to road safety improvements delivered by the Council on this eastern section of Carr Road.
- h) **Response letter to Transport Planning comments:** A document summarising the applicant's response to the Highland Council Transport Planning consultation queries and comments has been submitted.

16. Plans of the proposal are included within **Appendix I**.

## History

- 17. There are a number of historic planning applications relating to the application site. An application for outline planning consent (now known as planning in principle) for 117 houses was refused by Highland Council contrary to officer recommendation in June 2004 (reference 03/00292/OUTBS). A subsequent appeal against this refusal was granted by the Directorate of Planning and Environmental Appeals in 2005. The site at this time included development of land to the west of the Sustrans route that crosses the land together with land bound by Crannich Park, Rowan Park and Carr Road.
- 18. Following on from this grant of outline consent, an application for "Approval of Reserved Matters" consent (now known as Matters Specified in Conditions) was submitted in 2005 and called in for determination by the Cairngorms National Park Authority (CNPA) (Reference: 05/495/CP). This application was for 117 houses and associated infrastructure and roads. It was originally considered at the March 2007 meeting of the CNPA Planning Committee, when it was deferred to enable a site visit to take place and also for further information to be gathered in relation to hydrology, ecology and affordable housing.
- 19. The 2005 application was not reported back to Committee until March 2015 because, during the course of ongoing discussions relating to that case, the applicants began work on preparing a new submission which was intended to address concerns and issues raised at that time. During ongoing preparation of a revised application, it was agreed to hold the 2005 application pending until such time as a fresh application for full planning permission was submitted. The applicants indicated throughout that if the fresh application was to receive a favourable recommendation, then the 2005 application would be withdrawn. Until then they did not wish to withdraw the 2005 application as it was effectively keeping the original outline consent "live".
- 20. Associated with the 2005 application, is application reference 07/400/CP which was submitted in 2007 to amend conditions of the outline consent relating to phasing and to the distance the housing development is set back from the B9153 road to the south

of Crannich Park and opposite Landmark. This application was required in order to facilitate the changes to the layout contained in the 2005 original submission and again was held pending awaiting submission and agreement of a fresh application for development.

21. In 2013, an application for full planning permission (reference: 2013/0120/DET) was called in by the CNPA for the “erection of 96 houses, associated roads and footways” at land bound by Crannich Park, Rowan Park and Carr Road. This application involved the current application site and a further site to the south west, but omitted the intervening woodland. Planning permission for that application was refused at Planning Committee in March 2015. The grounds for refusal related to lack of information regarding environmental impacts including adequate distances from watercourses and wetlands and considering of impacts upon ground water dependent terrestrial ecosystems; lack of detail on transport links including footpath links along the B8153; lack of information regarding impacts on peat and protected species and landscape impacts. The key concerns largely related to the Carr Road element of that proposal. At the same planning committee meeting, permission was also refused for the pending applications 05/495/CP and 07/400/CP.

### **Habitats Regulations Assessment (HRA)**

22. A Habitats Regulations Assessment has been undertaken to consider the effects of the proposal upon the conservation objectives of the Natura Sites of the following Special Protection Areas (SPA): Abernethy Forest, Anagach Woods, Cairngorms, Craigmore Wood and Kinveachy Forest. A copy of the HRA is included at **Appendix 2**.
23. The assessment highlighted the need to assess the proposal against its likely significant effect on Capercaillie as there are potential risks of increased disturbance to Capercaillie. The proposal was not considered to have an effect, either direct or indirect on the following species within the SPAs: Scottish crossbill, osprey, dotterel, golden eagle, merlin and peregrine falcon. The HRA concludes that there would be no impact from the proposal on the integrity of any of the Natura sites, because people’s recreational needs would be met by the existing network of high quality paths and there would be no additional disturbance arising from the development.

## **DEVELOPMENT PLAN CONTEXT**

### **Policies**

|                          |                                                                                                                                                 |          |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <b>National Policy</b>   | Scottish Planning Policy 2014                                                                                                                   |          |
| <b>Strategic Policy</b>  | Cairngorms National Park Partnership Plan 2017 - 2022                                                                                           |          |
| <b>Local Plan Policy</b> | Cairngorms National Park Local Development Plan (2015)<br>Those policies relevant to the assessment of this application are marked with a cross |          |
| POLICY 1                 | NEW HOUSING DEVELOPMENT                                                                                                                         | <b>X</b> |
| POLICY 2                 | SUPPORTING ECONOMIC GROWTH                                                                                                                      |          |
| POLICY 3                 | SUSTAINABLE DESIGN                                                                                                                              | <b>X</b> |
| POLICY 4                 | NATURAL HERITAGE                                                                                                                                | <b>X</b> |
| POLICY 5                 | LANDSCAPE                                                                                                                                       | <b>X</b> |

|           |                                                           |          |
|-----------|-----------------------------------------------------------|----------|
| POLICY 6  | THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT |          |
| POLICY 7  | RENEWABLE ENERGY                                          | <b>X</b> |
| POLICY 8  | SPORT AND RECREATION                                      |          |
| POLICY 9  | CULTURAL HERITAGE                                         |          |
| POLICY 10 | RESOURCES                                                 | <b>X</b> |
| POLICY 11 | DEVELOPER CONTRIBUTIONS                                   | <b>X</b> |

24. 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>
25. The site is designated in the Carrbridge settlement statement of the Cairngorms Local Development Plan 2015 for housing development under the designation H1- Carr Road where it is stated as follows: *this site has capacity for 72 dwellings. The detail of any development proposals must take into account of the woodland setting and should be designed in a way which promotes the highest standards of access, layout, building design and public realm. There are areas of wet dwarf shrub heath on peat on the site. A NVC survey will therefore be required to accompany any planning application.* The H1 site within the Local Development Plan covers a larger area than that presented within this planning application. The H1 site includes the 2.4 hectare agricultural field together with 3.3 hectares of woodland plantation to the east and south of the field.

### Planning Guidance

26. 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    | <b>X</b> |
| Policy 2  | Supporting Economic Growth Non-Statutory Guidance |          |
| Policy 3  | Sustainable Design Non-Statutory Guidance         | <b>X</b> |
| Policy 4  | Natural Heritage Supplementary Guidance           | <b>X</b> |
| Policy 5  | Landscape Non-Statutory Guidance                  | <b>X</b> |
| Policy 7  | Renewable Energy Supplementary Guidance           | <b>X</b> |
| Policy 8  | Sport and Recreation Non-Statutory Guidance       |          |
| Policy 9  | Cultural Heritage Non-Statutory Guidance          |          |
| Policy 10 | Resources Non-Statutory Guidance                  | <b>X</b> |
| Policy 11 | Developer Contributions Supplementary Guidance    | <b>X</b> |

27. Also of relevance is the Cairngorms National Park Local Development Plan 2015 Development Brief for Carrbridge H1 site, which is non statutory planning guidance providing a detailed development brief for the H1 site. Details within the document include information on: site constraints and opportunities and development requirements. The development brief is attached at **Appendix 3**.

## Cairngorms National Park Local Development Plan 2020

28. The emerging Cairngorms National Park Local Development Plan (“Proposed Plan”) which will cover the period 2020 – 2025 is currently being progressed. The proposed plan has been through a public consultation process and the formal responses have been assessed and submitted along with all other relevant materials to Scottish Ministers for examination. As the examination of the Proposed Plan is yet to start, the Proposed Plan and its contents currently carry limited weight.
29. Within the Proposed Plan, Carrbridge HI site, remains allocated for housing. However, the site area is proposed to be reduced to 1.3ha of the agricultural field and has an indicative residential capacity of 36 units. A total of 110 letters of objection and one letter of support were received during the consultation period on the Main Issues Report. Fewer letters of objection were received during the consultation period on the Proposed Plan for the proposed HI site and these will be considered by the Reporter as unresolved representations. A number of the issues raised within those objections are reiterated within the public objection consultation responses received for this application for planning permission.

## CONSULTATIONS

### Summary of the main issues raised by Consultees

30. **Scottish Natural Heritage (SNH)** consider that the proposal could affect a number of Special Protection Areas designated for their breeding Capercaillie interests whereby CNPA must consider these affects by way of a Habitats Regulations Assessment before the development can be consented.
31. It is SNH’s view that the development will not adversely affect the integrity of the sites taking into account that:
  - a) This development, plus the previous development at Meadow View, create a cumulative impact in increasing the size of the population at Carrbridge.
  - b) The potential increase in residents is unlikely to result in any change to the existing patterns of recreation in the area or increased disturbance to Capercaillie in any SPA or in nearby undesignated woodlands that are home to Capercaillie.
  - c) Recreational routes suitable for walkers and cyclists which avoid sensitive habitats and species already exist and are easily accessible from the proposed development, within Carrbridge Plantation.
32. Following the re-consultation on additional information, SNH confirm that their original comments are still relevant and that they have no additional comments to make.
33. **Scottish Environment Protection Agency (SEPA)** has no objections to the proposal and are satisfied within the conclusions of the submitted Ecological Survey and Assessment Report (dated 28 February 2019) which confirms there are some

small patches of Ground Water Dependent Terrestrial Ecosystems outwith the development area which appear to be at low risk of being impacted by the works and that there is likely to be no deep peat on the site. The response also makes reference to the SEPA Regulatory advice for the applicant, which can be attached as an informative to any subsequent decision.

34. Following the submission of additional information, SEPA confirm that their original comments are still relevant.
35. **Scottish Water** has no objection but highlight that this does not confirm that the proposed development can currently be serviced. They note that there is currently sufficient capacity in the Aviemore Water Treatment Works and there is currently sufficient capacity in the Carrbridge Water, Water Treatment Works. However, they advise that once a formal connection application is submitted to the Agency after full planning permission has been granted, they will review the available of capacity at that time and advise the applicant accordingly.
36. **Highland Council Transport Planning Team** has provided four consultation responses throughout the progression of this application. The Transport Planning Team originally objected to the proposal and requested the provision of further and amended details to inform their assessment of the scheme. Following the re-consultation on the first submission of additional information the Team still required further information and amendments to the scheme. Their 30<sup>th</sup> August comments are summarised under the following headings:
  - a) **Carr Road Mitigation:** The Team welcome the proposal to reduce traffic speeds on Carr Road which is essential to mitigate the significant increase in traffic. The Transport Planning Team can only support the application subject to a suspensive condition relating to the traffic-calming measures on Carr Road being included in any decision notice.
  - b) **Carr Road East:** The Team request the submission of an assessment of the existing passing places along Carr Road East, and pending a review of the assessment the Transport Planning Team note that a financial contribution for improvements to increase road safety will be required due to the increase in traffic on this road.
  - c) **Internal layout:** The Team note that vehicle speeds will be controlled by a range of measures including horizontal and vertical deflections and road geometry, together with a range of different road surface materials and paving. The Team consider these details as indicative and the materials and surfacing would need to be agreed during the Road Construction Consent Process. The submission of plans showing the forward visibility envelopes on the central greenspace to be shown and amendments to the path link within the site to the National cycle network path. The Team maintain their suggestion for the inclusion of electric vehicle charging points within the scheme in accordance with Scottish Planning Policy.
  - d) **Car Parking:** The communal parking bays are confirmed to meet Council sizing guidance, however the Transport Planning Team still require the submission of dimensioned driveway plans to be able to confirm the levels of parking are adequate.

- e) **Cycle Parking:** A condition is required to be attached to any subsequent decision to ensure the proposed cycle parking for the flats is provided in line with Council guidance.
  - f) **Safer routes to school:** The Team notes the applicant's statement of their intention to provide a financial contribution to the construction of a traffic free route to the primary school. The Team note the path specification requirements should the Council adopt the path.
  - g) **Public Transport:** It is advised that a financial contribution for public transport may be required.
  - h) **Surface Water Drainage:** The Transport Planning Team notes their concern that there is no outfall from the proposed infiltration basin and makes reference to previous experience of dealing with infiltration basins. The Team suggests a way forward would be for additional capacity to be provided by sizing the infiltration basin to accommodate a 1 in 300 year storm event plus 30% for climate change and 10% for urban creep. Regarding the traffic-calming measures on Carr Road, a condition is also recommended to ensure surface water measures are provided.
  - i) **Construction Traffic Management Plan:** A suspensive condition is required to be attached to any subsequent decision requesting the submission and approval of a construction traffic management plan prior to the commencement of works.
37. Following the submission of revised and additional documentation, the Transport Planning Team's latest comments on that information are as follows:
- a) **Transport Statement:** The Team note the applicant's confirmation that cycling is possible on the A9 but this would only be for the most experienced cyclists and recreational cyclists would not use this route and that the locations of the survey points in the original supporting Transport Statement were incorrect. The Transport Planning Team agrees with the applicant that the error does not affect the findings.
  - b) **Carr Road East:** The Team notes the findings and conclusions set out in the Passing Places Assessment and recommends a condition is attached to any permission requiring two additional passing places to be provided to the east of passing place no.20 and to the west of passing place no.33. The additional passing places would offset the, albeit, small increase in traffic associated with this development, improve road safety and meet the requirements of the development brief.
  - c) **Internal layout:** The Transport Planning Team are satisfied that the forward visibility envelopes are adequate but request that the landscaping plans are amended to show no hedging or trees within the visibility envelopes. They also note that a 3m wide cycle link to the National Cycle Network has now been provided within the scheme as previously required.
  - d) **Electric Vehicle Charging Points:** The Team recommend the inclusion of a condition for the provision of electric vehicle charging points within the development facilitating the move towards the reduction in reliance of petrol and diesel cars.
  - e) **Car Parking:** Although the Team have no objection to the planning application, they note that driveways for plots: 3, 40 and 41 are undersized and Road Construction Consent will not be granted if driveways do not meet Council guidance.

- f) **Public Transport:** The Public Transport Team has confirmed that pupils from Carrbridge are bussed to the nearest high school, which is Grantown Grammar School. There is no capacity to accommodate any potential pupils from this proposed development on the existing bus. A developer contribution is therefore required towards the additional/improved school bus service.
- g) **Surface Water Drainage:** In the Team's previous response they explained that because Scottish Water will not adopt the surface water drainage system, the applicant is proposing a separate system whereby the Council will be responsible for an infiltration basin to collect surface water from the adopted roads. Community Services are hesitant in adopting the system as it has no positive outfall and due to previous experience with infiltration systems in the area. The Council confirm that they would be willing to accept the infiltration basin subject to additional storage volume being provided to mitigate any potential failure over time. A revised drainage proposal has now been submitted and the infiltration basin has been replaced with a soakaway and cellular storage. The Drainage Impact Assessment confirms that this arrangement will not deliver sufficient treatment and the Transport Planning Team therefore does not accept this proposal. Notwithstanding this, the Team are satisfied that there is sufficient scope within the development for providing a suitable SUDS system and therefore recommend that a condition is attached to any planning permission for a surface water drainage design to be submitted and approved by the Council prior to the commencement of works on site. The Team also request clarification from the applicant regarding the trial pit data submitted for the infiltration testing.
- h) **Conditions:** In order to support the application, The Transport Planning Team therefore recommend conditions are attached to any subsequent decision for:
- i. The installation of a 20mph zone on Carr Road and the proposals for traffic calming must be approved through the statutory consultation process prior to any development taking place;
  - ii. The provision of surface water drainage on the existing section of Carr Road from the development to the B9153;
  - iii. A Construction Traffic Management Plan;
  - iv. The provision of two additional passing places on the C119 east of the development site;
  - v. A financial contribution towards additional high school pupil transport to Grantown on Spey;
  - vi. A financial contribution towards a Safer Routes to School link to the primary school;
  - vii. Electric vehicle charging infrastructure;
  - viii. Cycle parking for the flatted developments; and
  - ix. Surface water drainage system to accord with the SUDs Manual and Scottish Water guidance.
38. **Highland Council Housing Service** has no objections to the proposal noting that the proposal offers a level of much needed affordable housing options.
39. **Highland Council Flood Risk Management Team** has no concerns regarding flooding at this location. They also note that they expect the Highland Council Transport Planning Team to consider the implications of the drainage matters for the adopted road drainage scheme within the site.

40. **Highland Council Forestry Officer** notes that there are no trees within the red-line of the planning application and welcomes the 20m holdback line for development from the early mature Scots pine plantation woodland around the south and east of the development site. The Officer has no objection to the application but recommends the inclusion of post determination conditions for: tree and root protection measures, including a Tree Protection Plan and an Arboricultural Method Statement; the implementation of the landscape plan in full during the first planting season following the commencement of the development; and the supervision of the landscape plan implementation by a suitably qualified landscape consultant.
41. **Highland Council Contaminated Land Officer** requested details relating to the survey work undertaken prior to the demolition of the previous huts that were on the site. Following the submission of this information, the Officer is satisfied that the applicant obtained the appropriate surveys and arranged for the safe removal of the asbestos to a licensed landfill. The Officer confirms that they have no further queries and do not require any further information in relation to this application.
42. **Highland Council Archaeologist** has confirmed that there is no requirement for any archaeological mitigation at this site and no conditions are therefore recommended.
43. **Highland Council Corporate Address Gazetteer Team (CAG)** wish to highlight to the applicant, the street naming and numbering process and encourage the applicant to submit a request in the event planning permission is granted.
44. **CNPA Ecology Officer** confirms that a Habitats Regulations Assessment (**Appendix 2**) has been undertaken with SNH to assess the impact of the development on the qualifying interests of the Natura sites. The Officer requested the submission of further information to inform the assessment of the application regarding ecological impacts.
45. Following the submission of an 'Ecological Survey and Assessment' timetable, the Ecology Officer confirms that they are satisfied with the proposed surveys and timetable, and suggest the results would inform updated species protection plans, ecological management plans and any lighting plans, which can be dealt with by way of planning condition.
46. **CNPA Landscape Officer** confirmed that following the submission of additional and amended information regarding matters including: the design of the SUDs basin and the species mix and choice proposed within the landscaping scheme, the Officer considers that the scheme has had sufficient modifications to the aspects requested and is now acceptable. The Officer reiterates the condition requirements as stated by the Highland Council Forestry Officer.
47. **CNPA Outdoor Access Officer** has considered the amended details and welcomes the applicant's confirmation of the developer contribution for the alternative route to the local school and shops.

48. **Carrbridge and Vicinity Community Council** advise of their concerns regarding the proposal and making reference to favouring a lower number of units from what is proposed. In addition, they Community Council raise concern that Carr Road is not fit to accommodate the increase in traffic which will result during and subsequent to construction on this scale. Traffic calming measures would have to take on board the physical characteristics of Carr Road and the wide mix of road users. They also contend that a prerequisite of planning consent would be the enforced construction and maintenance of a well-lit and surfaced walkway from the development to the public car park and school and urge that construction traffic movements to the site are managed by way of a planning condition to ensure their arrival and departure to the site, from the east.
49. Following the re-consultation process on the amended information, the Community Council wish to register their continued objection to the proposal with concern continuing to be raised for the road safety of all users and road capacity. They Community Council also requested more detailed plans for the feasibility and route of the 'safe routes to school' link. The Community Council's full comments can be found at **Appendix 5**.

## REPRESENTATIONS

50. The application was advertised when first submitted. A total of 18 letters of representation have been received from individual members of the public regarding the original application submission. In addition to this, a total of three organisations have submitted comments on the proposal. Copies of all public responses can be viewed at **Appendix 4**. A summary of the comments is provided below.
51. The main issues raised by the individual respondents are summarised as follows:
- a) Road safety concerns, which include concern that Carr Road is unsuitable for increased road use due to its single carriageway nature, with poor junction visibility and no designated pedestrian pavements;
  - b) The effectiveness and adequacy of traffic-calming measures;
  - c) Impact on existing village infrastructure, including: schools, water and sewerage systems;
  - d) Scale of development not considered appropriate for the area, which include concern relating to spacing between dwellings, housing density of the site and multiple suggestions that the dwelling number should be 12;
  - e) Impact on ecological interest of the immediate and wider area;
  - f) Alternative footpath must be accessible to all users and maintained;
  - g) Proposed parking provision is inadequate to meet demand of the dwelling occupiers;
  - h) No direct access to the local primary school or village amenities for pedestrians and the proposal does not include provision for footpaths or safe routes to school;
  - i) Proposal would create a self-contained development with no physical or social connection to the rest of the village;
  - j) Proposal would impact on the quality of the air and noise of the area due to the increase in vehicular traffic;
  - k) Proposal would adversely change character of the area;

- l) No phasing plan- ongoing disturbance and construction traffic impacts for residents during construction;
  - m) Impact on neighbouring amenity;
  - n) Amount of private housing may result in it being used as second homes to the detriment of the village;
  - o) Impacts upon Special Protection Areas in vicinity and Capercaillie;
  - p) Inadequate ecological surveys; and
  - q) Reference is also made to the submitted consultation comments relating to the Cairngorms National Park Proposed Local Development Plan 2020 and the proposed site designation within this document.
52. Concern has also been raised as to whether the ploughing and sowing of the land from its previously stated meadow habitat was undertaken legally under the terms of the Environmental Impact Assessment (Agriculture) (Scotland) Regulations 2006. This matter is separately regulated to that related to planning and therefore is not a material consideration in the context of this application.
53. In addition to the above, three letters of objection have been received from organisations which are summarised below:
- a) **The Cairngorms Campaign** object to the proposal stating that the scale of development is too large for the site and that it will present significant safety issues on the access road. They query what measures could be put in place to ensure that the houses are limited to meeting housing needs for people that live and work in the National Park. They also consider that the development will further erode the natural environment, increasing disturbance to the ecological interests of the area, including Capercaillie.
  - b) **The Badenoch & Strathspey Conservation Group (BSCG)** objects to the proposal. They make reference to the site's historic physiological state as a flower and fungi rich meadow and consider that the loss of this habitat contravenes the first aim of the National Park to conserve and enhance natural and cultural heritage. The BSCG also references the site allocation within the Proposed Local Development Plan and the consultation responses associated with that plan's progression. BSCG do not consider the proposal has been justified and also raise concern regarding the impacts of the proposal on the ecological interests of the area, including Capercaillie.
  - c) **RSPB** are not opposed to the principle of development. However, they note concern regarding the impact of the proposal on the interiority of the nearby special protection areas and their qualifying interests. They recommend that any grant of permission should be subject to a condition requiring the submission and implementation of an appropriate recreation management plan.
54. The applicant's agent requested the opportunity to address the Committee, as have BSCG and one objector.
55. Following the submission of amended and additional information, a further 13 letters of objection have been received from members of the public who initially commented on the scheme. Their additional comments are summarised as follows:
- a) Road safety concerns, which include: unsuitability of Carr Road and existing road junctions to accommodate the increase in traffic volume and poor visibility splays;

- b) Change in character of Carr Road due to the increased traffic and the proposed traffic calming measures to the road;
  - c) The effectiveness and adequacy of traffic calming measures;
  - d) Concern regarding the suitability of the proposed safe routes to school route for users and the payment of the developer contribution for this;
  - e) Concern regarding the construction traffic with regards to volume; nature of traffic; remedial works to be carried out by construction traffic damage and the management of this;
  - f) Concern of the accuracy of the data included within the submitted Transport Assessment;
  - g) Scale of development not considered appropriate for the area;
  - h) Impact on existing village infrastructure, including: schools, water and sewerage systems;
  - i) Provision of footpath and traffic calming measures should be implemented prior to the commencement of works on site; and
  - j) Comments were also received regarding procedural matters and what properties in the area were specifically notified by neighbour notifications of the proposal.
56. In addition, a further letter of objection has been received from Badenoch & Strathspey Conservation Group (BSCG), noting their concern regarding the proposal's impact on the Capercaillie populations within the area and querying the Habitats Regulations Assessment regarding this matter. The RSPB also query the details within the HRA regarding the disturbance to Capercaillie and refer back to their previous comments.

## APPRAISAL

57. The main planning considerations are considered to be: the principle of development, the impact upon landscape, layout and design, the environmental impacts, access and servicing and developer contributions.

### Principle of Development

58. **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 Carrbridge, on a site designated for housing in the Local Development Plan. Accordingly, under the terms of Policy I there is clear policy support for housing subject of course to the detail of the development complying with all relevant Local Development Plan policies.
59. **Policy I:** New Housing Development also requires that provision generally be made for 25% affordable housing provision on site. In this case, the development proposes the erection of 47 dwellings, of which 11 are proposed to be for affordable housing. This is slightly under the 25% threshold, however it is understood that the development includes the delivery of one larger unit of affordable housing accommodation. Correspondence between the Highland Council Housing Development Officer and the applicant has been provided in support of the application. This confirms that due to requiring a bespoke 5 bedroom, wheelchair

liveable unit which will have a substantial floor area, they are content to recommend that 11 units be provided for affordable housing equating to 23.4% on site. This has also been reiterated within the Highland Council Housing Services consultation response which confirms that the proposal offers a level of much needed affordable housing and that they have no objections to the scheme. The proposal, on balance, is considered to be acceptable in accordance with the requirements of Policy 1: New Housing Development of the Cairngorms National Park Local Development Plan 2015, subject to the other planning considerations outlined below.

## Landscape Impacts, Layout and Design

60. **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.
61. In this regard, the character of Carrbridge is set by the woodland setting with housing development currently set within this woodland to create a very attractive setting and village. Complementing and enhancing this character has been the core objective when considering new development at Carrbridge and this could be achieved by a suitably laid out housing development which enable wooded and green areas to come through the new development and respect the transition from development to woodland. This is particularly important given the edge of settlement location of the site.
62. The housing density of the site is proposed at a lower amount than that suggested within the Local Development Plan 2015 site allocation details, albeit the development site is also at a reduced scale. This provides a more relaxed housing layout which leads into the adjacent woodland to the south in a natural manner with a buffer zone of open ground to the south and east boundaries being retained untouched. This allows for a good transition between the developed land and the wider woodland setting and also provides the development with a strong visual backdrop, typical of this area.
63. It is also proposed to provide and landscape areas of open space and amenity ground in and around the development with two central areas located to the north and south of the site. This helps to visually link the development area to the adjacent natural environment. Other elements of landscaped features are dispersed around the site including a wildflower meadow area surrounding the SUDs basin, and a mix of trees, hedging, shrubbery and ornamental planting. As this landscaping matures over time, the development will have a similar layout to the rest of the village where development is broken up by trees and woodland helping to create its attractive character.

64. The CNPA Landscape Officer has no objections to the scheme in principle, although requested amendments to the original landscape plan submission, including changes to the proposed species mix of planting to include the use of native species typically found within this rural area and amendments to the design of the SUDs basin. The application details were subsequently amended to reflect this and the Officer considers that the scheme has had sufficient modifications to the aspects requested and is acceptable in landscape terms.
65. In these circumstances, it is considered that there is potential for the development to conserve the landscape character over time as required by policy, subject to appropriate planning conditions.
66. In terms of residential amenity, Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015 seeks to ensure that new development protects the amenity currently enjoyed by neighbours. In this case, it is considered that the development will not adversely affect any householders in the area due to the distances from existing housing. Policy 3: Sustainable Design also requires new development to provide appropriate levels of private amenity ground. In terms of the new houses themselves, they have been designed to ensure that there are no issues of overlooking windows with sufficient garden space to provide privacy for all residents with ready access to the existing, popular network of walks and amenities of the adjacent woodland.
67. Whilst there will inevitably be a degree of disturbance and noise during construction this can be minimised by good construction practises and provision of a construction traffic management plan designed to set out measures to try to reduce disturbance as far as feasible.
68. The house designs are considered appropriate and in keeping with the area and that of recent developments, delivering a variety of house types of indistinguishable design between the open market and affordable housing. The proposed finishes are also considered to be appropriate here, subject to final details being agreed by way of post determination condition.
69. Finally, in terms of the detail of the layout, effort has been made to create an attractive layout with use of a mix of boundary treatments including hedging, stone walling and timber fencing to provide variety and visual interest, adding to the quality of the scheme.
70. On this basis, the proposal is considered to accord with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

## Environmental Impacts

71. **Policy 4:** Natural Heritage of the Cairngorms National Park Local Development Plan 2015 seeks to ensure that there is no adverse impact upon protected species or biodiversity whilst **Policy 10:** Resources sets out the need to fully consider impacts on flooding and water resources.

72. The application site is of environmental interest in terms of habitat qualities of the grazing field and the woodland and bog woodland to the rear of the site within Carr Plantation, 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.
73. Scottish Natural Heritage confirmed that the proposal could affect a number of Special Protection Areas and the CNPA were therefore required to consider these affects by way of a Habitats Regulations Assessment. The Habitats Regulations Assessment undertaken by SNH and adopted by the CNPA (**Appendix 2**) has concluded that there will not be an adverse effect on the integrity of the NATURA sites. These sites are designated for Capercaillie interests and as noted in the HRA, the small anticipated increase in recreational use of the woods arising from this development is not predicted to change existing recreation patterns. As such, the development is not considered to be likely to cause a significant increase in disturbance to Capercaillie. There are signed walks avoiding Capercaillie available in proximity to the development. It is not therefore considered to be necessary or proportionate to require the submission of a recreation management plan in this instance. It should also be noted that as the Capercaillie framework work proceeds there will be education and advice offered to residents throughout the National Park in respect of avoiding disturbing this species.
74. In relation to the European Protected Species, further information has been received from the applicant confirming the ecological survey and assessment timetable associated with this development. The CNPA Ecology Officer confirmed that they are satisfied with the details outlined in this document and note that the results would inform updated species protection plans, ecological management plans and any lighting plans. These can therefore be dealt with by way of planning condition on any subsequent decision.
75. Also in relation to habitats, SEPA confirm that they are content with the conclusions reached within the Ecological Survey and Assessment Report submitted with the application which confirms there are some small patches of Ground Water Dependant Terrestrial Ecosystems outwith the development area which appear to be at low risk of being impacted by the works. There also does not appear to be any deep peat on the site and SEPA therefore have no objection to the proposed works.
76. In terms of impact upon woodland, it is noted that the woodland to the south and east of the site will not be affected by the development, and appropriate conditions can be attached to secure protection of the adjacent woodland during construction works. The Highland Council Forestry Officer confirms no objection to the scheme subject to the inclusion of the suggested conditions.
77. Regarding other environmental matters, the Highland Council Flood Risk Management Team confirms they have no concerns regarding flooding at this location.
78. In these overall circumstances and subject to appropriate planning conditions, the application is considered to comply with Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

## Servicing and Access

79. **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.
80. In this case, surface water from the widened Carr Road and the adoptable housing roads within the site are proposed to be dealt with by trapped gullies and filter drains discharging into a gravity sewer which will feed into a gravel soakaway located adjacent to the eastern development site boundary. Car parking areas are proposed to be constructed of permeable block paving with discharge through infiltration and roof water disposal for the proposed dwellings will either be dealt with by way of soakaways within the grounds of the dwelling, or by a run off outlet to the granular subbase of the permeable car parking paving. The soakaway is proposed to deal solely with adoptable road run-off only.
81. Regarding foul drainage, the development is proposed to be connected to and served by the existing mains foul drainage within the area and the proposal will also be connected to the mains water system in the area. Scottish Water has no objection to the proposals, noting that there is currently sufficient capacity within the Water Treatment Works within the area, however they note that the availability of capacity has to be reviewed following any positive determination of this application.
82. Highland Council Transport Planning Team has requested further information and revisions to the surface water disposal arrangements proposed within the application site. Following the submission of additional details and revised plans and documentation, The Team are satisfied that there is sufficient scope within the development for providing a suitable SUDs system although note that the current proposal of a soakaway and cellular storage would not deliver sufficient treatment. The Team therefore recommend that a condition is attached to any subsequent planning permission for the submission of the details of the SUDs scheme to be agreed prior to the commencement of works on site and implemented prior to the first occupation of any dwelling.
83. The Highland Council Transport Planning Team also queried the infiltration test data as they raised concern that the depth of the trial pit did not reflect the guidance in BRE Digest 365 that recommends that pits should be dug to the same depth as the full size soakaway. The agent has subsequently confirmed that the percolation tests were undertaken in accordance with the guidance requirements and that the recorded ground water level is 2.41 metres below the base of the proposed soakaway.
84. Waste management provision is proposed to be provided in the curtilages for each property with the access road designed to enable collection of bins at various points within the site. The details submitted in support of the application demonstrate that the internal road layout of the site can accommodate a council refuse vehicle.
85. **Policy 3:** Sustainable Design also sets out that new development should be designed to maintain and maximise all opportunities for responsible outdoor access including links into the existing path network and to promote sustainable transport methods including making provision for the storage of bicycles and reducing the overall need to

travel. The site is considered to be in a sustainable location in terms of being within walking distance of the facilities and amenities of the village and within walking distance of the main bus stop, with improvements proposed to the pedestrian use of Carr Road and the delivery of a new footpath link to the school from the development site by way of an agreed developer contribution. Delivery of these improvements can be secured by a combination of planning conditions and a section 75 legal agreement.

86. The Development Brief (**Appendix 3**) requires the development of the site to include a new useable path link to the village centre. The Brief states that the path “should be designed to meet the Highland Council adoptable path standards, as far as practicable, although the final choice of surface and lighting would need to take account of the area’s rural setting.” The new useable path link is proposed to provide a route from the north western corner of the development, on the opposite side of Carr Road, through to the primary school. Regarding the path link, the Highland Council Transport Planning Team recommends that the path has a minimum width of 3 metres, surfaced with bituminous materials and has lighting to meet their adoptable standard. As the path is to be adopted and maintained by CNPA, as the Outdoor Access Authority, and not by Highland Council, a path specification of a 2 metre wide path has been proposed by the CNPA Outdoor Access Team, which takes into account the rural setting of the area and the practicalities of the area. The specification has also been informed by the number of routes existing in the area. The proposed path is an additional and alternative route to that existing along Carr Road, and therefore it is not the sole route within the area. It is noted that reference has been made by consultation responses to this path as a “safe routes to school” (SRTS) path. The SRTS is a funding programme to increase active travel, which has no specific connection to this development site. For matter of clarity, SRTS is not a specific designation and therefore the path specification of the proposed path link lies with the CNPA Outdoor Access Authority.
87. The proposal also includes access points from the development to the adjacent woodland and to the SUSTRANs public right of way, which runs along the western site boundary. The CNPA Outdoor Access Officer welcomes the addition of linking paths from this development to Core Path LBS53, which is promoted as part of the National Cycle Network Route 7 and is a very popular access point into the woodlands. The internal layout has also been amended to include a 3 metre wide cycle link to the National Cycle Network. Cycle storage is facilitated within the curtilages of the dwellings and communal cycle storage is proposed for the flatted properties.
88. **Policy 3:** Sustainable Design also requires that new development should include an appropriate means of access, egress and space for off-street parking. In this regard, adequate parking provision is being made whilst the site access is of suitable standard in compliance with the requirements of the Transport Planning Team subject to the imposition of appropriate planning conditions. Whilst there has been considerable local objection to the use of Carr Road for access, the Transport Planning Team is now satisfied in general terms that the road is suitable for the increased use subject to mitigation measures to ensure the safety of pedestrians and cyclists. These road improvements would therefore be subject to agreement with the Council and the Planning Authority prior to the commencement of any works, by way of a planning

condition, and it would also be subject to approval through the statutory consultation process for a Roads Construction Consent. In addition to the traffic-calming measures, the Council Roads Team require improvements to be made on Carr Road East by way of the installation of two further passing places within the existing adopted road boundary to offset the increase in traffic associated with this development, improve road safety and to meet the requirements of the development brief. Electric vehicle charging points within the development are also recommended by the Highland Council Transport Planning Team to facilitate the move towards the reduction in reliance of petrol and diesel cars to meet the Scottish Government target to phase out the need for new petrol and diesel vehicles by 2032.

89. On this basis, the application is considered to comply with the relevant planning policies.

### **Developer Contributions**

90. **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.
91. There are not considered to be any impacts which would require community facilities or services to be improved or increased as a result of this proposal, with the introduction of new residents helping to support the local village facilities. However, the development will give rise to a potential impact upon primary education in terms of the capacity of Carrbridge Primary School, whereby a contribution per unit, as per Highland Council guidance on developer contribution, will be required.
92. In addition to this, the Site Allocation Development Brief requires any development of the site to provide a financial contribution towards the provision of a new useable footpath link/ 'safe route to school' is therefore required as part of this scheme being considered. The path link would be provided by the CNPA acting as Outdoor Access Authority, including the future maintenance of the route.
93. A developer contribution is also required towards the additional/ improved school bus service for potential pupils of the proposed development. It is understood from the Highland Council Transport Planning Team that the existing pupils of Carrbridge are bussed to the nearest high school at Grantown Grammar School on a 67 seater bus. Current pupil figures using this service is 65. Consequently there is no capacity to accommodate the demand arising from the proposed development and a contribution is required on this basis.
94. The applicant has been presented with the overall developer contribution figure for the three contributions and has agreed its securement of payment by an appropriate agreement. Subject to the payment of this contribution, the proposed development is considered to comply with Policy 11: Developer Contributions of the Cairngorms National Park Authority Local Development Plan 2015.

## Other Issues Raised in Consultations and Representations

95. There has been a large number of public letters of objection to the proposal including objection from Carrbridge Community Council. The majority of issues raised by the objectors have been covered in this report and further consideration on other matters raised is outlined below.
96. Concern has been raised regarding the potential for a high proportion of the proposed development becoming holiday lets or second homes. The designation in the Local Development Plan has established the need for more housing in Carrbridge and it is not considered necessary to prohibit the use of the housing in this way. The restriction of housing to local people has not been possible since the issuing of the Chief Planner's letter on occupancy conditions and rural housing dated 4<sup>th</sup> November 2011 which states, "The Scottish Government believes that occupancy restrictions are rarely appropriate and so should generally be avoided." The letter does not allow occupancy restrictions to be issued simply on the grounds of the potential use of the dwelling, the origin of the occupier or the workplace of the buyer. The approach of implementing occupancy restrictions on houses has therefore not been taken elsewhere in larger housing schemes in the Park and there is no specific evidence to justify its approach here.
97. Regarding procedural matters, public representatives queried the neighbour notification process undertaken with this application. In the interests of clarity on the matter, the neighbour notification for this application was undertaken in accordance with Regulation 18 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 whereby notice was sent to premises on neighbouring land. Neighbouring land is defined in Regulation 3 as "an area or plot of land, which or part of which is conterminous with or within 20 metres of the boundary of the land for which the development is proposed". An advert was also placed in the local newspaper to inform other members of the public outwith the 20 metre neighbour radius of the application. The works proposed to Carr Road, by way of traffic calming measures, would be subject to obtaining Road Construction Consent and it is during this process whereby neighbouring properties to those works would be specifically notified during the Road Construction Consent consultation process.
98. Other matters raised by objectors relate to the scale of the development which is largely established now by the existing Local Development Plan and the Proposed Local Development Plan designations. Concern relating to the phasing of development and the impacts upon the area of a large construction site could potentially be addressed by way of planning condition. At present, however, there is no indication of phasing.
99. Regarding the proposals potential impact on the historic environment, the Highland Council Archaeologist has confirmed that there is no requirement for any archaeological mitigation at this site.
100. The Highland Council Contaminated Land Team also confirm that they have no objection to the proposal and note their satisfaction that the removal of the previous

huts on the site were undertaken with the appropriate surveys in place and with the safe removal of the asbestos material.

## CONCLUSION

101. This application involves new housing within a settlement on a site specifically designated for housing development in the Local Development Plan. It will deliver a variety of housing units including units of affordable housing accommodation in Carrbridge. It is well-located in terms of proximity to the amenities and facilities of the village, and is readily accessed by non-vehicular means. As such, the principle of this development complies with the Local Development Plan policies.
102. The layout and design of the new development is of a good standard, and will deliver new housing within a landscaped setting in keeping with the established character and woodland setting of the village. Environmental impacts can be satisfactorily mitigated and habitat enhancements can be delivered which will ensure that key habitats and protected and enhanced over time. These matters can be adequately addressed subject to planning conditions as required by consultees.
103. The proposed development is considered to fully comply with Local Development Plan policies subject to appropriate planning conditions being imposed to achieve landscape, ecological and servicing requirements and also subject to an appropriate legal agreement to secure necessary developer contributions. Approval is therefore recommended.

## RECOMMENDATION

**That Members of the Committee support a recommendation to APPROVE the Construction of 47no. houses/flats, associated roads and footways at Land 80M SE Of 2 Carr Place Carrbridge subject to:**

- 1) Conclusion of an appropriate agreement or upfront payment regarding developer contribution in respect of primary education in Carrbridge, the creation of a path link to the village centre and the public transport contribution for a new school bus; and**
- 2) 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

- 1. No development shall commence on site until the details of the installation of the 20mph zone on Carr Road from the development to the B9153 together with the proposals for traffic calming measures have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. The works shall thereafter be**

**completed in strict accordance with the approved plans and fully implemented prior to the occupation of any dwelling, hereby permitted.**

**Reason:** To ensure that the development is provided with safe access throughout its delivery and to ensure that the increase in traffic arising from the development is mitigated against in the interests of road safety in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

2. **No development shall commence on site, until the details of the installation of the two additional passing places on Carr Road East have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. The works shall thereafter be completed in strict accordance with the approved plans and fully implemented prior to the occupation of any dwelling, hereby permitted.**

**Reason:** To ensure that the development is provided with safe access throughout its delivery and to ensure that the increase in traffic arising from the development is mitigated against in the interests of road safety in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

3. **No development shall commence on site, until a Construction Traffic Management Plan is submitted to, and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. This plan should include:**
- a) **Identification of all Council maintained roads likely to be affected by the various stages of the development and proposals for any measures to mitigate the impact of development traffic through residential areas;**
  - b) **Proposed measures to mitigate the impact of general construction traffic on the local road network following detailed assessment of relevant roads;**
  - c) **Details of any traffic management required for the duration of the construction period;**
  - d) **Measures to ensure that all affected public roads are kept free of mud and debris arising from the development;**
  - e) **Predicted volume and type of construction traffic;**
  - f) **Details of any abnormal loads and the protocol and delivery programme which will be required and agreed with any interested parties such as Highland Council, the Policy, Transport Scotland and community representatives. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media;**
  - g) **Location of site compound;**
  - h) **Location of staff and visitor parking;**

- i) Locations for loading and unloading for materials, plant and machinery;
- j) Location of storage for materials, skips and plant;
- k) Proposals for consultation with local residents and businesses including the provision of consultation materials with contact details to enable residents and businesses to contact the relevant person should any issues arise; and
- l) Construction traffic hours of operation to avoid using Carr Road during peak times, especially when school children will be present.

Thereafter the construction of the development shall be implemented in accordance with those approved details.

**Reason:** To ensure there are no adverse impacts on the roads network in relation to road safety and that construction traffic associated with the development causes minimum disturbance to residents in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

4. **No development shall commence on site until details of the SUDs drainage scheme for the development, hereby permitted, and for the drainage along Carr Road from the development to the B9153 have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, in consultation with Highland Council Transport Planning Team. This scheme shall include maintenance details. The drainage scheme shall be implemented and maintained in accordance with the approved details in full prior to the occupation of any dwellings within this development.**

**Reason:** To ensure that satisfactory arrangements for the disposal of surface water are provided in accordance with Policy 3: Sustainable Design, Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

5. **No development shall commence on site until a scheme for electric vehicle charging infrastructure has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team. The details shall include:**
- a) Identification of locations for and provision of communal electric vehicle charging points serving flatted developments located in communal parking areas;
  - b) The provision of infrastructure defined as the provision of cabling from the consumer unit within the property to an external point, to allow charging of electric vehicle within the curtilage of each dwelling where the dwelling has in-curtilage car parking provision;
  - c) A timescale for implementation for infrastructure; and
  - d) Outline detail of a communication pack to be provided to each household on first occupation explaining how they can access electric vehicle infrastructure.

**The approved scheme shall be implemented in line with the approved timescales.**

**Reason:** To facilitate the move toward the reduction in reliance of petrol and diesel cars in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

6. **No development shall commence on site until a site specific Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. This CEMP shall include the following information:**
- a) **Site waste management plan including details of the management/ storage of soil and construction material**
  - b) **Construction method statement;**
  - c) **Reference to species protection plans;**
  - d) **Details of construction stage SUDs;**
  - e) **Details of the protection measures for the buffer zone between housing and the woodland to the south and east.**
  - f) **Details of the appointed Ecological Clerk of Works who will be supervising construction operations, including the scope of their work and timetable for reporting to the Planning Authority; and**
  - g) **Details of construction of access/ parking areas, footpaths and any earthworks proposed.**

**All work shall thereafter process in accordance with the approved details with monitoring reports from the ECOW provided to the Cairngorms National Park Authority.**

**Reason:** To ensure that the construction of the development is satisfactorily implemented and supervised in order to ensure that there are no adverse effects on ecological interests, natural heritage and landscape character of the National Park in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

7. **No development shall commence on site until a revised Tree Protection Plan and Arboricultural Method Statement have been submitted to and approved in writing by CNPA acting as Planning Authority. These documents shall be undertaken by a suitably qualified Arboricultural Consultant and shall include the following details:**
- a) **On site tree protection measures; and**
  - b) **A timetable of the stages of construction supervision and the subsequent submission of certificates of compliance for each stage;**

**No development shall commence on site until the tree protection measures have been implemented on site in accordance with the approved plan. Thereafter the trees shall be retained and maintained in accordance with the approved Tree Protection Plan and landscape maintenance programme throughout the lifetime of the development hereby approved**

**unless otherwise agreed in writing by the Cairngorms National Park Authority acting as Planning Authority.**

**Reason:** To ensure that trees on and around the site which contribute to the landscape character and biodiversity of the area are appropriately protected during construction works in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

8. **No development shall commence until an updated Landscape Plan and Maintenance Programme has been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority. Revisions to include the removal of trees located within the visibility splays. The Landscape Plan shall be implemented in full, by a suitably qualified landscape consultant, during the first planting season following commencement of development or as otherwise agreed in writing by the Cairngorms National Park Authority acting as Planning Authority and stages requiring supervision are to be agreed with the Cairngorms National Park Authority acting as Planning Authority with certificates of compliance of each stage submitted for approval.**

**Reason:** In the interests of amenity and to ensure that the development conserves and enhances the landscape character and is sympathetic to the character of the area in accordance with Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

9. **No development shall commence on the construction of the dwellings, hereby permitted, until samples of the proposed external finishes for the dwellings and samples or details of the solar panels, hereby permitted, shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The development shall thereafter be constructed in accordance with the approved details.**

**Reason:** To ensure the development complements and enhances the landscape in accordance with Policy 5: Landscape of the Cairngorms Local Development Plan 2015.

10. **No development shall commence on site until the surveys required by the approved document “Ecological Survey and Assessment Timetable” have been undertaken and the results from each survey submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The development shall thereafter be implemented in accordance with the survey timetable and the approved survey mitigation and enhancement measures.**

**Reason:** To ensure that the construction of the development is satisfactorily implemented and supervised in order to ensure that there are no adverse effects on ecological interests of the National Park in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

11. **No development shall commence on site, until details and a plan illustrating the phasing of development have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The development shall thereafter be constructed in accordance with the approved phasing plan and timescale.**

**Reason:** To ensure that adequate control is retained over the construction of the development in the interests of mitigating any adverse impacts on the amenity of neighbouring properties and with regards to the visual appearance of the area in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

12. No lighting shall be installed on site until details (position, type and intensity) have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The lighting, if being provided, shall be installed and operated in strict accordance with the approved plans.

**Reason:** To ensure that the development does not adversely affect European Protected Species including the commuter bats in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2015.

13. Unless otherwise agreed with the Cairngorm National Park Authority acting as Planning Authority, the residential units as indicated on the approved plans, shall be retained in perpetuity as eleven units of affordable housing accommodation.

**Reason:** To ensure that provision is made for affordable housing as considered in this application in accordance with Policy 1: Housing Development and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

14. No residential unit shall be occupied until it is connected to public water and drainage supplies.

**Reason:** To ensure that the development is appropriately serviced in accordance with Policy 10: Resources and Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

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

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

16. The communal cycle parking area, as shown on the approved plans, of the development hereby permitted shall be installed prior to the first occupation of any residential flatted unit.

**Reason:** To ensure that the development is appropriately serviced with active travel facilities in accordance with 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. The person undertaking the development is required to give the Planning Authority prior written notification of the date 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.
3. Following completion of the development, a notification of 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.
4. The person undertaking the development is advised that Road Construction Consent will be required from the Roads Authority (Highland Council) as per the comments of the Highland Council Transport Planning Team available on the CNPA website.
5. Construction work (including the loading/ unloading of delivery vehicles, plant or other machinery) should not take place out with the hours of 0800 hours to 1900 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays or at any time on Sundays or Bank Holidays in order to minimise disturbance to residents in the area.
6. The person undertaking the development should note that Scottish Water is unable to reserve capacity at their water treatment works for the approved development. The person undertaking the development will need to make a formal connection application to Scottish Water who will review capacity then and advise the applicant accordingly.
7. The developer may also be requested to enter into a section 96 agreement with the Highland Council to cover any abnormal wear and tear to the Council roads. This will include a requirement for pre and post construction surveys to be undertaken and agreed with the Council and for the provision of a suitable bond;

### **SEPA Regulatory Requirements**

8. Management of any surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.
9. A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:
  - a) Is more than 4 hectares;
  - b) Is in excess of 5km; or
  - c) Includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25 degrees.
10. See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75\_ for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regularity services team in your local SEPA office.
11. Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.
12. Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regularity services team in your local SEPA office.

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.