



Committee report

Development proposed: Change of house types: Plots 49-50 and 53-60, repositioning Plots 51-52 (2018/0242/DET) at Land Between Perth Road and Station Road, Newtonmore

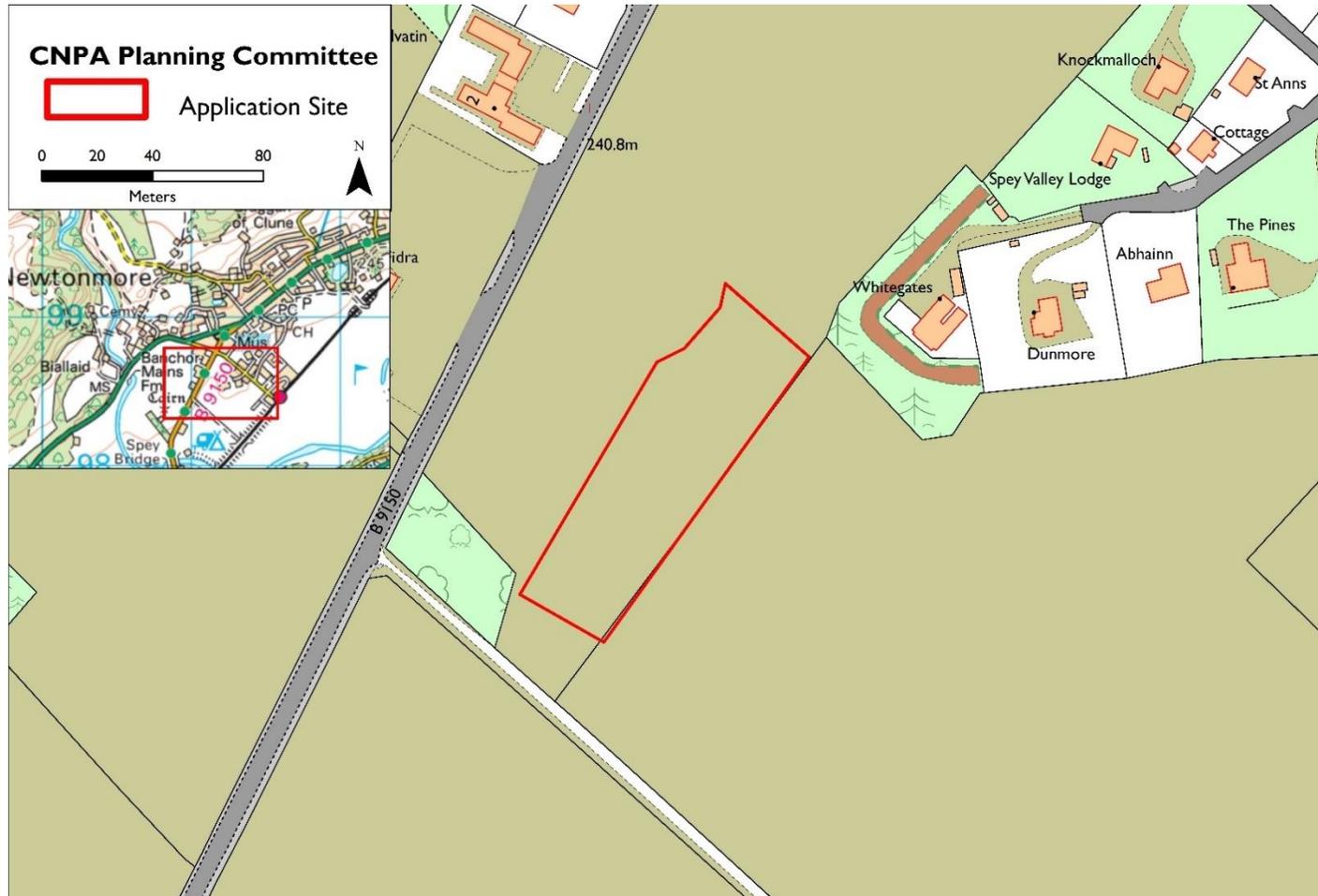
Reference: 2024/0297/DET

Applicant: Tulloch Homes Ltd.

Date called-in: 11 November 2024

Recommendation: Approve subject to conditions

Case officer: Katherine Donnachie, Planning Officer



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Site description, proposal and history

Site description

1. The application site is located at the southern edge of Newtonmore within an approved phase of an ongoing housing development here. The Newtonmore to Perth B9150 road runs to the west. The site lies in the southern part of the wider site, with agricultural land located to the east and south.
2. The remainder of this phase lies to the west, between the application site and Perth Road. The ongoing wider housing development lies to the north. To the far west, on the opposite side of the main road, there is a café and petrol station.
3. A site access for the overall site has been formed to the north of Perth Road. This diverges to serve the northern and southern parts of the wider site. The southern spur road leads south to connect onto a second access point to Perth Road at the southernmost end of the site. South of this is an area where the Sustainable Urban Drainage Systems (SuDS) infrastructure will be provided. The Coffin Road path runs along the southern boundary beyond this SuDS area. The access roads are currently under construction and at present the application site is part of a building site, with a number of houses now constructed further north. The application site and wider site are fairly level, former grazing ground.
4. There are no specific environmental designations on the site, with the River Spey Special Area of Conservation and Site of Special Scientific Interest (SSSI) lying around 0.4 km to the far south. There is no apparent connectivity to this watercourse from the site. There are no listed buildings/scheduled monuments within the immediate vicinity.

Proposal

5. 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=S2H06USIOCP00>



Title	Drawing Number	Date on Plan*	Date Received
Plan - Aerial Views- affordable housing remix	3295-01-062 Rev B	01/12/24	12/12/24
Plan - 3B5PV Plans and sections - plots 49 to 52	3295-01-101- Rev A	01/12/24	12/12/24
Plan - 3B5PV Elevations -plots 49 to 52	3295-01-102- Rev A	01/12/24	12/12/24
Plan - 3B5PV Plans and sections - plots 53 to 56	3295-01-103- Rev B	01/12/24	12/12/24
Plan - 3B5PV Elevations -plots 53 to 56	3295-01-104 - Rev C	01/12/24	12/12/24
Plan - 3B5PV Plans and sections - plots 57 to 60	3295-01-105 - Rev A	01/12/24	12/12/24
General - 3B5PV Elevations -plots 57 to 60	3295-01-106 - Rev A	01/12/24	12/12/24
Plan - Site remix as existing - affordable housing remix	3295-01 049	26/11/24	26/11/24
Plan - Landscaping plan	TH N 110.23 SL- 01 Rev G	26/11/24	26/11/24
Plan - Boundary Treatment affordable housing remix	3295-01- 054 Rev A	01/11/24	26/11/24
Plan - Site Sections Affordable Housing remix	3295-01-056- Rev B	01/01/25	09/01/25
Plan - Site Plan as proposed - affordable housing remix	3295-01-055- Rev A	01/11/24	26/11/24
Plan - Phasing Plan - delivery schedule			21/11/24
Plan - services routing plan	191030-000- CAM-DR-C-032- Rev D	31/10/24	06/11/24
Plan - Road Construction Consent	91030-000- CAM-DR-C-005- Rev H	31/10/24	06/11/24
Plan - Location Plan affordable housing remix	3295-02-005	01/10/24	06/11/24



Plan - Kerb layout plan	191030-000-CAM-DR-C-006-Rev h	31/10/24	06/11/24
Plan - Proposed watermain layout	191030-000-CAM-DR-C-029-Rev I	31/10/24	06/11/24
Plan - Roads and site contours	191030-000-CAM-DR-C-012-Rev E	31/10/24	06/11/24
Plan - Drainage Layout Plan	191030-000-CAM-DR-C-020-Rev M	31/10/24	06/11/24
Other - Air Source heat pump type - arotherm plus			06/11/24
Other - Supporting statement remix of plots 49-60	3295- Version 2	09/01/25	10/01/25
Other - External Finishes schedule	3295/FS02 Version 2	12/12/24	12/12/24
Other - Housing Demand Commentary		12/12/24	12/12/24
Other - Construction Method Statement			10/01/25

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

6. Plans of the proposals are included in **Appendix 1**.
7. This application is essentially a remix of affordable housing on this phase of an approved wider development for 81 units. It is located within an area known as phase 1 in this original application which dates from 2007. In 2018 an application for a revised layout for this affordable element was approved and it is that layout which it is now proposed to change. When approved in 2018 there were a total of 20 units in this phase comprising four, one-bedroom properties, 14 two-bedroom properties and two, three-bedroom properties. The four, one-bedroom properties and four of the two-bedroom properties were grouped around a courtyard type area on the western side of this phase, nearest to Perth Road. This part of the development remains unchanged and is single storey.



8. It is proposed to change house types on the eastern side of the site access to a total of 12 two storey residential units comprising six, three-bedroom semi-detached blocks. This area formerly comprised two, three-bedroom properties and 10 two-bedroom properties. This was made up of one single storey semi-detached block, two pairs of semi-detached two storey units and two terraces of two storey units, with two communal car parking areas and in curtilage parking for the northernmost four units.
9. The total mix of the overall affordable phase as now proposed will increase the number of three-bedroom units to 12 and decrease the number of two-bedroom units to four. In summary, the proposal will result in 10 more three-bedroom units and 10 fewer two-bedroom units.
10. The house types proposed with this remix are simple two storey semi-detached blocks set back from the access road in a stepped line. They are similar in form to the two storey blocks previously approved. Following discussion, revisions have been made to the proposed finishes in terms of cladding, harling colour and door colours to introduce more variety.
11. Proposed finishes are now a mixture of smooth grey and anthracite (dark grey) concrete roof tiles; mixture of dolomite (white) and Tuscany beige harling; mixture of anthracite and evening blue cladding features and a mixture of anthracite and steel blue doors; and grey windows. Air source heat pumps are proposed and 1.8 metres high timber screen fencing around rear gardens. In curtilage car parking is proposed and there will be provision for electric vehicle charging within each plot.
12. No changes to the wider servicing are proposed, with the houses connecting into the originally proposed servicing arrangements of public water and foul drainage connections. They will be served by the originally approved roads layout. The surface water from roofs will be disposed of by in-site soakaways with permeable driveways, and roads water will connect to the previously approved SuDS scheme in the southern part of the site. Bin storage provision will be made within gardens.
13. In response to a request for biodiversity enhancements, a revised landscape plan was submitted. The agents explain that this provides additional native hedge



planting along the northern and southern boundaries to create commuting links for wildlife as well as places for shelter / food sources mid to long term. They note that further tree planting within the southern extent of the site and in front gardens is intended to provide darkened areas for wildlife more susceptible to human disturbance. They highlight that additional native meadow and seed planting is proposed in areas currently used as amenity grassland and that pole mounted bird boxes will be erected within the SuDS area. Whilst this is outwith the red line application site (but within the wider site), their ecologist's preference is for the bird boxes to be as far away as possible from people and roads. Beech hedging is proposed in front gardens too.

14. Visualisations have been provided to show how the new housing will sit in the immediate streetscape.
15. A Design Statement and Supporting Statement has been submitted outlining the proposed changes from the original submission. This also explains that the changes are being sought due to a change in registered social landlord for the units from Caledonia Housing Association to Highland Housing Alliance and the Highland Council and their different requirements.
16. The agent has provided a Housing Demand Commentary. This document explains that Highland Housing Alliance have confirmed that there is demand for three-bedroom homes which are the most popular type of home that they rent out, with the Highland Council confirming they are happy that the mix of properties reflects demand in the area.
17. Key changes from the originally approved layout may be summarised as follows:
 - a) Communal parking areas now deleted with all parking in curtilage.
 - b) Change on plots 53-54 from single storey, semi-detached pair of houses with rear wing to two storey house types.
 - c) Change to all units now being blocks of semi-detached two storey housing.
 - d) Loss of some landscaping around the communal parking areas- the landscaping previously approved comprised beech hedging to north and south of site; some birch and rowan trees; and flowering plants including juniper and blueberry.
 - e) Beech hedging is now proposed in the front gardens and rowan trees in front gardens. Birch trees and some hazel, willow, and heather plants/shrubs are



proposed to the south of plot 60. To the north of plot 49 mixed native hedging is proposed.

- f) Biodiversity enhancements as outlined in paragraph 13 above.

History

18.Reference 07/230/CP- Planning consent was initially granted in 2011 for a housing development on the wider site here for 81 houses and access roads. This consent was subject to numerous conditions and a Section 75 legal agreement regarding developer obligations. Suspensive planning conditions were subsequently discharged, and a start was made on site. With this original consent priority purchase housing for local residents was also identified on the eastern edge of that wider site (plots 29 -48) under the terms of planning condition 3. A number of non-material variations to this consent have been granted over the years.

19.Reference 2018/0242/DET- In 2018 planning consent was granted to amend the layout of plots 49 to 68 in the southernmost part of the site - phase 1. This layout comprised the affordable unit provision for the scheme (20 houses), and it is this layout that the current application seeks to amend in terms of the easternmost part.

20.Reference 2022/0358/DET - In 2022 consent was granted for formation of a road and SuDS basin in the southern part of the overall site. This SuDS basin is intended to serve the wider housing development.

21.Reference 2024/0149/DET - planning consent was granted in August 2024 for amended house types and driveway locations on Plots 20 and 21 within the wider site to the north.

Development plan context

Policies

National policy	National Planning Framework 4 (NPF4) Scotland 2045 (Officer to delete policies that are not relevant)	
Policy 1	Tackling the climate and nature crises	
Policy 2	Climate mitigation and adaptation	



Policy 3	Biodiversity	
Policy 4	Natural places	
Policy 5	Soils	
Policy 9	Brownfield, vacant and derelict land, and empty buildings	
Policy 12	Zero waste	
Policy 13	Sustainable transport	
Policy 14	Design, quality and place	
Policy 15	Local living and 20-minute neighbourhoods	
Policy 16	Quality homes	
Policy 18	Infrastructure first	
Policy 20	Blue and green infrastructure	
Policy 22	Flood risk and water management	

Strategic policy	Cairngorms National Park Partnership Plan 2022 – 2027	
Local plan policy	Cairngorms National Park Local Development Plan (2021) (Policies relevant to the assessment of this application are marked with a cross (x))	
Policy 1	New housing development	X
Policy 2	Supporting economic growth	
Policy 3	Design and placemaking	X
Policy 4	Natural heritage	X
Policy 5	Landscape	X
Policy 6	The siting and design of digital communications equipment	
Policy 7	Renewable energy	
Policy 8	Open space, sport and recreation	
Policy 9	Cultural heritage	
Policy 10	Resources	X
Policy 11	Developer obligations	X



22. All new development proposals require to be assessed in relation to policies contained in the adopted Development Plan which comprises National Planning Framework 4 (NPF4) and the Cairngorms National Park Local Development Plan 2021. The full wording of policies can be found at:

<https://www.gov.scot/publications/national-planning-framework-4/documents/>

and at:

<https://cairngorms.co.uk/wp-content/uploads/2021/03/CNPA-LDP-2021-web.pdf>

Planning guidance

23. 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 (x).

Policy 1	Housing supplementary guidance	X
Policy 2	Supporting economic growth non-statutory guidance	
Policy 3	Design and placemaking non-statutory guidance	X
Policy 4	Natural heritage non-statutory guidance	X
Policy 5	Landscape non-statutory guidance	X
Policy 7	Renewable energy non-statutory guidance	
Policy 8	Open space, sport and recreation non-statutory guidance	
Policy 9	Cultural heritage non-statutory guidance	
Policy 10	Resources non-statutory guidance	X
Policy 11	Developer obligations supplementary guidance	X

Consultations

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

25. **Scottish Water** has no objection to the application. They advise that the applicant require to contact them regarding connections to their systems. They further note that they will not accept any surface water connections into their combined sewer system.

26. **The Highland Council Transport Planning Team** note that the development is located within an ongoing housing development and seeks to amend a previously



consented layout. In terms of roads and transport issues they note that this new layout involves only limited changes, and they have no objections. They note that a minor variation to the current Roads Construction Consent will be required.

27. **The Highland Council Flood Risk Management Team** note that the proposal is for a change of house type within a consented site. The proposed surface water drainage provision is for private soakaways within the curtilage of each plot which is the same as the previous layout. They remain content with this proposal and have no objections.
28. **The Highland Council Housing Service** was consulted in respect of concerns raised by the local Community Council with regards to housing needs. They have advised that they are content with the mix. They note that mid-market properties can be allocated with an additional bedroom space and families grow. In terms of social rent, they further note there is flexibility around allocations, and it should be remembered that children of a different sex have to have separate bedrooms after age eight.
29. **Cairngorms National Park Authority Outdoor Access Officer** has no comments, noting that there are no changes which affect public access at the site.
30. **Newtonmore and Vicinity Community Council** recognise that there are now new affordable housing partners working with the developers and that the house types are outwith the developers' control. However, they consider that the proposed remix to all three-bedroom houses is not what is needed by the community. The community council consider that the local demand is for two-bedroom affordable homes for young families. They are also concerned that with the involvement now of Highland Council the proposal may be seen as a solution to demand arising from people who are not resident in Badenoch, but rather from the wider Highland area and so will not address the demand from local families.
31. They also raise concern regarding the design of the housing which they do not consider enhances the site as the previous designs did, which had varying roof heights and styles. They consider that the proposed designs look like an estate of old-style social housing.



32. Accordingly, the Community Council object to the proposals on the basis that the proposed mix of housing and the style is not suited to the local community or the need for affordable housing for locally employed families rather than larger, more expensive three-bedroom properties as proposed now. A copy of their comments is attached as **Appendix 2**.

Representations

33. The application was advertised locally, and no representations have been received.

Appraisal

34. Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the Development Plan. This now comprises the Cairngorms National Park Local Development Plan (LDP) 2021 and the National Planning Framework 4 (NPF4). Where there is conflict between policies, NPF4 policies will be used.

35. The main planning considerations in this case are the principle of development, siting and design, and any environmental or servicing issues. These are considered in detail below.

Principle

36. **NPF4 Policy 9: Brownfield, Vacant and Derelict Land** and Empty Buildings states that proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP. **Similarly, Policy 16: Quality Homes** sets out that development proposals for new homes on land allocated for housing in the LDP will be supported. It also explains that proposals which improve affordability and choice will be supported.

37. **Policy 1: New Housing Development** of the Cairngorms Local Development Plan also explains that new housing proposals will be supported where they are located on an identified allocated site or within an identified settlement boundary and meet the requirements for the settlement as outlined in the community information section, and reinforce and enhance the character of the settlement.



38. In this regard the application site lies within a larger approved housing development located within the settlement boundary of Newtonmore as designated in the Local Development Plan. The originally approved development for 81 houses lies within a wider site which is designated for housing development as H1, allocated for a total of 120 dwellings. The settlement statement explains that as this is a visually prominent site, the design of any detailed proposals must take account of the sensitive setting of the village and be designed in a way that promotes the highest standards of access, layout, building design and public realm. Medium to high-risk probability flood risk is identified in the southern part of the wider site and the need for flood risk, drainage and landscaping information is noted in the settlement statement.
39. Also relevant in terms of principles, is the issue of affordable housing provision. **NPF4 Policy 16: Quality Homes** sets out that development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need, with provision of at least 25% sought unless the LDP sets out locations where a higher or lower contribution is sought. In this regard **Policy 1: New Housing Development** of the Cairngorms Local Development Plan states that developments of four or more dwellings should include provision for affordable housing. For Newtonmore 25 % of the total number of dwellings proposed must be affordable.
40. In this case, affordable housing provision was agreed with previous applications, with a total of 20 houses identified in this southern part of the site as being for affordable provision. The current application comprises part of this affordable housing provision and simply seeks a remix of 12 of the approved total of 20 units.
41. Set against this policy background, the principle of this application to remix affordable house types and layout within an approved housing development on land specifically designated for housing readily complies with NPF4 and LDP policies. It is the detail of the design and layout that falls to be considered now as follows.



Landscape Issues, Layout and Design

42. **NPF4 Policy 4: Natural Places** sets out that development proposals which affect a National Park will only be supported where the objectives of designation and the overall integrity of the area will not be compromised and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. **Policy 5: Landscape** of the Cairngorms Local Development Plan 2021 sets out similar objectives with a presumption against any development that does not conserve or enhance the landscape character or special landscape qualities of the Cairngorms National Park
43. **NPF4 Policy 14: Design, Quality and Place** also states development proposals should improve the quality of an area and be consistent with the six qualities of successful places namely healthy, pleasant, connected, distinctive, sustainable and adaptable. It also sets out that proposals which are poorly designed and detrimental to the amenity of the area will not be supported. This echoes the requirements of **Policy 3: Design and Placemaking** of the Cairngorms Local Development Plan 2021, which also sets out principles of sustainable design to be met with new development. As noted earlier, the settlement statement for Newtonmore also sets out the need for high quality design and layout on this prominent site.
44. In this regard the overall layout and house numbers was approved with the original planning application. The current proposal now seeks to amend the layout in terms of a move from communal parking to individual accesses and a change to introduce all two-storey semi-detached housing (six blocks) instead of two blocks of two storey semi-detached housing, one single storey semi-detached block and two terraced two storey blocks as proposed previously. All house types will now be three-bedroom as noted earlier in this report.
45. As noted by the Community Council, the original layout had more variety in terms of roof heights and massing in that there was a single storey element, and the layout was broken up by the communal parking. However, when viewed alongside the approved single storey housing to the west (which is directly beside the main road and comprises the remainder of this affordable phase), it is considered that the



overall layout, massing and scale is satisfactory, all as illustrated on the applicant's visualisations.

46. The proposed layout involves the remixed housing being stepped back from the access road with native hedging and planting proposed in the front gardens along with planting of mixed native hedging to the north and south, and trees to the south. Together with the areas of landscaping and amenity areas already approved in the western part of this affordable phase, and the planting to the south around the SuDS area, it is considered that this will provide a suitable setting for the development as well as creating connecting vegetation / landscape corridors on this part of the site. The loss of some landscaping around the communal parking areas (as was originally proposed) is considered to be satisfactorily mitigated by the planting now proposed.
47. In these overall circumstances it is considered that the proposed development will over time create a satisfactory extension to the townscape of Newtonmore and that the proposed changes are in keeping with the wider layout of the site.
48. The revised plans now show different finishes for the new houses which it is considered address the "bland" appearance as highlighted by the Community Council. It will allow a suitable level of variety in the development enabling it to comply with policies.
49. There will be no loss of amenity for any existing houses in the area which lie some distance to the northeast in large, wooded gardens. The layout, scale and window positions of the proposed new houses will not give rise to adverse impacts in terms of privacy and amenity to the remaining development in this phase.
50. Finally in terms of design issues, the proposal as set out earlier seeks to provide more three-bedroom houses than previously approved. The Community Council has raised concern that this does not address local demand which is for smaller two-bedroom properties. The proposal is for affordable housing to be provided by the Highland Council and Highland Housing Alliance who have both confirmed the demand for this type of housing which addresses the need for sufficient bedroom space for families with children as well as any needs for home working provision. Given the Community Council's concern, the technical consultee (Highland Council Housing Service) was consulted, and they have confirmed that the mix reflects local demand.



They have also confirmed that they are content with the mix, noting that mid-market properties can be allocated with an additional bedroom space, and that families grow. In terms of social rent, they further note there is flexibility around allocations, and it should be remembered that children of a different sex have to have separate bedrooms after age eight. In light of this information, there are not considered to be any material land use planning issues with the proposed mix which will help deliver much needed affordable housing.

51. In these circumstances the proposed the development is considered to comply with NPF4 and LDP policies.

Delivery of Affordable Housing

52. As noted earlier in this report, **NPF4 Policy 16: Quality Homes** sets out that development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need with provision of at least 25% sought unless the LDP set out locations where a higher or lower contribution is sought. **Policy 1: New Housing Development** of the Cairngorms Local Development Plan also states that developments of four or more dwellings should include provision for affordable housing.

53. The current remix application forms part of the affordable housing component of 20 units for the wider site here with priority purchase plots identified in addition to this too. As such, the requirement for sufficient affordable housing in this overall development is readily met.

54. This affordable phase was identified as “phase 1 “with the original 2007 planning application, with conditions in place requiring delivery of phased development. A phasing plan was approved in 2023 under the terms of condition 2. This showed a sequence of phasing with phase 2 to the north west due to commence in April – June 2024 and phase 3 to the north east April to June 2025. Work has commenced on site on the road infrastructure for this current phase 1, and a phasing plan has been submitted with this current application showing construction on the road infrastructure commencing summer 2024 and ongoing, and work on the construction of the houses due to start January 2025 subject to timescales to be agreed in the contracts with the providers. Work has also started on the construction of the houses



in phase 2. Given the overall size of the development (81 houses), it is not unusual for work to be continuing in subsequent phases too.

55. In these circumstances this Service is content that delivery of the affordable housing will be timely, with workforce currently on site.

Environmental Impacts

56. **NPF4 Policy 3: Biodiversity** requires development proposals to contribute to the enhancement of biodiversity and to include appropriate measures to conserve, restore and enhance biodiversity proportionate to the nature and scale of the development. This includes where relevant building and strengthening nature networks. **NPF4 Policy 4: Natural Places** does not support development which will have an unacceptable impact on the natural environment, or which will have a significant effect on European Site designations which include Special Areas of Conservation and Sites of Special Scientific Interest. **Policy 4: Natural Heritage** of the Cairngorms Local Development Plan similarly requires new development to have no adverse effects on the integrity of designated sites, the National Park or on protected species or habitats.

57. This application does not involve any additional loss of habitat as compared to the original applications, involving development on previously approved plots which are part of a wider site being cleared for development. As noted at the time of the Habitat Regulations Appraisal for the SuDS basin in 2022, there is no connectivity to watercourses and in particular the River Spey Special Area of Conservation (SAC) and accordingly no adverse effects on designated sites.

58. As noted earlier in this report, whilst there has been some loss of planting / amenity space around the originally proposed communal parking areas, it is considered that this has been satisfactorily mitigated by measures such as the increased hedging to improve connectivity together with the proposed bird boxes. This offers the opportunity for proportionate biodiversity enhancements as required by NPF4 policy,

59. In these overall circumstances the development is considered to comply with NPF4 and LDP policy.



Servicing – water environment

60. **NPF4 Policy 22: Flood Risk and Water Management** creates a presumption against all development at risk from flooding and seeks to ensure that there is no risk of surface water flooding to others, and that all rain and surface water is managed through sustainable urban drainage systems (SUDS) with area of impermeable surfaces minimised. **NPF4 Policy 20: Green and Blue Infrastructure** is also of some relevance. This supports development which incorporates new or enhanced blue and / or green infrastructure with proposals for their future management to be included. **Policy 10: Resources** of the Cairngorms Local Development Plan requires development to minimise the use of treated and abstracted water, treat surface water in accordance with the SuDS manual, ensure no adverse impacts on private water supplies, and ensure no detrimental impacts on the water environment as well as to be free from flood risk and not increase the risk of flooding elsewhere.
61. Drainage infrastructure for this wider site was approved with previous applications, including a SuDS basin to the south of the site to deal with roads drainage as approved in 2022. The proposed development, which does not increase the number of houses, will connect into these previously approved arrangements for road water with private soakaways within the house plots for roof water. This raises no new issues for the water environment, with the technical consultee (Flood Risk Management Team) having no objections. As such, the proposal is considered to comply with NPF4 and LDP policy in this respect.

Servicing – Transport and public access issues

62. **NPF4 Policy 13: Sustainable Transport** supports new development where it is in line with the sustainable transport and investment hierarchies and, where appropriate: provides safe links to local facilities via walking, wheeling and cycling networks; is accessible by public transport; provides low or zero emission charging points and secure cycling parking; is designed to incorporate safe crossing for walking and wheeling and reducing the speed of vehicles; takes account of the transport needs of diverse groups; and adequately mitigates any impact on local public access routes. **Policy 3: Design and Placemaking** of the Cairngorms Local Development Plan also requires development to have an appropriate means of access, parking and promote sustainable transport methods and active travel and to maintain and maximise all



opportunities for responsible outdoor access including links into the existing path network.

63. In this regard the development is part of a wider approved housing layout which is designated for development on a location which is within easy walking distance of the services and amenities of Newtonmore, including the railway station as well as the petrol station and café opposite. It does not adversely affect the road layout for the remainder of the site nor change the existing approved road layout. Electric charging points are shown within each plot. The technical consultee (Highland Council Transportation Team) has no objections. Finally, the development does not impact upon existing outdoor access routes, with walking routes such as the Coffin Road track to the south readily accessible.

64. In these circumstances the development is considered to comply with NPF4 and LDP policy.

Sustainability and Climate Change

65. The National Planning Framework 4 highlights that the global climate emergency and the nature crises have formed the foundations of the strategy as a whole. This is reinforced by **NPF4 Policy 1: Tackling the Climate and Nature Crises** which applies to all development and sets out that when considering all development proposals significant weight will be given to the global climate and nature crises. **NPF4 Policy 2: Climate Mitigation and Adaptation** also seeks to ensure that development is sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and to be able to adapt to climate change risks. **Policy 3: Design and Placemaking** of the Cairngorms Local Development Plan 2021 also requires new development to minimise the effects on climate change in terms of siting and construction. The NPF recognises the need to minimise waste with **NPF4 Policy 12: Zero Waste** seeking to encourage, promote and facilitate development that is consistent with the waste hierarchy. Similarly, **Policy 3: Design and Placemaking** of the Cairngorms Local Development Plan also requires new development to make arrangements for storage, segregation and collection of recyclable materials and provision for composting, and to make sustainable use of resources including minimisation of waste and energy usage. **Policy 10: Resources** of the Cairngorms Local



Development Plan also seeks to ensure minimisation of waste during construction and life of developments.

66. In this regard the proposed development on designated housing land within a village is considered to comply with these objectives. It will provide housing on land that can be readily serviced, by both public transport and private vehicles, as well as within a village so helping to support local services and amenities. There is ample space within the plots for bin storage, air source heat pumps are proposed, and the largely flat nature of the site will help to minimise impacts on soils.

67. In these overall circumstances the development is considered to comply with NPF4 and LDP policy.

Developer Obligations

68. **NPF Policy 18: Infrastructure First** sets out that the impacts of developments on infrastructure must be mitigated. Similarly, **Policy 11: Developer Obligations** of the Cairngorms Local Development Plan sets out where development generates a need to increase and improve public services or infrastructure or to mitigate adverse effects, the developer will be required to make a fair and reasonable contribution, in cash or kind, towards the additional costs or requirements.

69. In this case developer obligations were considered at the time of the original planning application for the overall development here, with a legal agreement in place to secure contributions for each house towards the provision and enhancement of recreational and other community facilities. This agreement remains in place and contributions will be covered by it. Accordingly, the development is considered to comply with NPF4 and LDP policy.

Other issues raised in consultations and representations

70. The Community Council has raised a concern that the housing may be used to house parties from outwith Badenoch. The housing is being built as affordable housing and will be allocated in accordance with the providers' allocation policy.



Conclusion

71. The ongoing development of a designated housing site within Newtonmore to deliver affordable housing is greatly welcomed. The proposed changes to house design and layout are considered to be satisfactory and overall the development is considered to comply with NPF4 and LDP policies. Conditions to secure implementation of landscaping, layout, parking etc. can be readily addressed and any relevant implementation conditions from the original consent here can be reimposed. On this basis, approval is recommended.

Recommendation

That members of the committee support a recommendation to APPROVE the application for change of house types Plots 49-50 and 53-60, and repositioning Plots 51-52 (2018/0242/DET) at Land Between Perth Road and Station Road, Newtonmore subject to the following conditions:

Conditions

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

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended

2. The houses hereby approved shall not be occupied until the drainage arrangements (foul and surface) have been implemented in accordance with the approved details.

Reason: To ensure that sustainable drainage arrangements avoiding unacceptable impacts on the environment are implemented in accordance with Policy 22: Flood Risk and water management of the National Planning Framework and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021



3. The housing units hereby approved shall be provided and retained as affordable housing units in perpetuity.

Reason: To ensure the delivery of affordable housing in accordance with Policy 16 Quality Homes of the National Planning Framework and Policy 1: New Housing Development of the Cairngorms National Park Local Development Plan 2021.

4. All landscaping and planting, including biodiversity enhancements and provision of bird boxes, shall be implemented in accordance with the approved landscape scheme in the first planting season following the completion or occupation, whichever is the sooner, of the houses hereby approved. The landscaping and biodiversity enhancements shall be retained and maintained thereafter in accordance with the approved plans and details throughout the lifetime of the development hereby approved.

Reason: To ensure the long-term retention of an appropriate landscaping setting, enhanced biodiversity, and to ensure the development complements and enhances the landscape in accordance with Policy 3: Biodiversity and Policy 4: Natural Places of the National Planning Framework and Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

5. No residential unit shall be occupied until its parking and access arrangements have been completed in accordance with the approved plans. This infrastructure to be retained thereafter throughout the lifetime of the development hereby approved.

Reason: To ensure that the development is satisfactorily serviced in accordance with Policy 13: Sustainable Transport of the National Planning Framework, and Policy 3: Design and Placemaking of the Cairngorms Local Development Plan 2021

6. Unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending it, the front gardens of the houses hereby approved shall be maintained in an open plan format.



Reason: To maintain a consistent character throughout the wider development, improve the quality of the area and ensure the development complements and enhances the landscape in accordance with Policy 4: Natural Places and Policy 14 Design Quality and Place of the National Planning Framework and Policy 3 Design and Placemaking and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

7. No residential unit shall be occupied until it is served by a road and footway constructed to adoptable standards.

Reason: To ensure that the development is satisfactorily serviced in accordance with Policy 13: Sustainable Transport of the National Planning Framework, and Policy 3: Design and Placemaking of the Cairngorms Local Development Plan 2021.

Informatives

1. 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.
2. 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.



3. Construction work (including the loading/unloading of delivery vehicles, plant or other machinery) should not take place outwith the hours of 0800 hours to 1900 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays or at any time or Bank Holidays to minimise disturbance to residents in the area.
4. It is recommended that all new housing incorporates integrated flexibility for home-working and high-speed fibre broadband connections.
5. The person undertaking the development should note the comments of Scottish Water and contact them regarding formal connection to their water and drainage networks. More information is contained in their consultation response.
6. The person undertaking the development should contact Highland Council Transportation Team regarding the need to vary the current Roads Construction Consent for the proposed development.