

CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Erection of 18 houses, upgrade of access at Land 40M NE of Rose Cottage, Dulnain Bridge

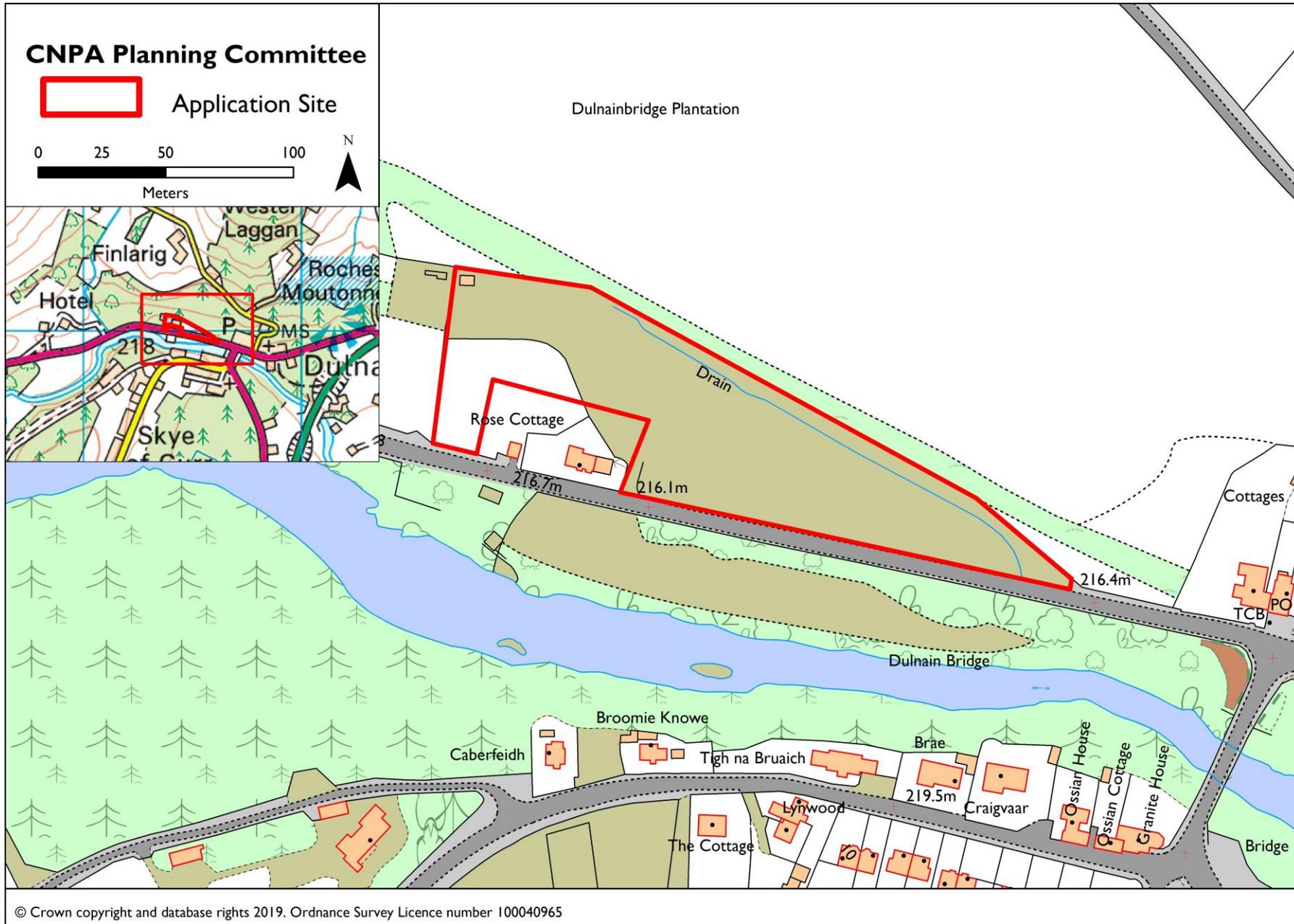
REFERENCE: 2018/0221/DET

APPLICANT: Highland Housing Alliance

DATE CALLED-IN: 13 June 2018

RECOMMENDATION: Approve subject to conditions

CASE OFFICER: Stephanie Wade, Planning Officer



SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The application site comprises approximately 1.09 hectares of grassland, located on the western edge of the settlement of Dulnain Bridge, abutting the northern side of the A938 and wrapping around the residential property Rose Cottage. The remainder of the site is bound by the mature woodland of Dulnainbridge Plantation. The site is relatively flat in an east to west direction with the ground surface inclining gradually to the northern site boundary where it extends at a steeper gradient beyond through the plantation. A drainage ditch runs along the northern boundary flowing eastwards to the site boundary where it terminates at a buried pipe beneath the A938.

2. The site is not covered by any specific environmental designations. The adjacent Dulnainbridge Plantation is recorded within the Ancient Woodland Inventory. The site contains areas of medium probability of surface flooding.

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=PA9NEHSI0CA00>

Title	Drawing Number	Date on Plan*	Date Received
Plans:			
Location Plan	P-006 Rev.A	24 July 2019	26 July 2019
Overall Site Plan	P-001 Rev.K	06 September 2019	06 September 2019
Site Layout Phase 1 Plan	P-010 Rev.G	06 September 2019	06 September 2019
Site Layout Phase 2 Plan	P-011 Rev.F	16 August 2019	23 August 2019
Site Section Plan	P-012	12 July 2019	26 July 2019
Proposed Roads Layout Plan	910 Rev.7	23 July 2019	23 August 2019
Landscape Proposals Plan	HHA 105.19 SL-01 Rev.E	27 June 2019	26 July 2019
Tree Protection Plan	106801-TPP-C3	25 July 2019	26 July 2019
Proposed Footpath Widening Plan	1100 Rev.2	18 July 2019	26 July 2019
Proposed Footpath Layout Leading Into Dulnain Bridge Plan	918	18 July 2019	26 July 2019
Plot Sections Plan	SK-03 Rev.1	11 July 2019	26 July 2019
Swept Path Analysis Refuse Vehicle Plan	913 Rev.2	27 June 2019	26 July 2019
Swept Path Analysis Plot Driveways Plan	1101 Rev.3	18 July 2019	26 July 2019
Proposed 30mph Signage Plan	930 Rev.1	28 June 2019	26 July 2019

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Title	Drawing Number	Date on Plan*	Date Received
3D Visibility Splay Plan	1102 Rev.3	05 September 2019	05 September 2019
Proposed Ditch Diversion Plan	1103 Rev.2	23 July 2019	26 July 2019
Proposed Rising Main Layout Sections and Details Plan	923 Rev.2	23 July 2019	26 July 2019
Proposed Drainage Layout Plan	920 Rev.6	15 August 2019	19 August 2019
Amended Floor Plans, Section & Elevations- 2 Bedrooms (s)	P-002 Rev.D	27 June 2019	26 July 2019
Amended Floor Plans, Section & Elevations- 3 Bedroom (s)	P-003 Rev.D	27 June 2019	26 July 2019
Amended Floor Plans, Sections & Elevations- 4 Bedrooms (D)	P-004 Rev.D	27 June 2019	26 July 2019
Amended Floor Plan, Section & Elevations- 3 Bedroom (D)	P-005 Rev.D	27 June 2019	26 July 2019
Proposed Site Levels Plan	914 Rev.1	14 March 2019	22 March 2019
Cut and Fill Layout Plan	908 Rev.1	08 June 2018	26 June 2018
Road Construction Details	906	30 April 2018	26 June 2018
Sewers Construction Standard Details	907	01 May 2018	26 June 2018
Tree Constraint Plan	812701	07 June 2018	26 June 2018
Supporting Documents:			
Design and Supporting Statement		01 June 2018	26 June 2018
Bat Roost Inspection Survey		04 June 2018	26 June 2018
Tree Schedule	9793	07 June 2018	26 June 2018
Tree Survey Report	9793	07 June 2018	26 June 2018
Visual Information			26 June 2018
Maintenance Statement- Boundary Ditch	181185-GRD		22 March 2019
Ground Maintenance Schedule			22 March 2019
Ecology Supplementary Report		01 October 2018	22 March 2019
Dulnain Bridge Water Vole Memo		14 June 2019	17 June 2019
Drainage Impact Assessment	1/181185 Rev.B	01 July 2019	26 July 2019
Aboricultural Impact Assessment and Method Statement	1068	25 July 2019	26 July 2019
Reptile Survey Report by Alba Ecology Ltd		01 June 2019	26 July 2019
Additional Supporting Statement	2017-085		26 July 2019
Highland Housing Alliance Tenancy Management Statement			26 July 2019
Soft Landscape Works- 5 year	Rev. C	23 July 2019	26 July 2019

Title	Drawing Number	Date on Plan*	Date Received
Maintenance Regime			
1Yr Incl. 30CC Calculations		15 August 2019	19 August 2019
200Yr Incl. 30CC Calculations		15 August 2019	19 August 2019
30Yr Incl. 30CC Calculations		15 August 2019	19 August 2019
SUDS Basin Impermeable Areas Calculations		23 May 2019	19 August 2019
Post Development Runoff Calculations		22 May 2019	19 August 2019
SUDS Basin Calculations		22 May 2019	19 August 2019

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

4. This application seeks planning permission for the erection of 18 dwellinghouses with associated access, drainage, service and landscaping works. The development includes a mix of detached and semi-detached houses ranging between one and one and half-storey units. The dwellinghouses are all proposed to be affordable units with a combination of 10 mid-market rent for Highland Housing Alliance and 8 Council owned units. The housing schedule is as follows:

Number of Units	Number of Storeys	Accommodation Type	Number of bedrooms
8	One and a half	Semi-detached	2
8	One and a half	Semi-detached	3
1	Single Storey	Detached	3
1	Single Storey	Detached	4

5. Following the original submission, the application has been subject to a number of amendments to the details of the scheme, such as the drainage measures, road, parking and footpath layouts and landscaping. The amendments have been sought to try and overcome the concerns raised by consultation respondents throughout the progression of this application. The following paragraphs describe the latest submission details for the proposal.
6. All 18 dwellings have been designed with dual pitched roofs, incorporating porches and a combination of dormer and roof light features. Proposed finishes are white roughcast walls with sections of Eternit Cedral weatherboarding, dark grey Aluclad windows and grey roof tiles. Solar PV panels are proposed to be installed on the roof slopes of the dwellinghouses. The application Design and Supporting Statement states that the four house types have been designed in accordance with the Firm Foundations Design Brief, prepared by Highland Housing Alliance and the design guide for Housing for Varying Needs.
7. Access to the site is proposed to utilise the existing site access, which was approved under the 2004 application. The existing access bellmouth is to be retained with a single internal road leading into the site and continuing in a westerly direction to provide access to the dwellings, which will be constructed linear to the internal access road forming a cul-de-sac layout. Two turning heads (1 temporary) are proposed to be constructed and a singular lane leads off the main internal site road to the east to

provide vehicular access to dwelling plots 16, 17 and 18. Pedestrian pavements abut the internal road throughout the site and continue to the east, linear, but set back from the A938 to provide pedestrian access into the village. The scheme is proposed to be constructed in two phases and the phase 1 hardcore turning area is proposed to be removed upon completion of the second phase construction when the permanent turning head is installed.

8. A total of 42 car parking spaces are proposed to be installed within the site. Each dwelling is proposed to be served by two parking spaces each to be located within the curtilages of the individual dwellings. The 6 visitor parking spaces are proposed to be sited in two blocks adjacent to the northern side of the internal road.
9. The development is proposed to be serviced by a new foul pump station, which is proposed to be located adjacent to the A938 within the eastern side of the site. Private connections are proposed to be made from each unit to a new gravity sewer within the internal access road. The proposed surface water arrangements include the use of permeable site materials and a detention basin. All roof water is proposed to be drained into a surface water sewer, which will then discharge into the detention basin located within the eastern area of the site, adjacent to the proposed pump station.
10. The existing, open drainage ditch, which runs adjacent to the northern site boundary is proposed to be enclosed. A 1 metre wide cut-off drain system with water draining into a 225mm diameter, half perforated collector pipe is proposed, with the drain terminating via a controlled discharge to the existing watercourse by a hydro brake manhole. The boundary of the domestic curtilages for the northern site properties have been amended to allow for a 1 metre wide maintenance access to the drain channel.
11. Each dwelling is proposed with its own private garden area to be enclosed by 1.8 metre high timber fence and a 1.2 metre high timber picket fence is proposed to be erected along some of the other curtilage boundary lines of each property. The remainder of the site is proposed to be grassed with tree planting proposed in clusters around the site, which include: Silver birch, Rowan, Aspen, Alder, and Pine. 13 existing trees within the eastern site corner are proposed to be removed. Proposed shrub planting throughout the site includes: Hazel, Holly, Juniper, Heather, Blaeberry, Broom and Bog Myrtle.
12. The application is supported by the following information:
 - a) **Design and Supporting Statement, additional supporting statement and Highland Housing Alliance Tenancy Management Statement:** these documents provide an outline of the framework that informed the design development of the proposed scheme. The documents consider the site constraints, policy framework, and summarises the individual elements of the scheme including road access, drainage, house design and landscape. The additional supporting statement provides further clarification regarding the evolution of the design concept of the scheme. The Highland Housing Alliance Tenancy Management Statement provides justification for the design elements of the dwellinghouses relating to the siting of the car parking, front door locations, garden orientation and boundary fence heights. The document confirms that all

elements have been designed to provide an enhancement to the quality of living to their residents.

- b) **Ecological reports including: Bat Roost Inspection Survey, Ecology Supplementary Report, Water Vole Memo and Reptile Survey Report:** A preliminary Bat roost inspection survey was undertaken by Coachman Bat Consultancy with the findings included within the report dated 04 June 2018. The survey assessed trees within the site and one tree outwith the site for their potential for roosting suitability. The survey concluded that the trees surveyed were considered to provide negligible or very limiting roosting potential and there was no evidence of roosting bats. A supplementary ecology report dated October 2018 providing an ecology assessment update to the previous field work undertaken for bat and reptiles. The survey recommended that a dawn emergence survey for bats would be required and noted that the bat foraging routes were unlikely to be affected by the development. The survey also recommended that the reptile survey is repeated to provide further data. A Water Vole survey was undertaken and submitted in support of the application to determine whether the proposed ditch works would impact on any water vole habitat. The report concludes that no evidence of any water voles were found within the study area. A Reptile Survey Report, dated June 2019, has been submitted, which concludes that common lizards were recorded at relatively low-moderate density in the survey area between the period 13/05/2019 to 18/06/2019. No other reptile species were recorded. A species protection plan is therefore recommended within the report to provide mitigation measures for reptiles.
- c) **Arboricultural information including: Tree Schedule, tree survey report, arboricultural impact assessment and method statement:** an initial tree survey report was provided with the original submission details together with a tree schedule confirming the scope of works, survey methodology and survey results of the existing trees on site. The trees surveyed consisted of self-sown alder, willow and birch in the eastern site corner, with a low quality recorded for the cluster, although good quality birch were recorded. A total of 32 trees were surveyed. A further report was submitted in support of the application detailing the arboricultural impact assessment and method statement for the site. The report recommends that a total of 8 category C trees and three category U trees are to be removed which is detailed as having a minimal to moderate effect on the landscape. The report also details the tree protection measures to be implemented for the retained trees on site together with compensatory planting and landscaping scheme.
- d) **Revised drainage impact assessment:** the revised document confirms that foul water from the development will drain via a proposed foul pump station (to be adopted by Scottish Water) and private connections will be made to this from each unit to a new gravity sewer within the access roads. Regarding surface water, roof water is proposed to be drained to the proposed surface water sewer which will then discharge to a detention basin. Private shared car parking areas is proposed to drain via porous block paving to underlying sub-base which will be surrounded in a layer of geotextile, with a controlled discharge to the boundary ditch. The adoptable road area is proposed to drain via road gullies conveying to a detention basin. It is proposed that Highland Council Roads Department will adopt the gully connections whilst Scottish Water will adopt the remainder of the drainage system including the detention basin. The detention

basin has been designed to manage surface water flow generated by the development up to and including a 1 in 200 year storm event and additional 30% climate change and 10% urban creep allowances. The existing open ditch is proposed as a boundary filter trench which has been designed to have at least the same hydraulic capacity as existing. The report concludes that a sustainable drainage solution for the proposal can be implemented. The appendices include the ground investigation reports, drainage calculations, layouts and assessment for the relocated ditch.

- e) **Drainage and flood assessments including: storm and flood calculations, SUDS basin impermeable areas calculations, post development run off calculations and Suds Basin calculations:** further flood and run off calculations have been provided by the agent to demonstrate the discharge levels from the site drainage in regards to limiting it to the pre-development greenfield rate for the corresponding return period storm events.
- f) **Boundary ditch maintenance schedule:** outlines the maintenance of the existing boundary ditch within the site during the construction period and post construction. It confirms that maintenance access has been retained to the ditch with a minimum 1 metre maintenance strip to provide retained between the ditch and proposed garden fences. The ditch is proposed to be inspected on an annual basis.
- g) **Ground maintenance schedule:** a five year maintenance schedule for the soft landscaping works of the scheme has been submitted, which includes details such as the replacement of any plant deaths after the first year of planting during the five year period and notes that the maintenance will firstly be undertaken by the landscape contractor and then it will revert to the Factor (Highland Housing Alliance and Highland Council).

- 13. Plans of the proposal are included within **Appendix I**.
- 14. At the time of submission of the application the applicants were Bespoke Highland Homes. The application site is now under the control of Highland Housing Alliance who are now the applicants with revised application forms submitted and they wish the application to proceed to a conclusion.

History

- 15. The site has an extant planning permission under Highland Council application reference: 04/00118/FULBS for the 'formation of access road and sewage pumping station and subdivision of land to form 10 house plots' which was submitted in April 2004. Permission was granted on 29 June 2010 and works originally began on the installation of the road access bellmouth.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	Scottish Planning Policy 2014	
Strategic Policy	Cairngorms National Park Partnership Plan 2017 - 2022	
Local Plan Policy	Cairngorms National Park Local Development Plan (2015) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	X
POLICY 2	SUPPORTING ECONOMIC GROWTH	
POLICY 3	SUSTAINABLE DESIGN	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	X
POLICY 8	SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER CONTRIBUTIONS	X

16. 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>
17. The site is identified within the Dulnain settlement statement of the Cairngorms Local Development Plan 2015 for housing development under the designation EP1 – Adjacent to A938 where it is stated as follows: *identified as existing consent for 10 units.*

Planning Guidance

18. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	New Housing Development Non-Statutory Guidance	X
Policy 2	Supporting Economic Growth Non-Statutory Guidance	
Policy 3	Sustainable Design Non-Statutory Guidance	X
Policy 4	Natural Heritage Supplementary Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Supplementary Guidance	X
Policy 8	Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Contributions Supplementary Guidance	X

Cairngorms National Park Local Development Plan 2020

19. 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. In addition, proposals and policies which received heavy objection following the public consultation process are afforded even less weight.
20. Within the Proposed Plan, Dulnain H2 site remains allocated for housing and the 1.3ha site has an indicative residential capacity of 20 units. The Plan states “*the site currently benefits from an existing permission for 10 dwellings, however there are opportunities to increase the number of units to 20.*” Following the public consultation on the proposed plan, no objections were received to the proposed H2 Housing allocation at Dulnain Bridge.

CONSULTATIONS

Summary of the main issues raised by Consultees

21. **Scottish Environment Protection Agency (SEPA)** has no objection to the application on flood risk grounds and refer to the local authority Flood Team for their comments regarding surface water drainage issues and mitigation measures.
22. **Scottish Water** were consulted on the application but have not provided any formal response regarding the scheme.
23. **Highland Council Transport Planning Team** has provided four consultation responses throughout the progression of this application. The Transport Planning Team raised objection during their first and second responses and required the submission of further information to inform the analysis of the development. Their comments on the latest scheme have been summarised under the following headings below:
 - a) **Access from A938:** The Transport Planning Team confirm that they have no objection to a visibility splay x distance of 2.4 metres being applied as the proposed development is relatively small and will not generate significant levels of new traffic.
 - b) **Site layout:** The Transport Planning Team still require the submission of a plan demonstrating the forward visibility splay of plot 15 as required on road safety grounds.
 - c) **Conditions summary:** The Team request planning conditions are attached to any consent given for the footway to be installed prior to any occupation of any dwelling; the extension of the 30mph zone to be implemented prior to the commencement of any construction works and the requirement for a SUDS scheme along the A938 adjacent to the development site to be agreed and implemented.

24. Following the applicant's revision of the plans to show the forward visibility splay of plot 15, the Highland Council Transport Planning Team accept the proposed reduced forward visibility splay at the bend, given the provision of traffic calming measures within the scheme. They note that the landscaping drawing would need to be amended to move the Rowan tree further away from the splay.
25. **Highland Council Housing Service** confirms that, in their opinion, the development provides for much needed family housing in Badenoch and Strathspey and the Housing Service therefore has no comments or objections to the plans as they stand.
26. **Highland Council Flood Risk Management Team** has considered the submission details (July 2019) of the application and maintained their original objection to the proposal. Regarding drainage matters, the Team object as the cut-off ditch is proposed to be located within private property boundaries with no maintenance access or defined maintenance responsibilities. They also require the demonstration that the discharge from the site drainage is limited to the pre-development greenfield rate for the corresponding return period storm events.
27. Following the submission of revised information on 19 August 2019, the Flood Risk Management Team confirm that they withdraw their previous objection to the application noting that the site layout has been modified and the ditch at the rear of the site is not within any of the plot boundaries. Maintenance access would be retained to the ditch and the drainage calculations provided demonstrate that surface water discharge from the site will be attenuated to the pre-development greenfield rates for storms up to and including the 1 in 200 year plus climate change event.
28. **Highland Council Forestry Officer** has provided comments on the March 2019 revisions. The Officer has no objection to the principle of the development but objected to the application at that stage due to the following concerns:
 - a) The Officer noted that the tree schedule had not been updated and tree constraints plan have not been revised as part of the submission. The Officer queries the tree quality assessment and notes that the tree schedule records almost all of the trees as having an estimated remaining contribution of greater than 20 years.
 - b) The Officer considers the reduction of trees to be removed is an improvement as it now allows for the retention of 21 trees on site. Regarding the tree protection plan, the Officer requires a condition to be attached to any subsequent decision for the provision of protection measures to some of the adjacent trees outwith the site boundary.
 - c) The Officer requires the submission of a more robust landscape plan incorporating planting at the west end of the site and between the houses and road to provide further compensation for tree losses and to add positively to the character and setting of the development.
29. Following the revisions to the latest scheme (documents submitted in July 2019), the Officer confirms that the tree protection measures and the landscape plan are generally acceptable but requests the addition of post determination conditions

seeking refinements to the landscape plan and the Aboricultural Method Statement and relating to the tree protection measures to be maintained on site.

30. **Highland Council Contaminated Land Officer** having checked their historical records confirms that there are no known issues in terms of potential contaminated land at the site and the Contaminated Land Service therefore has no comment on the scheme.
31. **Highland Council Environmental Health Officer** were consulted on the application but have not provided any formal response regarding the scheme.
32. **CNPA Landscape Officer** originally advised that the development would have minimal impact upon the landscape character of the site, as the current land is of natural value. For the wider landscape character it was advised that the proposal, subject to design, should seek to avoid introducing hard edges to the development following a principle of seamless linkages of the housing and garden grounds into the surrounding landscape.
33. In terms of landscape and visual character, the Landscape Officer advised that a high quality design in terms of layout, orientation, form, scale and materials should be sought which enhanced the experience of entering the village from the west along the A938. Concerns were previously raised by the Officer at pre-application stage over the design and in particular concern of the rear view fronting on the principle route in Dulnain Bridge. The Officer raised a number of concerns with the original scheme as submitted which include: an inward looking development which would not be integrated as part of the village townscape and is contrary to the predominant built character of this part of the settlement; a lack of detail to be able to make a judgement on the degree of screening the planting proposed would provide; a lack of detail on the proposed tree planting and vegetation planting; insufficient information regarding the tree survey and tree plan; and insufficient information of how the proposed SUDs will be integrated into the landscape.
34. Following the March 2019 revisions, the Landscape Officer reiterated that the fundamental design of the proposal remained unchanged from the original submission and therefore the development remained contrary to the prevailing townscape character of Dulnain Bridge and disconnected. The sense of disconnection was considered by the Officer to be emphasised further by the boundary treatment along the publicly visible flanks of the scheme where the landscaping proposed was considered to be at a poor quality. The Officer concluded that the development does not take account of the opportunities the site provides and the conclusions reached in the original consultation response still stand. The Officer provided the following additional comments at this stage of the application progression:
 - a) **Tree Planting:** The Officer notes that the details of the revised landscaping scheme suggest standard planting with 8 new trees located where land is not developable and not in response to the context of the landscape.
 - b) **Fencing:** The Officer notes that clarity has been provided on the boundary treatments, however the proposed fencing adds to the introverted nature of the development.

- c) **Tree Protection Plan:** The additional plan provides greater clarity on the location of the trees affected and enable cross referencing with the already submitted Tree Survey.
 - d) **SUDS design:** The Officer notes that the details maintained an engineered SUDs design with an access road encircling the basin and further encircled by stock fencing.
35. On considering the latest details, the Landscape Officer has provided comment on how the proposal looks to address five key landscape considerations previously raised through the consultation process. These are as follows:
- a) **Poor planting plan and lack of cover on southern and western sides of the site:** The planting plan has been improved although could be improved further by using a natural flower and grassland seed mix throughout the site to provide a more coherent planting scheme by tying together the visually isolated groups of shrub and a revised management plan would therefore be required which could be dealt with by way of planning condition. The Officer also suggests minor amendments to the proposed shrub mix including double planting to ensure a good planting scheme is established.
 - b) **Inadequate tree planting and protection plan:** the additional tree planting proposed is considered acceptable by the Officer however, reference is made to comments from the Highland Council Forestry Officer.
 - c) **Fencing dominates and creates introverted character of the site:** The Officer considers that a more simplistic fence line would be appropriate in this area and suggests use of a 1.4 metre fence with high points added by trees planted and a change in height before the frontage fence should occur 1 metre or so before to ensure a more attractive junction.
 - d) **SUDS:** the Officer advises that the interior of the SUDs basin should be sown with a wild flower and grass land mix to provide visual interest and biodiversity benefit.
 - e) **Contrary to village character and does little to address the key site at entrance to the village:** the overall plan has not changed significantly and therefore the Officers previous comments are still of relevance.
36. The Officer notes that should approval be recommended then the landscape measures mentioned above can all be conditioned.
37. **CNPA Ecology Officer** has reviewed the supporting documentation and provided comments on each of the scheme's revisions. The Officer references the details of the bat survey which confirm that the pipistrelle which were observed within the area, will not be affected by the construction of this development. The Officer welcomes additional tree planting which will benefit the bats in the area as it creates commuting corridors.
38. Regarding the SUDS scheme, the Officer concurred with the comments of the Landscape Officer and requested within their second consultation comments, that the SUDS scheme was revised for the development to incorporate enhanced biodiversity and landscaping measures.
39. The Officer has considered the latest submission details which include a reptile survey (July 2019), a revised drainage impact assessment (July, 2019) and an ecological

assessment of the field drain for water voles (June 2019). No evidence of water voles were found during the survey. Regarding the reptile survey, a low to moderate population of common lizard were found and a draft species protection plan has been provided and is recommended to be incorporated within a Construction Environmental Plan. An Ecological Clerk of Works (ECoW) is also recommended to be on site during the site clearance together with a number of site clearance and construction work methods to ensure that reptiles are protected. Suds scheme remains the same and the Officer has no further comment.

40. **CNPA Outdoor Access Officer** has examined the additional and revised information and has no further comments to make beyond those previously made within their 7 June 2019 response, which is summarised as follows:
41. The Officer confirms that the Access Authority has no concerns about the potential impact on the exercise of access rights, core paths or other routes and welcomes the inclusion of a path linking the development to the village. The Officer suggests the inclusion of gaps in the boundary fence to the forestry land behind the site and to the wooded area to the west of the development, subject to landowner agreement, to further increase physical activity links within the area.
42. **Dulnain Community Council** previously objected to the scheme and required clarification on matters which have since been addressed throughout the progression of the application.
43. The Community Council note the recent amendments to the proposal and have no objections.
44. A full copy of the Community Council comments can be found at **Appendix 3**.

REPRESENTATIONS

45. The application was advertised when first submitted. Following the consultation process on the scheme as originally submitted, one letter of objection was received on behalf of the Badenoch and Strathspey Conservation Group (BSCG). BSCG confirmed that they do not necessarily object to the principal of development at the site; however they object to the application due to a number of concerns and requested the opportunity to **address the committee**. Their concerns are summarised as follows:
 - a) The native trees on site should be retained as they provide valuable habitat, enhance habitat continuity and contribute positively to the landscape;
 - b) Inadequate quality of information provided in the tree schedule and tree quality assessment and the absence of a tree protection plan;
 - c) The proposed planting is insufficient to provide the level of habitat provision, continuity and landscape enhancement that is appropriate at this gateway location and insufficient information is provided regarding the planting scheme;
 - d) Built development within the site should be set back from the water course that runs through the site so there is a sufficient width to enhance the current wetland habitat; and

- e) The provision of routes for walking is inadequate and inappropriately located beside the main road.

46. A copy of the public representation can be found at **Appendix 2**.

APPRAISAL

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

Principle of Development

- 48. **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 Dulnain Bridge, on a site designated for housing in the Local Development Plan 2015. Accordingly, under the terms of Policy I there is clear policy support for housing, subject to the detail of the development complying with all relevant Local Development Plan policies.
- 49. **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 18 dwellings, all of which are proposed to be affordable units with a combination of 10 mid-market rent for Highland Housing Alliance and 8 Council owned units. The policy requirement is therefore far exceeded and in accordance with Policy I of the Local Development Plan 2015. The Housing Service at Highland Council has no objections to the scheme and notes that the scheme provides for much needed housing within the area.
- 50. It is noted with regard to the Local Development Plan designation, that the settlement statement identifies the site as being suitable for 10 houses. This is on the basis that the site has an existing, extant permission for this amount of housing on the site and therefore, the Plan supports the delivery of an already permitted scheme. It is worth noting that within the Proposed Local Development Plan 2020, the site designation is proposed at an indicative residential capacity of 20 residential units. Although only limited weight can be assigned to the Proposed Local Development Plan at this stage, no objections were received against this allocation during the public consultation process and the proposed residential unit capacity is a relevant consideration regarding this current scheme. The current proposal looks to erect 18 affordable units of accommodation and as the Proposed Local Development Plan has indicated that the site has capacity for a larger number of housing than that currently indicated in the currently Local Development Plan site allocation, the proposed number of units is considered to be acceptable subject to the layout, servicing and design being satisfactory.
- 51. On balance, the principle of the proposal is considered to be acceptable in accordance with the requirements of Policy I: 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

52. **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.
53. In this regard, the setting of Dulnain Bridge is defined by the presence of the River Dulnain, which flows through a gorge and land that adjoins. On the north bank where the site is located, the land rises out of the gorge to form a shallow stepped plateau, which north wards rises. This outer rise is defined by both the upward slope of the land and the tree plantation, which provides both landscape character and visual background to the site and the wider village setting.
54. The site is on the western edge of the village and on a key approach into the village by the A938 road. At present, this approach is characterised by rough grazing land surrounding the road facing Rose Cottage- a relatively isolated, traditional, one and a half storey stone cottage. As the application is located at a key entrance to the village, it is particularly important that this approach into the village is conserved and enhanced in line with policy.
55. The housing density of the site, as previously stated, is proposed at a higher amount than that currently suggested within the adopted Local Development Plan 2015. However, it is considered, on balance, that the site has capacity to accommodate the proposed level and provides a development which still maintains a buffer area of open ground between the proposed housing and the adjacent woodland to the north. This helps to provide an adequate transition between the developed land and the wider plantation setting and also provides the development with a strong visual backdrop, typical of this area.
56. The proposed scheme has been subject to a number of amendments following its original submission and this includes amendments to the landscaping scheme of the development in response to concern raised during the consultation process. The latest scheme illustrates each dwelling being served by its own private garden, enclosed by fencing and surrounded by grassed areas with tree and shrub planting proposed in clusters around the site. The CNPA Landscape Officer welcomes the improvement to the planting scheme of the proposed development and the introduction of planting on the outward facing side of the site to address previous consultation concerns raised. The Officer also notes that the shrub mix proposed is reasonable although oddly grouped with bog plants adjacent to plants requiring dryer conditions. The Officer also suggests a differing wild flower grass mix for the SUDs

pond to provide visual interest and biodiversity benefit. These refinements can be dealt with by planning condition.

57. Concern has previously been raised regarding the layout of the scheme and its compatibility with the established character of the village and it is suggested that a scheme on this site could have better integration with the existing village through its design and layout. However, it is understood from the application details that the design and layout has evolved to meet the requirements of the applicant as set out in their Firm Foundations Design Brief and the design guide for Housing For Varying Needs, providing comfortable and functional, affordable housing units for their tenants, whilst minimising any potential maintenance and management problems for the housing providers.
58. The proposed scheme has received a number of modifications, including siting the footpath link to the village in line with the road to create a more connected development to the village and provide a more outward looking development. The further amendments to the proposed boundary treatments within the site together with the addition of the planting along the publicly visible flanks of the scheme also help the integration of the development with the immediate area. Taking this into account, on balance it is considered that the proposed layout meets the minimum requirements of site integration with the established character of the village and taking into account the nature of the scheme, providing much needed affordable accommodation within the area, it is considered that the proposal is acceptable in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.
59. 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. The nearest residential neighbour is Rose Cottage and the proposed development shares a site boundary with this property. No comments have been from the occupant of the property and it is understood that the applicant has consulted the occupant of Rose Cottage with the development details, and has included a new vehicular access to Rose Cottage from the development as agreed between the two parties. The layout of the development has been designed to minimise any potential impacts the proposal may have on neighbouring amenity, including impacts of overlooking, overbearing, and loss of light. It is considered that there is a good distance between the proposed dwellings and Rose Cottage and the development is therefore not considered to affect the amenity currently enjoyed by neighbouring occupants to any adverse level.
60. **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 and boundary treatments to provide privacy for all residents with ready access to the existing, popular network of walks and amenities of the adjacent woodland.
61. 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.

62. The house designs are considered appropriate and in keeping with the area and that of recent developments within the Park, delivering a variety of house types for the affordable housing. The proposed finishes are also considered to be appropriate here, subject to final details being agreed by way of post determination condition.
63. 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

64. **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.
65. The application site is of environmental interest and importance in terms of habitat qualities of the grazing field and the woodland to the rear of the site within Dulnainbridge Plantation, although it is noted that the site is not covered by any specific environmental designations.
66. In relation to the European Protected Species, initial survey work is considered to be proportionate and has concluded that the proposal is not going to have an adverse impact on the protected species identified within the area subject to the production of a Species Protection Plan for reptiles. An Ecological Clerk of Works is also recommended to be on site during the site clearance. Planning conditions will be required to ensure the delivery of the various mitigation measures outlined in the Ecology Assessment and to secure species protection plans for reptiles, as recommended.
67. In terms of impact upon woodland, it is noted that the plantation woodland to the north of the application site will not be affected by the development. Within the site area, and adjacent to the eastern site boundary, 14 trees- valued at either low quality or unsuitable for retention- are proposed to be removed. Regarding compensatory planting, a total of 96 trees comprising 9 tree species are proposed to be planted, as outlined within the Landscaping Plan. The CNPA Landscape Officer considers the proposed compensatory tree planting to be acceptable. The Highland Council Forestry Officer confirms that the tree protection measures and the landscape plan are generally acceptable but requests the addition of post determination conditions seeking refinements to the landscape plan and the Arboricultural Method Statement. 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.
68. Regarding other environmental matters, the Scottish Environment Protection Agency has no objection to the application on flood risk grounds.

69. 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

70. **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.
71. In this case, roof water is proposed to be drained to the proposed surface water sewer, which will then discharge to a detention basin. Private shared car parking areas are proposed to drain via porous block paving to an underlying sub-base, which will be surrounded in a layer of geotextile, with a controlled discharge to the boundary ditch. The adoptable road area is proposed to drain via road gullies conveying to a detention basin. It is proposed that Highland Council Roads Department will adopt the gully connections whilst Scottish Water will adopt the remainder of the drainage system including the detention basin. The detention basin has been designed to manage surface water flow generated by the development up to and including a 1 in 200 year storm event and additional 30% climate change and 10% urban creep allowances. The existing open ditch is proposed as a boundary filter trench, which has been designed to have at least the same hydraulic capacity as existing.
72. Regarding foul drainage, the development is proposed to be served by a proposed foul pump station (to be adopted by Scottish Water) and private connections will be made to this from each unit to a new gravity sewer within the access roads. No specific comments regarding the proposal have been received from Scottish Water. The Highland Council Flood Prevention Team has no objections to the proposal following the revisions made to the scheme to satisfy their previous objections and it has been demonstrated that the surface water discharge from the site will be attenuated to the pre-development greenfield rates for storms up to and including the 1 in 200 year plus climate change event.
73. Waste management provision is proposed within 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.
74. **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 Highland Council Transport Planning Team subject to the imposition of appropriate planning conditions. It should be noted that the proposed traffic calming measures included within the planning application details relating to the A938 and the change of the extents of the 30mph speed limit, would need to be agreed through the Road Construction Consent process with Highland Council Transport Planning Team. A suspensive condition is therefore required by the Transport Planning Team to reflect this. Regarding the Transport Planning Team's request for the removal of the Rose Cottage's existing vehicular

access onto the A938, it should be noted that this relates to land outwith the development boundary and not within the applicant's ownership. This requirement cannot, therefore, be conditioned as part of this application. The Transport Planning Team has been informed of this.

75. **Policy 3:** Sustainable Design also sets out that new development should be designed to maintain and maximise all opportunities for responsible outdoor access. This includes links into the existing path network and the promotion of 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. The Transport Planning Team confirms that the Highland Community Services Team will adopt the proposed footway, which links the development to the village centre. There is space within the domestic curtilages for cycle storage for dwelling occupants. The CNPA Outdoor Access Officer confirms that there are no concerns arising from the proposal in relation to its impact on the exercise of access rights and other routes within the area and the Officer welcomes the inclusion of a path linking the development to the village.
76. On this basis, the application is considered to comply with the relevant planning policies.

Developer Contributions

77. **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.
78. 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. In addition, the development will not give rise to any impact upon primary or secondary education and therefore no contribution is required, on this occasion. 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

79. Matters raised by consultees and contributors have been addressed throughout this report including the query regarding the level of detail initially provided in support of the application. Dulnain Community Council notes the recent amendments to the scheme and has no objections.
80. The Highland Council Contaminated Land Officer confirms that there are no known issues in terms of potential contaminated land at the site.

CONCLUSION

81. 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 providing 100% affordable housing within Dulnain Bridge well in excess of policy requirements. 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.
82. The layout and design of the new development is of an adequate standard, and will deliver new housing within a landscaped setting in keeping with the established character and setting of the village. Environmental impacts can be satisfactorily mitigated and habitat enhancements can be delivered which will ensure that key habitats are protected and enhanced over time. These matters can be adequately addressed subject to planning conditions, as required by consultees.
83. 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. Approval is therefore recommended.

RECOMMENDATION

That Members of the Committee support a recommendation to APPROVE the Erection of 18 houses, upgrade of access at Land 40M NE Of Rose Cottage Dulnain Bridge subject to the following conditions:

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

Conditions

1. **No development shall commence on site until the details of the extension of the 30mph zone to be extended with the necessary signing 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 works shall thereafter be completed in strict accordance with the approved plans prior to the commencement of any construction on site.**

Reason: To ensure that the development is provided with safe access throughout its delivery in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

2. **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 details of the timings of works to reflect the need to**

minimise residential disturbance during construction. 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.

3. **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. The 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 plan for Reptiles;**
 - d) **Details of all measures to be taken to protect the water environment;**
 - e) **Details of construction stage SUDs; and**
 - 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;**

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.

4. **No development shall commence on site until a revised Tree Protection Plan and Aboricultural 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 Aboricultural 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.

5. **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. 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.

6. **No development shall commence on site until details of the SUDs drainage scheme for the development and along the A938 adjacent to the development site 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 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.

7. **No development shall commence on site for the construction of the dwellings until the visibility splays as shown on drawing number 1102 Rev.3 have been installed and retained thereafter, free of obstruction, in accordance with the details on this plan for the lifetime of this consent.**

Reason: The installation of the visibility splays prior to the commencement of the construction works for the development is required to ensure that the road safety is maintained for all vehicles including construction traffic.

8. **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.

9. Prior to the first occupation of any of the dwellings, hereby permitted, the new pedestrian footway from the site access to the Post Office of Dulnain Bridge, shall be installed to a Highland Council adoptable standard in accordance with the details of the approved plans including drawing numbers 1100 Rev.2 and 906, unless otherwise agreed in writing by the Cairngorms National Park Authority acting as Planning Authority in consultation with the Highland Council Transport Planning Team. The pedestrian footway shall, thereafter, be maintained in accordance with the approved details.

Reason: To ensure that the site is appropriately accessed and that sustainable transport methods are promoted in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2015.

10. The development shall proceed in accordance with the approved phasing plan unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure that the site is developed in a planned manner that minimises impacts on landscape character and residential amenity in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

11. 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.

12. No trees under the applicant's control (i.e. within the landholding as outlined in red on the approved plans) shall be cut down, uprooted, topped, lopped (including roots) or wilfully damaged unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure the protection of retained trees during construction and thereafter in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

13. No residential unit shall be occupied until it is connected to a public water supply and a public drainage supply.

Reason: To ensure that all residential units are adequately served by public services in accordance with Policy 10: Resources of the Cairngorms National Park Local Development Plan 2015.

14. Notwithstanding the provisions of Class 7 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), (or any Order revoking or re-enacting that Order) all boundary enclosures shall be provided in accordance with the approved plans and any proposals for other boundary enclosures shall not be carried out unless planning permission is first granted by the Planning Authority.

Reason: To ensure that the layout of the development fits into the setting of the immediate area in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2015.

15. Unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority, the residential units hereby permitted shall comprise 18 units of affordable housing accommodation (including social rented housing) and shall be retained as affordable housing meeting an identified, local need in perpetuity.

Reason: To ensure that provision is made for affordable housing in accordance with Policy provision of the Local Development Plan and that the tenure remains 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.

16. This permission is intended to be an alternative to the permission 04/00118/FULBS. If any further work pursuant to application 04/00118/FULBS takes place, any works already completed on site pursuant to this permission (2018/0221/DET) shall be demolished, removed from the site and the land shall be restored to its former condition within one month of the works commencing under 04/00118/FULBS.

Reason: The existing planning permission, as a fall-back position and a material planning consideration weighed heavily in the consideration of the proposal and its merits. It is therefore necessary to ensure the previously approved development is not also implemented in the interest of highway safety, setting of the development and its impact on the character and appearance of the landscape.

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.

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.