
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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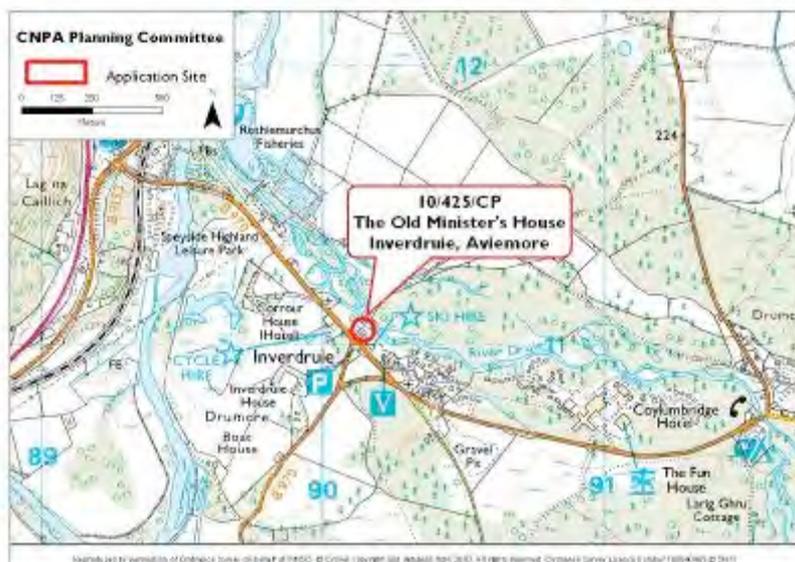
DEVELOPMENT PROPOSED: 3 NO. SELF CATERING UNITS WITHIN GARDEN GROUND TOGETHER WITH ASSOCIATED PARKING AND PATHS AT THE OLD MINISTER'S HOUSE, INVERDRUIE, AVIEMORE

REFERENCE: 10/425/CP

APPLICANT: MRS. KATE TOD, THE OLD MINISTER'S HOUSE, INVERDRUIE C/O DAVID RHIND, CHARTERED ARCHITECT, CROY, INVERNESS

DATE CALLED-IN: 10 DECEMBER 2010

RECOMMENDATION : APPROVE WITH CONDITIONS



Grid reference : 290139 811033 (easting northing)

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought for self catering guest accommodation within the grounds of The Old Minister's House at Inverdrue, Aviemore. The existing property is operated as a Bed and Breakfast facility¹ with planning permission being granted by Highland Council in 1999 for a change of use from residential to guest accommodation. Permission is now sought for three self catering tourist accommodation units in the garden area to the east of the existing property.
2. The Old Minister's House is a substantial two storey Edwardian stone built house, set in a slightly elevated position relative to the B970 public road at the front of the site. The rear of the property overlooks the River Druie. The existing property is positioned in the eastern area of the subject site, with car parking bays discreetly located to the front and screened from the public road by beech hedging. Vehicular access is centrally positioned on the B970 road frontage and the western area of the site forms the current garden ground serving the property. The front of this area is set in lawn with surrounding hedging, while the rear lawn is interspersed with a number of large mature Scots pine trees. A variety of retail businesses exist on adjacent land to the south east of the site, accommodated in low level, semi industrial type structures. The Rothiemurchus Centre is also located in the vicinity, where a variety of commercial aspects are accommodated in the traditional, stone built, former school building.



Fig. 2 : The Old Minister's House

Original proposal

3. The originally submitted drawings showed three self catering units accommodated in a terraced, timber clad, monopitch structure. The structure was a minimalist rectangular form, combined with recessed openings and plain window and door features, particularly in the roadside elevation. The 'rear' elevation, overlooking the River Druie, included double doors and a small juliet balcony feature on the upper floor of each unit.

¹ Scottish Tourist Board – 4 star; AA 5 star rating.

- Each of the three originally proposed terraced units included an identical floor plan, with two bedrooms and a bathroom at ground floor level, and an open plan kitchen / dining / living area occupying all of the first floor. External materials were proposed to consist of horizontal larch cladding on all walls and a dark grey insulated metal roof system.

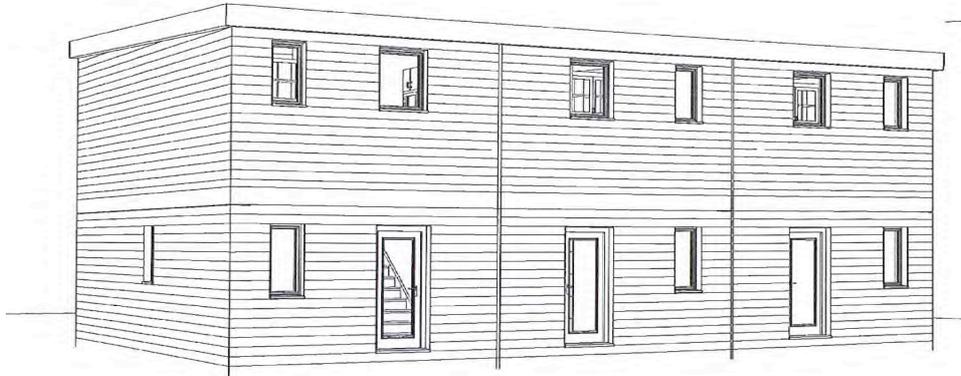


Fig. 3 : 3D image of proposed south western (road frontage) elevation

- The terraced block of three accommodation units was proposed immediately to the east of The Old Minister's House,² and set back towards the rear of the garden area. Three new car parking spaces were proposed to be created in front of the self catering units, with concrete slab paths leading to each individual unit door. The originally proposed position and form of the units would also necessitate the removal of at least three mature Scots pine trees within the garden area.

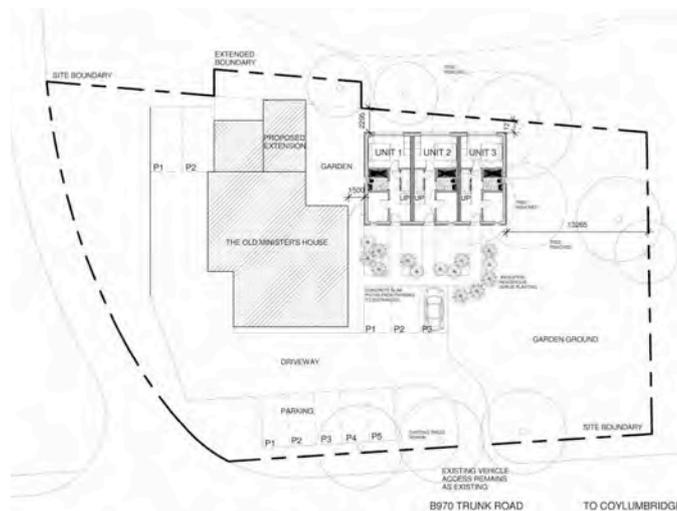


Fig. 4 : Originally proposed site layout plan

² At its closest point, the terraced block would be 1.5 metres from the eastern gable of The Old Minister's House.

Revised design and layout

6. Concerns were expressed by the CNPA planning section in the course of the assessment of the planning application, particularly in relation to the proposed design and its incompatibility with the character and general landscape setting of The Old Minister's House, as well as concern regarding the impact of the originally proposed layout on mature trees within the garden. As a result design amendments were undertaken, in conjunction with changes to the proposed site layout.

7. Draft amendments were submitted to the planning section for discussion, and the final amended designs were formally submitted in recent days. The revised proposals are arranged in a partial U shape, with each of the three units being accommodated in an individual two storey pitched roof structure, with each interlinked by a small single storey section. The accommodation format remains the as originally proposed, with bedrooms at ground floor level and living space on the upper floor. The external wall finish is proposed to be a combination of vertical larch cladding and render, with dark grey natural slate proposed on the roof. Canopied pitch roof porches have been introduced on the roadside elevation of each of the units.



Fig. 5 : Revised south western (road frontage) elevation

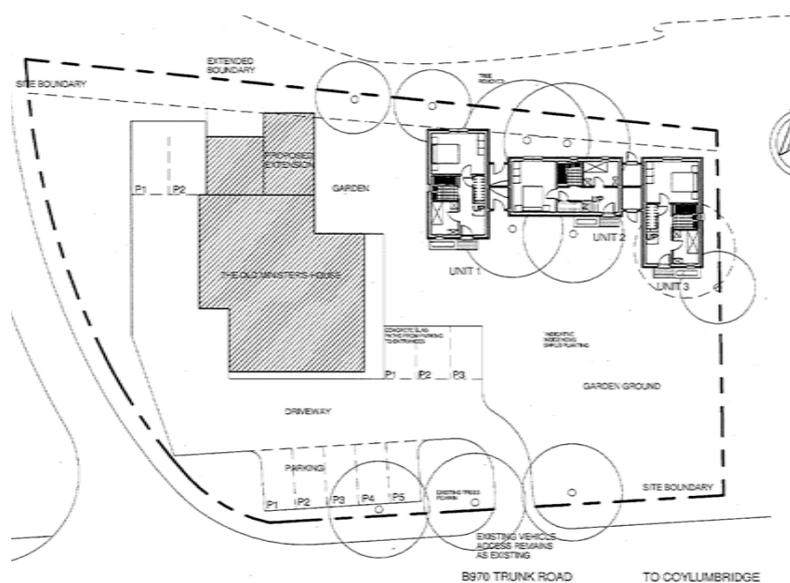


Fig. 6 : revised site layout

8. An amended design statement has been submitted in support of the revised proposals, explaining the “design has been developed to reflect the traditional style and form of the Old Minister’s House with pitched roofs, entrance porches, stonework planters/ details, timber windows and doors and larch cladding.” The palette of finishing materials is intended to compliment the materials in the Old Minister’s House and reflect the adjacent woodland. The choice of materials is considered to “promote integration of the new grouping within its local setting and the wider woodland in general.” In explaining the siting of the units to the rear of the site, reference has been made to the structures being viewed against the backdrop of the existing mature trees which define the boundary with the River Druie foreshore. Retention of the lawned garden area to the front of the proposed units was also an important factor for the applicants as “retention of cohesive garden ground is a critical factor in preserving the AA 5 star status for the existing guest house and attaining similar status for the new self catering units.”
9. The amended design statement also refers to the mature trees within the garden ground. In order to minimise the extent of tree felling the applicants propose to use a helical pile foundation system which will allow the units to be constructed close to the existing trees while preserving the critical root structures of the trees.
10. The proposed development would connect to the public water supply and the public drainage network.

Background to the proposal for self catering accommodation

11. The Design Statement which has been supported in support of the proposal for the provision of self catering accommodation alludes to the success of the existing high quality guest house business, which currently offers four double / twin en suite bedrooms. The success of the business and the associated demand for rooms has resulted in the applicant regularly having to decline potential bookings. The applicant, Mrs. Tod, has identified self catering accommodation as a means of addressing this, while continuing to meet the “steady and increasing demand for high quality accommodation.”
12. The new self catering accommodation is intended to provide the same level of high quality accommodation as that already available in the guest house and is considered to be a means of enhancing the current business model. The Design Statement indicates that “the new building will be specified, constructed and furnished to the best possible standard to maintain the quality already recognised in the Old Minister’s House.” In addition the form of construction is intended to “exceed the requirements of the current Technical Standards in terms of energy efficiency and carbon emissions.”

Site History

13. The previous owners of The Old Minister's House applied for outline planning permission in 2004 for the erection of "2 flatted units for holidays lets." The planning application was called in and determined by the CNPA in October 2005 (CNPA ref. no. 04/498/CP refers). Condition no. 2 of the outline planning permission stipulated that "the development shall be of a traditional, architecturally sympathetic design in respect of the building form, detail and finishing to The Old Minister's House."

DEVELOPMENT PLAN CONTEXT

National policy

14. **Scottish Planning Policy³ (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:
 - The constraints and requirements that planning imposes should be necessary and proportionate;
 - The system shouldallow issues of contention and controversy to be identified and tackled quickly and smoothly; and
 - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
15. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should "operate in support of the Government's central purpose of increasing sustainable economic growth." Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that "the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places." Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
16. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the "aim is to achieve the right development in the right place."

³ February 2010

17. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
18. *Economic development* : Planning authorities are encouraged to respond to the diverse needs and locational requirements of different sectors and to take a flexible approach to ensure that changing circumstances can be accommodated. The benefits of high environmental quality are also recognised and planning authorities are therefore required to ensure that new development safeguards and enhances an area’s environmental quality and where relevant, also promote and support opportunities for environmental enhancement and regeneration.
19. *Landscape and natural heritage* : The **Scottish Planning Policy** document recognises the value and importance of Scotland’s landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.
20. **Scottish Planning Policy** concludes with a section entitled ‘Outcomes’ in which it is stated that the “planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets.”

Strategic Policies

Cairngorms National Park Plan (2007)

21. The Cairngorms National Park Plan sets out the vision for the park for the next 25 years. The plan sets out the strategic aims that provide the long term framework for managing the National Park and working towards the 25 year vision. Under the heading of ‘conserving and enhancing the special qualities’ strategic objectives for landscape, built and historic environment include maintaining and enhancing the distinctive landscapes across the Park, ensuring that development complements and enhances the landscape character of the Park, and ensuring that new development in settlements and surrounding areas and the management of public spaces complements and enhances the character, pattern and local identity of the built and historic environment.

22. Under the heading of 'Living and Working in the Park' the Plan advises that sustainable development means that the resources and special qualities of the national park are used and enjoyed by current generations in such a way that future generations can continue to use and enjoy them. Section 5.2.3 of the Park Plan acknowledges that tourism is one of the primary forms of employment in the Park, although many jobs in this and other sectors are highly seasonal and with little long term security. Strategic objectives for economy and employment include creating conditions that are conducive to business growth and investment that are consistent with the special qualities of the Park and its strategic location and the promotion of green business opportunities. Section 5.3 of the Plan concerns 'enjoying and understanding the park' noting that the Cairngorms National Park is known for its outstanding environment and outdoor recreation opportunities and advises that the vision for the Park seeks to "go further and develop a world class destination which plays a significant part in the regional and national tourism economy." Strategic objectives for sustainable tourism include : -
- raising awareness of the Park as a premier, year round, rural tourism destination;
 - recognising its outstanding natural heritage and its National Park status;
 - improving and maintaining the quality of the experience of the Park for all visitors, communities and those working in the tourism industry;
 - maintaining a high quality environment by encouraging sound environmental management by all those involved in tourism in the Park;
 - developing a wide range of opportunities for visitors to experience and enjoy the special qualities distinctiveness and natural and cultural heritage of the Park; and
 - encouraging an optimum flow and spread of visitors across the Park and minimising the social and environmental impact including traffic generated by visitors and conflicts between different forms of recreation.

Structure Plan Policy

Highland Council Structure Plan (2001)

23. **Highland Council Structure Plan** is founded on the principles of sustainable development, which are expressed as –
- Supporting the viability of communities;
 - Developing a prosperous and vibrant local economy; and
 - Safeguarding and enhancing the natural and built environment.
- A variety of detailed policies emanate from the principles.

24. The following provides a brief summary of the policies applicable to a development of this nature. **Policy NI – Nature Conservation** advises that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Plan refers to the socio-economic benefits of the nature conservation resource and advises that it should be optimised by a high level and standard of interpretation and understanding wherever possible.

25. The Structure Plan also includes a section on biodiversity, defining it as “natural richness and diversity of nature – the range of habitats and species and the uniqueness of each and every organism.” Biodiversity is not the same as natural heritage, but is one of the key functional components. As a key part of the natural heritage of an area it is important to protect, and where possible enhance biodiversity and to monitor any change.
26. Section 2.4 of the Plan concentrates on the subject of landscape, stating that “no other attribute of Highland arguably defines more the intrinsic character and nature of the area than its landscape.” Similar to national policy guidance, there is a recognition that landscape is not a static feature and that the protection and enhancement of landscape and scenery must be positively addressed. **Policy L4 Landscape Character** states that “the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.”
27. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things make use of brownfield sites, existing buildings and recycled materials; are accessible by public transport, cycling and walking as well as car; are compatible with service provision; demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments; and contribute to the economic and social development of the community.
28. The Structure Plan recognises that tourism is a vital element of the Highland economy. **Policy T2 (Tourism developments)** supports high quality tourism development proposals, particularly those which extend the tourism season. **Policy T3** specifically relates to **Self catering tourist accommodation** and indicates that “permission for tourist accommodation proposals will be granted only on the basis of the development not being used for permanent residential accommodation. This will be secured by means of an appropriate occupancy condition.”

Local Plan Policy

Cairngorms National Park Local Plan (2010)

29. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at :
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
30. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
- Chapter 3 - Conserving and Enhancing the Park;
 - Chapter 4 - Living and Working in the Park;
 - Chapter 5 - Enjoying and Understanding the Park.

31. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with other policies, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
32. Policy 6 – Landscape : there will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular the setting of the proposed development. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
33. Policy 11 – The Local and Wider Cultural Heritage of the Park : there will be a presumption against development which does not protect or conserve and enhance a site, feature, or use of land of local or wider or cultural historic significance, or its setting. Any development which would have an adverse affect on the local or wider cultural heritage is required to take reasonable measures to avoid, minimise and mitigate those effects. The policy is intended to reinforce the direction of the National Parks (Scotland) Act 2000 by ensuring that the cultural heritage of the Park is explicitly considered in planning decisions.
34. Policy 16 – Design Standards for New Development : this is one of a number of policies which is intended to encourage developers to consider how they can best include the principles of sustainable development in their proposals, and consider the impact on the environment, economy and community. Policy 16 requires that all proposals are accompanied by a design statement which sets out how the requirements of the policy have been met. The design of all development is encouraged to :
- Reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and materials;
 - use materials and landscaping that will complement the setting of the development;
 - demonstrate sustainable use of resources; and
 - be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.
35. Policy 25 – Business Development : Proposals which support economic development will be considered favourably where the proposal is compatible with existing business uses in the area, and supports or extends and existing business.

36. *Policy 33 – Tourism-Related Development* : tourism related development which has a beneficial impact on the local economy through an enhancement of the range and quality of tourism attractions and related infrastructure, including accommodation, will be supported provided that the development will not have an adverse impact on the landscape, built and historic environment, or the culture and traditions of the Cairngorms National Park, which in the judgement of the Planning Authority outweigh that beneficial impact.
37. The Local Plan recognises that a good range and quality of tourist facilities and accommodation is vital to a healthy tourism industry. Most tourism developments will normally be expected to be sited within or adjacent to existing settlements where there is existing infrastructure capacity.

Supplementary Planning Guidance

38. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted.

Sustainable Design Guide

39. The guide highlights the fact that the unique nature and special quality of the Cairngorms National Park and the consequent desire to conserve and enhance this distinctive character. The guidance has at its core the traditional approach to design which aims to deliver buildings which provide a resource efficient, comfortable and flexible living environment. The **Sustainable Design Guide** requires the submission of a Sustainable Design Statement with planning applications. It is intended that applicants would use the Sustainable Design Statement to demonstrate how standards set out in the Sustainable Design Checklist will be achieved.
40. One of the key sustainable design principles referred to in the document is that “future development in the Park should be sensitively located, reflect existing development pattern and setting, and respect the natural and cultural heritage of the Park.” Developments are also required to reflect traditional materials and workmanship, and take on board innovation, contemporary design and the emergence of modern methods of construction.

Natural Heritage SPG

41. The guidance sets out how the natural heritage of the National Park will be taken into account when considering development proposals. The following is an extract from the Natural Heritage Supplementary Planning Guidance which sets out the six key principles used to assess planning applications in relation to natural heritage.
- Principle 1 – development should result in no net loss of natural heritage interest of the Cairngorms National Park. This includes natural heritage interest which may be outside the boundaries of the development site;
 - Principle 2 – in any situation where loss of, or damage to, natural heritage interest is unavoidable then the loss of damage will always be minimised as far as possible;

- Principle 3 – if the loss or damage to the natural heritage is unavoidable then it will be fully mitigated on the development site;
- Principle 4 – if full mitigation is not possible on site then it should be completed with a combination of on site mitigation and off site compensation;
- Principle 5 - where full mitigation or compensation measures are not possible, financial compensation will be required. This will be used to benefit natural heritage within the National Park;
- Principle 6 - Calculation of compensation will take into account the quality of outcomes over time.

CONSULTATIONS

42. Highland Council's **TEC Services** have recommended that a number of conditions are included in the event of the granting of planning permission. Recommended conditions include a requirement to ensure that adequate visibility splays are provided; any gates provided are set back at least 8 metres from the public road kerb line; and that additional dedicated parking spaces for at least 5 no. vehicles are provided within the curtilage of the property, in a way which allows all vehicles to enter and leave the site independently in forward gear. It is also recommended that the self catering units are linked by title, in perpetuity, to The Old Minister's Guesthouse as holiday accommodation.
43. Highland Council's **Forestry Officer** noted in his initial response that the garden area of The Old Minister's House contains a number of visually prominent mature trees which add greatly to the visual amenity of the area as well as providing an attractive setting for the existing house. Concern was expressed that the original proposal would result in the loss of three large, mature trees. The **Forestry Officer** was also concerned about the potential impact of the development on trees close to the northern boundary as the development would extend into the root protection area. It was also suggested that excavations to create an extension to the car parking area could impact on prominent trees on the western side of the existing vehicular access. Proposals which would necessitate the removal of trees or result in trees being adversely affected resulted in the original response from the Forestry Officer being one which could not support the original layout.
44. In commenting on the revised proposals the **Forestry Officer** continues to express some concern at the potential impact of the development on mature trees on the site. He accepts that the revised site plan indicates the proposed retention of all but one tree. The applicant's proposed use of pile foundations is also welcomed, noting that such foundations "can be effective when used close to trees." The **Forestry Officer** is concerned at the potential proximity of the retained trees to the proposed buildings and the fact that the crown spreads would overhang the new units. There is also concern that the details submitted to date have not adequately demonstrated the means by which the trees on the site would be safeguarded. Based on those considerations, the **Forestry Officer** is not supportive of the current

proposal. Notwithstanding this he has offered some suggestion on amendments which could be made and conditions which could be applied in the event of the granting of planning permission. One suggested amendment is the potential repositioning of the proposed units further south (towards the front of the site). A move of 5 metres from the currently proposed location is suggested. This would result in the loss of three smaller Scots pine trees which exist to the immediate south of unit 2 (the middle unit), but would allow for more adequate safeguarding of the mature trees to the rear of the units. It is also suggested that a condition is applied requiring the submission of an Arboricultural Method Statement for agreement prior to the commencement of development and that a scheme of site supervision is put in place for the construction period.

45. **Aviemore and Vicinity Community Council** considered the planning application and advised of “no problem with this application.”
46. In a consultation response received from the CNPA’s **Sustainable Economic Manager** reference is made to The Old Minister’s House currently operating to a high standard as a guest house and it is noted that it is the intention to operate the new units at the same level. In general improving the range and quality of accommodation in the National Park is welcomed, particularly as the limited selection of high quality accommodation is recognised as a weakness. The **Sustainable Economic Manager** indicates that the mix of bed and breakfast and proposed self catering accommodation would provide the business with greater flexibility and would provide visitors with wider choice.
47. It is acknowledged in the consultation response that the local area of Aviemore already has a number of self-catering providers operating at various scales and quality standards. Nonetheless there is a demand for further high quality self-catering accommodation and as such the risk of displacement from other businesses is limited.
48. The **Sustainable Economic Development Manager** suggests that the standards of design and environmental performance should be fitting to both the exacting market that the applicants are aiming for, as well as complementing the immediate environs in order to ensure the appeal of the Inverdrue area is not compromised to the many visitors who pass through or visit.
49. The CNPA’s **Ecology Officer** noted in the consultation response that the proposed development site is located in an area of high disturbance, being bounded by roads on two sides. Ecological surveys were not considered necessary due to the disturbed nature of the area and the fact that the development is proposed within a garden setting.

50. The **Ecology Officer** also recommended that any tree felling on the site should be mitigated by the planting of scots pine in an appropriate alternative location on the site. It was also recommended that swift boxes or bat boxes should be incorporated into the design of the units or erected on the outside of the units, in order to enhance the conservation value of the site.
51. In the consultation response from the CNPA's **Landscape Officer** in relation to the original proposal, it was noted that the block of three units were proposed in close proximity to the existing guesthouse and as a result would alter its setting. The originally proposed design of the self catering units was described as presenting a visual mass that would compete with and possibly dominate The Old Minister's House. It was also suggested that the monopitch roof structure of the original proposal could appear more like an industrial building in the landscape rather than a residential building. Various measures were suggested in order to mitigate the negative aspects of the proposals, including :
- Stepping the units forward and back in order to break up the extent of the facade and establish the units as subsidiary to the main dwelling house;
 - The addition of porches on the front elevation in order to break up the mass and introduce both a traditional and practical feature;
 - Changes to fenestration, particularly in the front elevation;
 - Reinforcing the remaining pine trees with additional under-planting of individual pine trees.
52. In overall terms the **Landscape Officer** considers that The Old Minister's House has a significant presence as a local landmark within the settlement and as such it contributes substantially to the cultural heritage and landscape character of the immediate locale and wider Park.
53. In providing comment on the amended designs which have recently been received the **Landscape Officer** describes the proposal as being significantly improved. Positive features which are referred to include the stepping forward and back of the units, the redesign now including independently pitched roofs, the addition of porch features, and the nature of the proposed foundation system which would allow for the retention of all but one of the existing trees. The revised proposals are described as beneficial and allow for the retention of the majority of the trees. The **Landscape Officer** considers that the "proposed development can relate well to the character and setting of the house and complement and enhance the distinctive character of the Park." It is suggested that a landscaping plan is provided which shows trees to be retained and also proposals for reinforcement tree planting of individual pine trees to the south west and south east of the building. Measures to protect the retained trees during construction are also required.

REPRESENTATIONS

54. The planning application was advertised in the Strathspey and Badenoch Herald on 1st December 2010. No representations have been received in connection with the development proposal.

APPRAISAL

55. The principle of additional guest accommodation on the subject site has already been accepted through the CNPA's granting of outline planning permission in 2005. The principle of additional guest accommodation within the grounds of The Old Minister's House remains applicable in the context of current planning policy. The issues to consider in this application therefore relate primarily to the detail of the proposal, including the nature of the design, its relationship with The Old Minister's House, the landscape and visual impact of the development and the impact of the development on the garden grounds, and in particular on the mature trees which are a prominent feature of this site.
56. The Old Minister's House has traded for several years as a guest house and the current owners have developed the business to achieve a high grading from tourist organisations. The proposal to develop self catering units on the site represents a further expansion of the business and background information submitted in support of the proposal indicates that the applicants aspire to achieve the same high quality rating as the current guest accommodation. In planning policy terms, the proposal to expand and diversify the type of tourist accommodation available at the site is consistent with national level policy on economic development as expressed in Scottish Planning Policy. In terms of Structure Plan policy, the efforts that have been made in the redesign process now demonstrate an awareness of the desirability of maintaining and enhancing present landscape character (**Policy L4 Landscape Character**). Structure Plan and Local Plan policy provide strong support for high quality tourism developments. The applicants accept the requirements of Structure Plan **Policy T3 (Tourism development)** that the use of the proposed units would be restricted to tourist accommodation and would not be used for permanent residential accommodation.
57. In discussing the detail of the proposed development, one of the key issues is the design and the changes that have been made to it since the application was originally submitted. Paragraphs 2 to 9 detail the changes that have occurred to transform the design from its original minimalist and somewhat industrial 'box' like form to the current proposal which has seen the introduction of an entirely different form of interlinked units, stepped forward and back to introduce variety and displaying many traditional features including individual pitched roofs and pitched roof canopied entrance porches. The combination of external materials has also altered. Larch cladding remains the dominant material, and would be used in conjunction with an element of render on the lower level of some of the unit elevations, together with a natural slate roof finish rather than the originally proposed metal roof finish. The introduction of natural stone planters in areas to the front of the units is an appropriate effort

to reflect the main material on The Old Minister's House. The rear elevation of each of the proposed units continues to include the French door and juliet balcony features which were originally proposed. Although this presents a more contemporary approach than the treatment on the roadside elevations of the properties, it is considered acceptable and appropriate to the riverside setting.

58. The detail which has been provided in respect of the type of foundations which would be used in the development demonstrate the applicants awareness of the need to minimise disturbance and damage to the existing mature trees on the site. The existing vegetation is a key feature of the overall setting. Significant concern was expressed by CNPA planning, landscape and ecology officers, as well as Highland Council's Forestry Officer, with regard to the original proposal, as the position and construction of the units would have necessitated the felling of a number of the mature trees. It was also likely to result in damage to the roots of trees which were intended to be retained on the site. The altered footprint and position of the three units, together with the use of helical pile foundations, will facilitate the retention of the majority of the existing trees on the site.
59. The points raised in the re-consultation response from Highland Council's **Forestry Officer** have been considered, particularly concern regarding potential impacts on the mature trees to the rear of the site. While it is the intention of the applicants to retain those trees and the currently proposed layout has presumably been put forward in their knowledge and acceptance that the crown spread of those trees would overhang the new units, the **Forestry Officer's** suggestion to reposition the units further south is considered a prudent measure in order to ensure that the trees to the rear are adequately safeguarded. The repositioning of the proposed units 5 metres further south on the site is however excessive when taking into account the need for the new units to remain subservient to the main dwelling house. A compromise of 3 metres is considered more appropriate, as this would provide increased separation distance from the crown spread of the trees to the rear, would allow greater space for the erection of tree protection fencing during construction, would avoid inappropriate encroachment into the front garden grounds and would also take account of the need to ensure that the new units do not obstruct natural light into The Old Minister's House. The two smaller pine trees which would be lost as a result of the repositioning of the units can be countenanced and the loss can be off-set by new planting elsewhere on the site. This would all allow the development of the units within the garden setting, with the most substantial trees being retained, rather than the original approach which would have resulted in the removal of more of the key vegetation features and the imposition of a stark industrial type building.
60. The revised proposals display a far greater sensitivity to and awareness of the need for any new development to assimilate into the existing landscape setting and also the need to establish an appropriate visual relationship with the main house on the site. The latter relationship is particularly important in the context of the first aim of the National Park and also CNP Local Plan policy on the Local and Wider Cultural Heritage of the area. While The Old Minister's

House is not a listed building, its traditional design, setting and overall stature mean that it is an important local cultural heritage feature in the area. It has therefore been necessary in the course of this application to ensure that any amended design proposals for new development in the garden area is subservient and sympathetic to the main structure on the site.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

61. The revisions which have been made to the design of the proposed self catering units have resulted in proposals which demonstrate an awareness of the natural and cultural heritage attributes existing on the subject site. The revised proposal now allows for the retention of the majority of existing mature trees in the site. The overall form and design has also been amended to achieve a more appropriate relationship with The Old Minister's House and as such it can be considered to respect the local cultural heritage value of that building and its setting.

Promote Sustainable Use of Natural Resources

62. The external materials proposed include larch cladding and natural slate. Such materials are considered to be of assistance in promoting this aim.

Promote Understanding and Enjoyment of the Area

63. The proposed development of three self catering units would offer an additional accommodation choice for visitors to the existing guest accommodation business at The Old Minister's House and would therefore provide opportunities for users of the facility to enjoy the area.
64. In wider terms, the design and siting of the units is considered to be acceptable from a landscape and visual perspective and is also compatible with the variety of business uses which exist in the vicinity in Inverdrue. As such the proposed development would not detract from the general public's understanding and enjoyment of the overall area.

Promote Sustainable Economic and Social Development of the Area

65. The provision of new high quality self catering accommodation units would complement the existing tourist accommodation business on the site. The self catering nature of the accommodation has the potential to attract visitors to the area and the development can therefore be considered to be of benefit in promoting the economic development of the area.

RECOMMENDATION

That Members of the Committee support a recommendation GRANT PERMISSION for the erection of 3 no. self catering units within garden ground together with associated parking and paths at The Old Minister's House, Inverdrue, Aviemore, subject to the following conditions : -

1. The development to which this permission relates must be begun within three years from the date of this planning permission.

Reason : To comply with Section 58 of the Town and Country (Scotland) Planning Act 1997 or as amended by the Planning etc. Scotland Act 2006..

2. The accommodation units shall only be used as self catering tourist accommodation and shall be retained and operated as a single entity in conjunction with The Old Minister's House on the site. The units shall not be sold separately or used by a tenant, lessee, owner or occupier as their only or principal dwellinghouse. No single period of occupation shall exceed two months unless otherwise agreed in writing by the Cairngorms National Park Authority acting as Planning Authority. Occupation shall be restricted to use by persons requiring accommodation in the area for recreational purposes.

Reason : In accordance with the application detail and to ensure that in accordance with the social and economic development aim of the Cairngorms National Park the units are used for commercial purposes in connection with the operation of a tourist facility.

3. Prior to the commencement of development amended drawings shall be submitted for the written agreement of the Cairngorms National Park Authority, acting as Planning Authority to show the following :
 - (a) The relocation of the new units to a position 3 metres southwards of that currently proposed; and
 - (b) the incorporation of bat roosting opportunities and / or swift nest boxes in the design of each unit.

The agreed design revisions and site layout amendments shall be implemented thereafter.

Reason : in the interests of conserving and enhancing the natural heritage of the area.

4. Prior to the commencement of construction, an Arboricultural Method Statement (AMS) shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority and shall include details to demonstrate the means of protecting the retained trees on the site during construction. This will include details of
- (a) agreed tree felling and tree surgery;
 - (b) the removal and disposal of tree stumps;
 - (c) the means of site construction access;
 - (d) the means of installing the piling and the means of construction of the units;
 - (e) the installation of protective fencing;
 - (f) the installation of protective matting within the construction zone;
 - (g) means of construction of the buildings;
 - (h) the confirmed location and hand-digging of all service runs within root protection areas;
 - (i) the confirmed location and means of construction of all footpaths;
 - (j) the phasing of construction works;
 - (k) all changes in ground level;
 - (l) provision of space for cranes, scaffolding, plant and access for works; and
 - (m) space for the material storage and space for the mixing of cement.

Reason : in the interests of conserving the natural heritage of the area and ensuring that development is undertaken in a manner which would not result in damage to the treed environment.

5. No works shall take place until a scheme of supervision for the arboricultural protection measures and site working has been approved in writing by the Cairngorms National Park Authority acting as planning authority. This scheme will include details of:
- (a) induction and personnel awareness of arboricultural matters;
 - (b) identification of individual responsibilities and key personnel;
 - (c) statement of delegated powers;
 - (d) timing and methods of site visiting and record keeping, including updates;
and
 - (e) procedures for dealing with variations and incidents.

Reason : in the interests of conserving the natural heritage of the area and ensuring that development is undertaken in a manner which would not result in damage to the treed environment.

6. No trees shall be uprooted, lopped, topped, felled or damaged without the prior written consent of the Cairngorms National Park Authority, acting as Planning Authority, in conjunction with Highland Council's Forestry Section.

Reason : in the interests of conserving and enhancing the natural heritage of the area and to ensure the retention of important landscape features.

7. Prior to any other works starting in connection with the development, the following works shall be completed and approved by the Cairngorms National Park Authority, acting as Planning Authority, in conjunction with Highland Council as Roads Authority –
- (a) Visibility splays shall be provided and maintained on each side of the existing access. These splays are the triangles of ground bounded by the first 2.4 metres along the centreline of the access road (the X dimension) and the nearside edge of the main road (the Y dimension) measured 120 metres in each direction from the intersection of the access road with the main road;
 - (b) Within the visibility splays nothing shall obscure the visibility between a driver's eye height of 1.0 metres positioned along the X dimension and an object height of 1.0 metre anywhere along the Y dimension;
 - (c) Any gates that are provided shall be set back at least 8 metres from the public road kerb line and shall open into the property only; and
 - (d) Additional dedicated parking shall be provided for at least 5 no. vehicles within the curtilage of the property such that all vehicles may enter and leave the site independently in forward gear.

Reason : in the interests of traffic safety and in order to avoid traffic congestion.

8. All public services for the development, including electrical, cable television and telephone cables, shall be located underground throughout the site.

Reason : in the interests of the visual amenity of the area.

9. All foundations shall be helical pile foundations.

Reason : in order to minimise the extent of ground works and to minimise the impact of the development on existing mature trees within the development site.

10. Prior to the commencement of development a comprehensive landscaping plan shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, specifying the quantity, position, size, species and protection measures (tree shelters, stakes and ties) of all trees / shrubs to be planted. The landscaping plan shall also include the following details : -
- (a) Proposals for the planting of individual pine trees to the south west and south east of the new structures;
 - (b) Identification of all new paths and car parking provision within the site, and details of all material finishes;
 - (c) Identification of all trees to be retained on the site, in conjunction with proposals to ensure the protection of those trees during the construction process; and
 - (d) A landscaping maintenance programme.

The landscaping shall be carried out in accordance with the agreed plan and shall be completed within one year of the commencement of works within

that phase. Any trees or shrubs that die or become seriously damaged or diseased within a period of five years from the time of planting shall be replaced with others of a similar size and species, suited to the climate of the area, within the next planting season.

Reason : in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

11. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the written agreement of the Cairngorms National Park Authority acting as planning authority before any work commences on site. All agreed materials shall be used thereafter.

Reason : in the interests of visual amenity and to ensure that the new buildings assimilate into the surrounding landscape.

Advice note:

- (a) Prior to any work of excavation or surfacing starting within 2 metres of the public road edge, a road opening permit must be obtained from the Roads Authority.

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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.