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# CAIRNGORMS NATIONAL PARK AUTHORITY

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**Title: REPORT ON CALLED-IN PLANNING APPLICATION**

**Prepared by: MARY GRIER (PLANNING OFFICER, DEVELOPMENT MANAGEMENT)**

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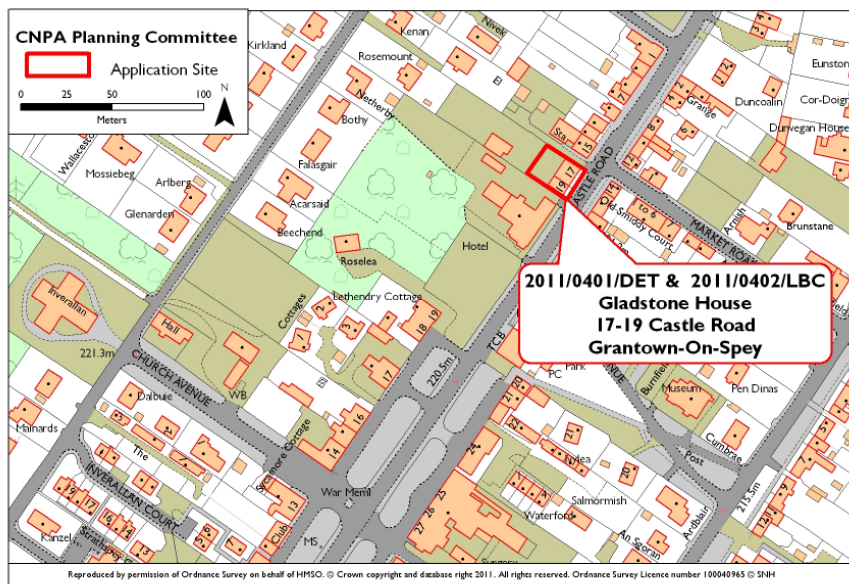
**DEVELOPMENT PROPOSED: ALTERATIONS AND EXTENSIONS TO FORM 2 SEMI-DETACHED HOUSES AT GLADSTONE HOUSE, 17 – 19 CASTLE STREET, GRANTOWN ON SPEY**

**REFERENCE: 2011/0401/DET – PLANNING PERMISSION;  
2011/0402/LBS – LISTED BUILDING CONSENT**

**APPLICANT: MR. RAY WELHAM, C/O COLIN LAWSON (BUILDERS) LTD., GRANTOWN ON SPEY**

**DATE CALLED-IN: 23<sup>RD</sup> DECEMBER 2011**

**RECOMMENDATION : REFUSE**



**Grid reference : 303453 828126**

**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. This report deals with two applications at Gladstone House on Castle Road in Granttown on Spey. Planning permission is sought in planning ref. no. 2011/0401/DET for alterations and extensions to form 2 semi-detached houses. Planning ref. no. 2011/0402/LBC is the associated application for Listed Building Consent, as Gladstone House is a Category C(s) listed building.<sup>1</sup> Gladstone House consists of a pair of two storey dwellings of which No. 17 extends to three symmetrical bays, while No. 19 is a two bay design. The buildings are thought to date from the late 18<sup>th</sup> or early 19<sup>th</sup> century. The buildings are uninhabited and have fallen into a state of significant disrepair, with the result that they have been placed on the Buildings at Risk Register for Scotland.<sup>2</sup>
2. The subject site is located to the north east of The Garth Hotel. Gladstone House has a small set back from the public footpath, with a small front garden which is bounded by a low wall. Other than accessing the rear area of the site through the interior of the property, the only other means of access to the rear involves the use of vehicular access which is shared with the hotel. The footprint of the existing buildings include the original structures and more recent flat roofed extensions to the rear. The extensions are in a similar state of unused dereliction as the main structures.



**Fig. 2 : Castle Rd. elevation**



**Figs 3 and 4 : Rear elevation of Gladstone House and shared access with The Garth**

<sup>1</sup> The buildings were listed in August 1986.

<sup>2</sup> The Buildings at Risk Register is maintained by the Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS) on behalf of Historic Scotland. The Register has been in operation in Scotland since 1990. It was established in response to concerns about the growing number of listed buildings and buildings in Conservation Areas that were vacant and had fallen into a state of disrepair.

3. A variety of works are proposed to alter and extend the structures. The proposed works on the front elevation are relatively limited, and primarily involve replacement windows and doors in the existing openings and the replacement of existing roof lights with new conservation roof lights. Replacement windows are proposed to be “timber sash and case lookalike.” One chimney breast is also proposed to be removed from the southern most property.
4. More extensive work is proposed to the rear of each of the structures, including the demolition of the existing rear extensions and their replacement with new single storey extensions. The new extensions would be contiguous and extend across the full extent of the combined rear elevations. The design and finishes differ significantly from the original structure. Large areas of full height glazing are proposed, with bands of timber cladding, which creates a type of minimalist contemporary appearance on the extensions. New dormer openings are also proposed in the roof space of each of the properties, with full height double doors opening onto Juliet balconies. Conservation roof lights are also proposed in each structure. The roof of the structure would also be re-roofed in new natural slate, as would the monopitch roof of the proposed new extensions.

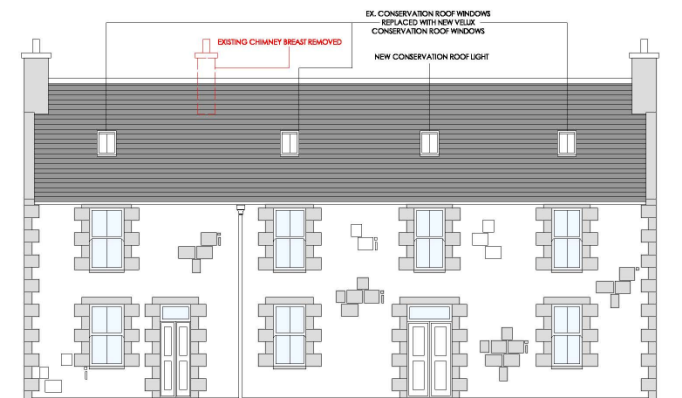


Fig. 5 :Proposed front elevations



Fig. 6 : Proposed rear elevation, with new extensions and dormers

5. In conjunction with the external works, a variety of internal changes are also proposed in order to create new accommodation areas within each of the residential properties. The removal of existing walls, the aforementioned chimney and the existing staircase in no. 19 would result in a new layout which would include an open plan lounge and family room / study in the original part of the building at ground floor level within each unit, while each of the new extensions would accommodate a kitchen and dining area, as well as a bathroom and a utility room, and access to the rear garden space. New staircases within the original area of each property would provide access to the upper floors. Two bedrooms (including one en suite) are proposed at first floor level in each property, while new accommodation in the roofspace would facilitate a third bedroom and associated en suite.
6. The proposed layout of the space at the rear of the structure includes four car parking spaces, positioned at right angles to the shared vehicular access. The site plan also identifies private garden, the majority of which would be grassed. Bin storage and bike storage is also identified. An air source heat pump unit is also identified in each garden area.
7. The landownership map provided with the application identifies the site being part of a larger tract of land which includes The Garth Hotel and its surrounding grounds and also land to the rear of Gladstone House which would have been part of the original curtilage associated with the property. The adjacent land area is also the subject of a planning application at this time. Planning permission in principle is sought in CNPA planning ref. no. 2011/0403/PIP for the erection of 18 flats and 2 no. semi detached houses.



**Fig. 7 : Identified site area and land ownership (blue outline)**

#### *Site history*

8. Gladstone House and adjacent land which forms part of the current car park and garden area associated with the Garth Hotel has been the subject of a number of planning applications in the past. Highland Regional Council granted consent in the 1990's for
- Planning permission and Listed Building Consent for alterations, extension and renovations to the existing uninhabited houses to form 6 no. dwellings (planning ref. no. BS/92/407 and BS/92/408 refers);
  - Listed Building Consent for alterations to Gladstone House and demolition of cottages and outbuildings (planning ref. no. BS/94/22 refers); and
  - Outline planning permission for the erection of five new build dwellings, formation of access road, and subdivision of land to form plots for three dwellings (planning ref. no. BS/94/21 refers).
9. The most recent consents at Gladstone House were in 2003. Highland Council granted planning permission for alterations and extensions at Gladstone House (planning ref. no. 02/00219/FULBS refers). The permission was not implemented and has now expired.

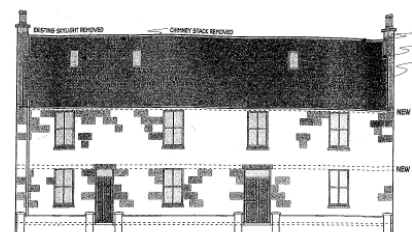


Fig. 8 : Front elevation (2002 consent)

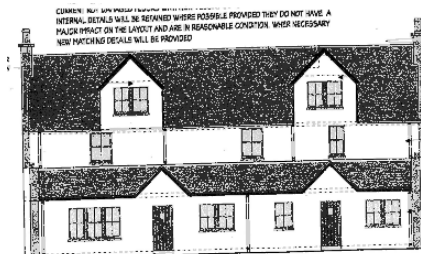


Fig. 9 : Rear elevation (2002 consent)

10. The CNPA have also been notified<sup>3</sup> of a further application at Gladstone House for Listed Building Consent to “demolish block flat roofed extension at rear, temporary repairs to roof lights and windows to prevent any further water ingress.”<sup>4</sup> The application will be considered by the CNPA for ‘call in’ on 2<sup>nd</sup> March 2012.

## DEVELOPMENT PLAN CONTEXT

### National Policy

11. **Scottish Planning Policy<sup>5</sup> (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 should .....allow issues of contention and controversy to be identified and tackled quickly and smoothly; and

<sup>3</sup> 16<sup>th</sup> February 2012.

<sup>4</sup> Highland Council planning ref. no. 12/00510/LBC and CNPA planning ref. no. 2012/0045/LBC refers.

<sup>5</sup> February 2010

- 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.
12. **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.
  13. 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.”
  14. 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.
  15. Housing : **SPP** highlights the Scottish Government commitment to increasing the supply of new homes. The planning system is expected to enable the development of well designed, energy efficient, good quality housing in sustainable locations. The subject of ‘Affordable Housing’ is discussed and it is defined “broadly as housing of a reasonable quality that is affordable to people on modest incomes” and that it may take the form of social rented accommodation, mid-market rented accommodation, shared ownership, shared equity, discounted low cost home ownership, or low cost housing without subsidy. **SPP** advises that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.
  16. Historic Environment and Listed Buildings : **SPP** describes the historic environment as a key part of Scotland’s cultural heritage, which enhances national, regional and local distinctiveness. When determining planning applications, planning authorities are required to have special regard to the desirability of preserving the building or its setting and any feature of special architectural or historic interest which it possesses. “The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting.” **SPP** clearly states that there will be a presumption against works that would adversely affect a listed building or its setting.

17. **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.”

**Scottish Historic Environment Policy (SHEP)**

18. **Scottish Historic Environment Policy** sets out the Scottish Ministers’ policies for the historic environment, provides policy direction for Historic Scotland and provides a framework to assist the work of a wide variety of organisations involved in managing the historic environment, including planning authorities. **SHEP** recognises that the historic environment adapts over time to meet changing needs and that the view of what is important develops and changes. Para 1.6 identifies that the challenge for the sustainable management of the historic environment is the identification of key characteristics and the establishment of boundaries within which change can continue “so that it enhances rather than diminishes historic character.” Para. 1.8 emphasises that “the protection of the historic environment is not about preventing change.”
19. In a section of the document entitled Visions, Scottish Ministers’ aspirations for the historic environment are outlined and include –
- Realising the full potential of the historic environment as a resource;
  - Making the best use of the historic environment to achieve their wider aims of economic and social regeneration;
  - Identifying aspects of the environment and protecting and managing them in a sustainable way to ensure their long term survival and preserve their embodied energy; and
  - Having a full understanding of the historic environment, the condition and the inter-relationships.
20. **SHEP** lists a wide variety of ‘partners’ in the Scottish Ministers vision for the historic environment. Amongst those listed are National Park Authorities, noting that such authorities have “a statutory aim to conserve and enhance the cultural heritage.”
21. In para. 1.31 of **SHEP** Scottish Ministers emphasise the contribution made to a sustainable Scotland “by the repair, maintenance, preservation and reuse of our older buildings.” Para 1.34 alludes to potential conflict which may arise between the sustainable management of the historic environment and the actions that are considered sustainable in other respects. In such instances a number of principles should be followed in order to avoid potentially damaging actions. Principles include –
- Ensuring that intended management and use is appropriate and based on best available knowledge;
  - Ensuring that any proposed change of use is necessary;
  - Avoiding change wherever its effects cannot be adequately assessed;
  - Where change is to proceed, adopt strategies to mitigate its impact and keep any interventions to a minimum; and

- Ensuring that management or alteration is sympathetic to the historic character, using compatible materials and construction techniques.

**Historic Scotland's 'Managing Change in the Historic Environment' guidance notes**

22. Since the withdrawal of the 'Memorandum of Guidance on Listed Buildings and Conservation Areas 1998' Historic Scotland have gradually introduced a series of guidance notes as a replacement. Guidance which is of relevance to the current proposal includes 'Doorways', 'Windows' 'Extensions,' 'Interiors' and 'Setting.'
23. The guidance notes on 'Windows' highlight that they are an important element in defining the character of a historic building form. The size, shape and proportion of a window, the pattern of design, the materials and the details of construction, the method of opening, the finish and the associated fixtures all contribute to the character of a window in a historic building. Maintenance and appropriate repair is advocated as the best means of safeguarding the historic character of a window. However, where this is not possible there is an expectation that "replacements must match the original window design as closely as possible." Para. 4.4 of the document provides detailed advice on the subject of replacement windows, advising of the need to replicate the proportions, opening method, astragal dimensions and profiles and fixing of glass.
24. 'Doorways' are described in the guidance notes as making a substantial contribution to the character and physical integrity of historic buildings. The significance of doorways is derived from a variety of factors including the form or shape, the pattern of design, the materials and the detail of construction, the finish and the method of opening. Para. 3.5 notes that panelled timber doors were in common use at the main entrance to most domestic buildings throughout the 18<sup>th</sup> and 19<sup>th</sup> century. The method of opening is also discussed, noting that there are three principle methods of opening – side hung, sliding or revolving. Side hung doors, opening inwards, are the most commonly associated with domestic buildings. Where replacement doors are proposed in a historic building the new elements should match the original in all respects, including an exact replication of the opening method and reuse of door furniture.
25. In the guidance note on 'Extensions' it is acknowledged that most historic buildings can be extended sensitively. The guidance is realistic in recognising the difficulty in laying down prescriptive rules for new work, but nonetheless sets out a number of basic principles. Extensions must protect the character and appearance of the building, should be subordinate in scale and form, should be located on a secondary elevation and must be designed in a high quality manner using appropriate materials. An extension that would unbalance the symmetrical elevation and threaten the original design concept should be avoided.



26. Historic Scotland's guidance on 'Interiors' highlights that the statutory listing of a building includes the interior, whether or not the list description itemises interior features. The "interest and authenticity of a historic interior is derived from its plan form, completeness and quality of decorative schemes, materials and craftsmanship and fixtures." Para. 4.3 advises that where the original plan form survives, this should normally be retained without subdivision or amalgamation of spaces. Reference is made to the "entrance hall, main stairs and principal apartments" advising that they should not be subdivided or opened up, especially where they are either "publicly accessible or lie to the front of the building and can be seen through windows from the street outside."
27. The guidance on 'Setting' describes what is meant by the term – "setting should be thought of as the way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated." It is also noted that setting often extends beyond the immediate property boundary of a historic structure into the broader landscape.

### **Strategic Policies**

#### **Cairngorms National Park Plan (2007)**

28. 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.
29. 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 5.2.4 of the Plan focuses on housing and highlights the need to ensure greater access to affordable and good quality housing in order to help create and maintain sustainable communities. The Plan advises that the quality and design of all new housing should meet high standards of water and energy efficiency and sustainable design and be consistent with or enhance the special qualities of the Park through careful design and siting.

## Structure Plan Policy

### Highland Council Structure Plan (2001)

30. **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.
31. The following provides a brief summary of the policies applicable to a development of this nature. Section 2.2 of the Structure Plan discusses the topic of housing. It recognises that the availability of quality housing is fundamental to social and individual well being and to creating and maintaining balanced communities and that adequate provision of housing is a pre-requisite of economic growth. Alongside this the Plan also recognises that housing must be provided in a way which minimises the impact on the environment.
32. **Policy H8 – Access arrangements for new and existing development** states that proposals which involve new or improved access to serve more than 4 houses and / or to serve a development that would generate vehicular traffic to serve more than 4 houses shall be served by a road constructed to adoptive standards.
33. **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.
34. 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.
35. 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.”

36. **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.
37. **Policy G6 (Conservation and Promotion of the Highland Heritage)** seeks to conserve and promote all sites and areas of Highland identified as being of a high quality in terms of nature conservation, landscape and archaeological or built environment. **Paragraph 2.15.11 (Listed Buildings and Conservation Areas)** states that, through Policies G2 and G6, the Structure Plan is concerned with safeguarding the overall quality and diversity of Highland's built heritage by preventing development which would have an adverse impact on Listed Buildings and Conservation Areas.

#### **Local Plan Policy**

##### **Cairngorms National Park Local Plan (2010)**

38. The Cairngorms National Park Local Plan was formally adopted on 29<sup>th</sup> October 2010. The full text can be found at :  
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
39. 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.
40. 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.
41. Policy 4 – Protected Species : Development which would have an adverse effect in any European Protected Species will not be permitted unless
- (a) There are public health, public safety or other imperative reasons of overriding public interest, including those of a social or economic nature; and
  - (b) There are no satisfactory alternative solutions; and
  - (c) The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

42. 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.
43. Policy 9 – Listed Buildings : There is a presumption in favour of development that preserves a listed building or its setting, or any features of special architectural or historic interest which it possesses. The policy expects the layout, design, materials, scale, siting and use of any development to be appropriate to the character and appearance of the listed building and its setting.
44. Policy 10 – Conservation Areas : Development within a conservation area or affecting its setting, will preserve or enhance its character. Policy 10 requires that the design, materials, scale, layout and siting of any development will be appropriate to the character and appearance of the conservation area and its setting. It also states that “given the importance of assessing design matters, outline planning applications will not be considered appropriate for developments in conservation areas.”
45. Policy 16 – Design Standards for 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.
46. Policy 24 – House Extensions and Alterations : development proposals for extensions or alterations to existing dwellings will be permitted except where the extension would:
- (a) Adversely affect the appearance and character of the dwelling and / or the surrounding area;
  - (b) Have a significant and unacceptable detrimental effect in the residential amenity enjoyed by adjoining households; and
  - (c) Reduce the provision of private garden ground to an unacceptable level; and

- (d) Result in inadequate off-street parking provision and / or access to property.
47. Grantown on Spey is identified as a strategic settlement within the settlement hierarchy in the CNP Local Plan and it is also recognised as the main settlement within the Cairngorms National Park Plan. The subject site is within the settlement boundary and is 'white land' which means that no specific land use allocation has been assigned to it. As a result a variety of uses are open to consideration.

#### **Supplementary Planning Guidance**

48. 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**

49. 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.
50. 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**

51. The guidance sets out how the natural heritage of the National Park will be taken into account when considering development proposals. Section 5.0 sets out the information that applicants are required to provide in support of a proposal, including :
- A description of the natural heritage of the site;
  - An assessment of the effect of the proposal on the natural heritage of the area; and
  - If there are adverse effects, details would also be required of mitigation and compensation proposals.

## CONSULTATIONS

52. **Scottish Natural Heritage (SNH)** comment in their consultation response that the bat survey which was provided with the application is inadequate. It is recommended that a bat survey is undertaken at an appropriate time of year, and in the event that bats are found to be present, appropriate mitigation or compensation measures should be provided to address any impacts.
53. Highland Council's **TEC Services** express concern about road safety and the free flow of traffic in the context of the relationship of this application site with the adjacent land which is the subject of a planning application for a housing development (CNPA ref. no. 2011/0403/PIP). The concern derives from the constraints of the two buildings either side of the shared access and that fact that only a substandard access could be achieved in terms of geometry with no pedestrian provision where manoeuvres from the public road will result in conflict and safety concerns. The response from TEC Services refers to the advice provided in relation to the housing application in which the Service is "unable to recommend approval of the application."
54. Notwithstanding the foregoing comments which associate the applications at Gladstone House with the current planning application for housing development on adjacent land, TEC Services advise in "the event of current application being approved with no approval of planning application 2011/0403/PPP" that a number of conditions are attached. Conditions include the provision of parking and manoeuvring space for a total of 4 vehicles within the site curtilage, the achievement and maintenance of visibility splays on each side of the access at its junction with the public road, resurfacing of the existing access road construction for a distance of at least 6 metres from the nearside edge of the public road, and the provision of a suitable refuse bin collection point close to the public road for each of the properties.
55. The response from Highland Council's **Conservation Officer** expresses support for the principle of the re-use of the buildings. However, in commenting on the specific detail of the proposal, the development as currently proposed is not considered to represent a sensitive, conservation led approach for the listed buildings. Concern is expressed about a number of aspects of the proposal including the proposed large dormers in the rear roof slope which are out of character and scale for the listed building, the complete removal of an existing chimney, the total loss of the historic plan form and layout including the removal of the original stairs, and the proposed use of 'timber sash and case look a like' windows which is described as unacceptable in a listed building.
56. The principle of an extension is also acceptable but the difficulty lies in the specific design of the currently proposed extensions which are described as making "little attempt to respond to the rhythm and proportions of the listed buildings." There is an expectation that it should respond to the original historic building. A number of other deficiencies in the application are also highlighted, including the lack of a justification or a design statement to explain the rationale behind the proposal and the lack of detail on materials, linings, or insulation all of which are considered relevant considerations for the listed

building. The response from the Conservation Officer concludes that it is not possible to support the application without significant revision and more detail. It is stated that the “proposal as submitted does not meet the requirements of policy and guidance in relation to listed buildings and the application should be refused.”

57. The consultation response from Grantown on Spey and Vicinity Community Council indicates a unanimous objection to the planning application and sets out a number of reasons –
- (a) The design and materials of the proposed extension are not in character with the listed building and conservation designations;
  - (b) The narrow access and the obstruction of visibility by the Garth Hotel and Gladstone House buildings; and
  - (c) Concern at the demolition of the chimney and querying the need for this action.

## REPRESENTATIONS

58. The planning application was advertised in the Strathspey and Badenoch Herald on 14<sup>th</sup> December 2011. One letter of representation has been received from R&R Urquhart LLP acting on behalf of six parties who are resident in the surrounding area. Points of objection raised in relation to the proposed re-development of Gladstone House include –
- The listed status and the need to maintain the architectural integrity;
  - The proposed design failing to maintain the integrity of the building; and
  - Gladstone House being sited within a Conservation Area and the special effort required to “maintain the integrity of this wider built environment.”

The letter of representation concludes that the development is wholly inappropriate and should be refused.

## APPRAISAL

### Principle

59. Foregoing sections of this report detail the current deteriorating condition of Gladstone House at 17 – 19 Castle Road. It is clear that the property is in need of urgent attention in order to halt the deterioration and restore the building. The general principle of refurbishment and appropriate alterations and extensions is acceptable and the fact that there were previous consents granted in the 1990’s by Highland Regional Council and Highland Council in 2003 for such works must be acknowledged. However, in the current applications for planning permission and Listed Building Consent, it is the detail of the proposal which causes difficulties as is often the case in relation to buildings which are of importance in cultural heritage terms.

60. While pre-application discussions were undertaken with the CNPA in advance of a current planning application for residential development on adjacent lands within the same ownership (CNPA ref. no. 2011/0403/PPP). However, the proposals at Gladstone House were not the subject of pre-application discussions and the CNPA has not had the opportunity to provide advice on the expectations of the treatment of this Listed Building.

**Planning policy**

61. CNP Local Plan Policy 9 – Listed Buildings presumes in favour of development which preserves a listed building. At a basic level, a proposal for alterations which include re-roofing, the installation of new windows and doors and general refurbishment works could be considered compliant with Policy 9. Undoubtedly, the works would secure the building and facilitate the preservation of the basic structure. However, in considering the proposal in the context of further detailed elements of Policy 9, including a specific requirement that the layout, design, materials, scale and siting of the development would be appropriate to the character and appearance of the listed building, the current proposals fail to comply. While the works proposed to the façade of the listed building are relatively limited and positive aspects include retaining all existing window and door openings, the materials proposed, including the introduction of ‘sash and case look a like’ windows instead of authentic sash and cash, the French door style arrangement proposed at the front entrance to each of the unit and the use of new slates rather than re-using the existing or sourcing reclaimed slates in the event of a shortfall all represent significant deviations from the original materials in these late 18<sup>th</sup> / early 19<sup>th</sup> century properties
62. The proposed treatment of the rear of the structure further emphasises the lack of compliance with Policy 9. The principle of an extension to serve each of the properties is generally acceptable. The proposed new extensions could in many respects be considered to represent an improvement on the existing flat roofed extensions, which were clearly later additions to the original structure. Despite this however, the current design approach which seeks to introduce a contemporary minimalist appearance, with the rear elevation dominated by large glazed areas and interspersed with elements of timber cladding, would contrast starkly with the original building and its traditional character. Whilst the approach of blending traditional and contemporary architecture can be successfully undertaken and is often advocated as a more appropriate approach than a traditional pastiche, in this case, the new extensions are not considered to represent a sensitive extension to the listed building. The inappropriateness and insensitivity of the design is further compounded by the proposed large dormer extensions in the roof space. This is a point strongly alluded to in consultation response from Highland Council’s Conservation Officer in which this element is described as being “out of character and scale for the listed building.”



63. The fact that the majority of the significant external changes to Gladstone House are proposed to the rear of the structure, and as such are in a location which is substantially out of public view, cannot be considered a justification for the acceptance of inappropriate and insensitive alterations and extensions. Planning policies relating to the historic environment, from national level through to local plan level, and including guidance from Historic Scotland all accept that a degree of change can potentially be accommodated at listed buildings. However, the detail of such changes are required to be appropriate to the character and appearance of the listed building and its setting. Collectively the proposed development fails to satisfy the requirements of Scottish Planning Policy in relation to 'Historic Environment and Listed Buildings' and also fail to reflect advice contained in Historic Scotland's "Managing Change in the Historic Environment Guidance Notes" as detailed in paragraphs 22-27. The inappropriate nature of the current proposal is also inconsistent with Highland Council Structure Plan requirements to safeguard the overall quality and diversity of Highland's built heritage. The foregoing comments demonstrate the failure of the proposal to comply with planning policies and guidance relating to the historic environment and cultural heritage. In light of this it can only be concluded that the proposal also fails to comply with the first aim of the National Park. The proposed works may halt the deterioration of the structure, but they would not conserve or enhance the cultural heritage of the listed building.

#### **Other technical issues**

64. The advice from Highland Council's TEC Services has been detailed in paragraphs 53 and 54. Essentially as a 'stand alone' proposal, (and on the assumption that the adjacent land which forms part of The Garth Hotel car park and garden remains in its current state) TEC Services has no objection to the use of the shared access with The Garth, as the only means of providing vehicular access to the subject site. It would appear that this has been the historical arrangement for accessing the rear of Gladstone House.
65. As is the case with all applications, the current applications for planning permission and listed building consent at Gladstone House must be decided on their own merits. However, given the interlinked nature of the proposals with a current proposal for housing development on the adjacent Garth Hotel lands,<sup>6</sup> all of which would be reliant on the existing shared access arrangement, it is not possible to entirely separate consideration of the proposals at Gladstone House from those at the rear of The Garth. This comment pertains to access issues and the comments of TEC Services in which concern has been expressed about the access in the context of the combined proposals on both sites, and also pertains to the site boundaries that have been identified in the each planning application.

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<sup>6</sup> Planning permission in principle for the erection of 18 flats and 2 no. semi detached dwellings, CNPA ref. no. 2011/403/PIP.

66. The site area identified in relation to the current proposal at Gladstone House does not equate to the full extent of the historic curtilage of the listed building.<sup>7</sup> The remainder of the ground originally associated with Gladstone House has instead been identified as part of the adjacent application site i.e. for residential development to the rear of The Garth, with a six unit flatted structure proposed to be positioned on part of the original curtilage of Gladstone House. The current planning applications for planning permission and listed building consent at Gladstone House are therefore compromised by the adjacent proposal and the reduction in the traditional curtilage of the building has a further negative impact on the setting of the listed building.
67. Other points of concern in relation to the proposals at Gladstone House derive from the lack of supporting information accompanying the applications. The deficiencies in supporting information have been highlighted in the response from Highland Council's Conservation Officer and include the lack of detail on materials and the lack of a justification or a design statement to explain the rationale behind the proposal. The lack of a design statement is a fundamental flaw and contravenes the requirements of Policy 16 of the CNP Local Plan. The policy on 'Design Standards for Development' requires that "all proposals must be accompanied by a design statement which sets out how the requirements of the policy have been met." Expectations on the content of such a statement are further elaborated on the CNP's Sustainable Design Guide. The lack of detail on fundamental aspects such as materials or the rationale for the design concept all contribute to a failure to demonstrate that the proposal has been designed with regard to the guidance provided in Historic Scotland's 'Managing Change in the Historic Environment' guidance notes.

**Natural heritage issues**

68. Paragraph 52 of this report sets out the response which was received from SNH, in which the impact of the development proposal was considered in relation to European Protected Species (EPS), with bats being the EPS of relevance. The response commented on the inadequacy of bat information which has been submitted in support of the planning application and recommended that a comprehensive survey is required to be undertaken at the appropriate time of year. In the absence of definitive information on the potential presence of bats and accompanied by any necessary mitigation measures, it cannot be concluded that the development proposal would not have an adverse effect on European Protected Species. Consequently its compliance with CNP Local Plan Policy 4 – Protected Species is questionable. In the event of the overall proposal otherwise having adequate merit to warrant positive consideration being a realistic possibility, this matter could be explored further and a decision on the applications delayed until sufficient information was provided on bats. However, given the other issues pertaining to the proposal, this approach is not considered appropriate.

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<sup>7</sup> The garden depth from the rear of the new extensions proposed at Gladstone House is approximately 10.5 metres.

### Conclusion

69. In coming to a recommendation on the proposals at Gladstone House, it has been necessary to balance the realities of the need to facilitate some level of development at the property, in order to stop its further decline, against the need to ensure that any development proposals are sensitive to the listed status of the building, compliments its setting within the Grantown on Spey Conservation Area and appropriately conserves and enhances the cultural heritage value of the building for the long term. While the submission of the two current applications at Gladstone House could perhaps be considered an indication of intent to undertake works, no details have been provided to indicate a timescale in which development would be undertaken. As detailed in paragraphs 8 and 9 there has been a history of planning permissions at the property dating back over several decades, none of which have been implemented to date. The recent notification to the CNPA of a further application at Gladstone House for the demolition of extensions and the undertaking of temporary repairs to roof lights and windows in order to prevent further water ingress could also be construed as an indication that proposals for more extensive refurbishment work, such as the proposed alterations and extensions, are part of a longer term plan for the building.
70. Notwithstanding the granting of the now expired planning permission and listed building consent in 2003 for alteration and extensions to Gladstone House, as well as the pressing need to facilitate a means of halting the further deterioration of the structure, there is a need to ensure that any proposal ultimately accepted at this site is appropriate and assists in conserving and enhancing the cultural heritage of the National Park. The current proposal fails to achieve this. In addition, in light of the myriad of issues, including the relationship of the development site to a larger scale residential proposal on the adjacent land (and the associated reduction in the size of the curtilage which is proposed to be associated with the Listed Building), it is recommended that planning permission and Listed Building Consent be refused.
71. This conclusion and recommendation should not however be construed as a rejection of the principle of refurbishment works. The continued deterioration of this important Listed Building is a source of disappointment, as is the fact that despite being placed on the Buildings at Risk Register in 1997, the owners have failed to undertake any remedial works. However, it is clear that opportunities exist for the appropriate rehabilitation of the structure, but this can only be achieved through comprehensively addressing the wider range of issues and concerns that have been raised in this current application, and presenting a solution which displays a significantly increased awareness of the historical and cultural heritage value of the building.

## IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

### **Conserve and Enhance the Natural and Cultural Heritage of the Area**

72. The nature of the proposed alterations and extensions to the structure are inappropriate and unsympathetic to the traditional character of the Listed Building. The proposal would result in the loss of the traditional plan form and the introduction of extensions and materials which would be discordant with the original building. The development would not conserve the cultural heritage value of the building and would not enhance the building and its setting within a Conservation Area.
73. The bat survey which has been submitted is inadequate and in the absence of a survey being undertaken at an appropriate time of year and supported where necessary by appropriate mitigation measures, it cannot be concluded that the development would conserve the natural heritage of the area.

### **Promote Sustainable Use of Natural Resources**

74. The proposal involves the re-roofing of the building and the replacement of existing doors and windows. The details provided do not indicate any measures to retain or re-use existing materials. No details have been provided on the sourcing of new materials for the development. In general the development proposal does not appear to promote the sustainable use of natural resources. However, it is noted that the site layout plan identifies the provision of an air source heat pump to serve each of the units.

### **Promote Understanding and Enjoyment of the Area**

75. The proposals for alterations and extensions would result in the refurbishment of the structure. In light of its current state of disrepair, any improvement to its condition would offer some aesthetic enhancement and as such could be considered to contribute towards the general public's enjoyment of the area from a basic visual perspective.
76. However, the proposed alterations and extensions would result in the loss of the historic plan form and would also introduce unsympathetic additions to this historic property. The development could not therefore be considered to contribute positively towards the general public's understanding of the cultural heritage value of the property and its contribution to the Grantown on Spey Conservation Area.

### **Promote Sustainable Economic and Social Development of the Area**

77. The proposed development would provide two housing units, and in this respect could be considered to make a contribution towards the social development of the area.

## RECOMMENDATION

That Members of the Committee support a recommendation to

- (a) **REFUSE** planning permission for alterations and extensions to form 2 semi-detached houses at Gladstone House, 17-19 Castle Road, Grantown on Spey (CNPA ref. no. 2011/0401/DET) for the following reasons :
1. The proposed alterations and extensions to Gladstone House fail to sensitively and appropriately respond to the listed status of the building (Category C(s)) and as such the proposal is contrary to the national planning policy guidance. The development is contrary to Scottish Planning Policy on the subject of the Historic Environment, which requires the layout, design, materials and scale of any development which will affect a listed building to be appropriate to the character and appearance of the building (Scottish Planning Policy, para. 113). The proposal would adversely alter the historic character of Gladstone House and would therefore also be contrary to Scottish Historic Environment Policy (SHEP) which expects that any proposed changes in the historic environment “enhances rather than diminishes historic character” (SHEP, para. 1.6). The proposed alterations and extensions also fail to reflect advice on windows, doorways, extensions and interiors as set out in Historic Scotland’s ‘Managing Change in the Historic Environment’ guidance notes.
  2. The inappropriate and insensitive alterations and extensions to the Listed Building would fail to contribute positively to the historic character of the structure and would set a precedent for other inappropriate development at properties within the Grantown on Spey Conservation Area. The proposed development would therefore hinder opportunities to conserve and enhance the special qualities of the area. In failing to enhance the Listed Building and the Conservation Area the proposed development fails to comply with strategic objectives for landscape, built and historic environment as detailed in the Cairngorms National Park Plan (2007) and also fails to accord with the first aim of the Cairngorms National Park, which includes conserving and enhancing the cultural heritage of the area.
  3. Notwithstanding the fact that the undertaking of any refurbishment works at Gladstone House would offer the possibility of halting the deterioration of the Listed Building, the specific detail of the alterations, including the loss of a chimney and the main internal staircase, the introduction of ‘sash and case’ lookalike windows in place of the originals, the failure to reuse the original slates, and the lack of adequate information on other finishing materials, together with inappropriate extensions and alterations to the rear of the structure, all demonstrate the failure of the proposal to comply with Policy 9 – Listed Buildings and Policy 10 – Conservation Areas of the Cairngorms National Park Local Plan (2010). Both policies require that the layout, design, materials, scale and siting of any development is appropriate to the character and appearance of the listed building (Policy 9) and the conservation area (Policy 10).

4. The proposed development fails to comply with Policy 16 – Design Standards for Development of the Cairngorms National Park Local Plan (2010) as the alterations and extensions to the Listed Building fail to reflect or reinforce the traditional pattern and character and also fail to reinforce the local vernacular and local distinctiveness of the structure. The lack of detail provided on proposed materials also fails to demonstrate that the proposal would complement the setting of the development and fails to demonstrate the sustainable use of resources. In addition, no Design Statement has been submitted in support of the proposal, as required by Policy 16 of the Cairngorms National Park Local Plan. The failure to provide a Design Statement also demonstrates a lack of compliance with Cairngorms National Park Supplementary Planning Guidance where the requirements for a Design Statement are set out in the Sustainable Design Guide.
  5. The bat survey submitted in support of the development proposal is insufficient to demonstrate whether or not the development would have an adverse effect on bats, as a European Protected Species. The details are therefore insufficient to determine that the proposal complies with Highland Council Structure Plan Policy NI – Nature Conservation or Cairngorms National Park Local Plan Policy 4 – Protected Species. In the absence of sufficient information it cannot be concluded that the proposal would accord with the first aim of the National Park which includes conserving and enhancing the natural heritage of the area.
  6. The site boundaries identified in this application encompass a smaller area of amenity space than originally associated with the Listed Building. The proposal therefore represents a reduction in the historic curtilage of the Listed Building and would adversely affect the historic character and the setting of the structure.
- (b) REFUSE Listed Building Consent for alterations and extensions to form 2 semi-detached houses at Gladstone House, 17 – 19 Castle Road, Grantown on Spey (CNPA ref. no. 2011/0402/LBC) for the following reasons :**
1. The proposed alterations and extensions to Gladstone House fail to sensitively and appropriately respond to the listed status of the building (Category C(s)) and as such the proposal is contrary to the national planning policy guidance. The development is contrary to Scottish Planning Policy on the subject of the Historic Environment, which requires the layout, design, materials and scale of any development which will affect a listed building to be appropriate to the character and appearance of the building (Scottish Planning Policy, para. 113). The proposal would adversely alter the historic character of Gladstone House and would therefore also be contrary to Scottish Historic Environment Policy (SHEP) which expects that any proposed changes in the historic environment “enhances rather than diminishes historic character” (para. 1.6). The proposed alterations and extensions also fail to reflect advice on windows, doorways, extensions and interiors as set out in

Historic Scotland's 'Managing Change in the Historic Environment' guidance notes.

2. The inappropriate and insensitive alterations and extensions to the Listed Building would fail to contribute positively to the historic character of the structure and would set a precedent for other inappropriate development at properties within the Grantown on Spey Conservation Area. The proposed development would therefore hinder opportunities to conserve and enhance the special qualities of the area. In failing to enhance the Listed Building and the Conservation Area the proposed development fails to comply with strategic objectives for landscape, built and historic environment as detailed in the Cairngorms National Park Plan (2007) and also fails to accord with the first aim of the Cairngorms National Park, which includes conserving and enhancing the cultural heritage of the area.
3. Notwithstanding the fact that the undertaking of any refurbishment works at Gladstone House would offer the possibility of halting the deterioration of the Listed Building, the specific detail of the alterations, including the loss of an chimney and the main internal staircase, the introduction of 'sash and case' lookalike windows in place of the originals, the failure to reuse the original slates, and the lack of adequate information on other finishing materials, together with the inappropriate extensions and alterations to the rear of the structure, all demonstrate the failure of the proposal to comply with Policy 9 – Listed Buildings and Policy 10 – Conservation Areas of the Cairngorms National Park Local Plan (2010). Both policies require that the layout, design, materials, scale and siting of any development is appropriate to the character and appearance of the listed building (Policy 9) and the conservation area (Policy 10).
4. The proposed development fails to comply Policy 16 – Design Standards for Development of the Cairngorms National Park Local Plan (2010) as the alterations and extensions to the Listed Building fail to reflect or reinforce the traditional pattern and character and also fail to reinforce the local vernacular and local distinctiveness of the structure. The lack of detail provided on proposed materials also fails to demonstrate that the proposal would complement the setting of the development and fails to demonstrate the sustainable use of resources. In addition, no Design Statement has been submitted in support of the proposal, as required by Policy 16 of the Cairngorms National Park Local Plan. The failure to provide a Design Statement also demonstrates a lack of compliance with Cairngorms National Park Supplementary Planning Guidance where the requirements for a Design Statement are set out in the Sustainable Design Guide.

5. The site boundaries identified in this application encompass a smaller area of amenity space than originally associated with the Listed Building. The proposal therefore represents a reduction in the historic curtilage of the Listed Building and would adversely affect the historic character and the setting of the structure.

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**21 February 2012**

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