
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(DEVELOPMENT MANAGEMENT)

DEVELOPMENT PROPOSED: RESERVED MATTERS FOR THE ERECTION OF 6 FLATS ON LAND TO REAR OF THE GRANT ARMS HOTEL, GRANTOWN ON SPEY

REFERENCE: 08/367/CP

APPLICANT: COLIN LAWSON (BUILDERS) LTD

DATE CALLED-IN: 14 NOVEMBER 2008

RECOMMENDATION: APPROVAL

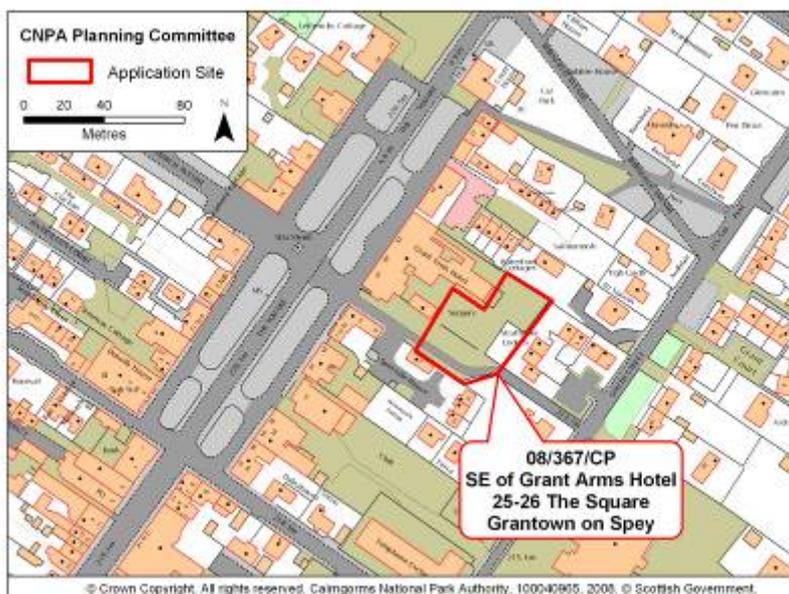


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The site is located to the rear of the Grant Arms Hotel, a Category C(s) Listed Building located within the Granttown-on-Spey Conservation Area. The Category A Spey House is also located in the vicinity, immediately to the South of the hotel. The site is brown field land formerly partly used to park buses visiting the hotel. The land comprising the site is no longer in the ownership of the hotel. The rear wing of the hotel was used as staff accommodation but is being refurbished for use by guests. A traditional single storey ancillary building between the site and the hotel is now in separate ownership and is used as a dental practice.
2. The site is generally flat but the immediate area slopes generally to the South East, away from the rear of the hotel. Residential accommodation in the form of bungalows to the North East and two storey terraced houses lie over all boundaries. There are two mature trees overhanging the South East boundary. One large mature conifer has been removed from the site.
3. Access to the site is via an access lane linking the Square to South Street, passed the flank of the hotel. Pedestrian access to the town centre is very immediate and direct.



Fig.2 The site looking North East



Fig.3 The site looking North West from South Street

4. This application comprises the Reserved Matters for 6 flats granted outline planning permission (06/304/CP, Paper 2, Planning Committee, 23 February 2007), as part of a proposed development of 6 x 2 bed roomed flats and 4 houses. The Planning Service had raised concerns regarding: the loss of an opportunity for development relating to the hotel, particularly parking provision; the form of development and loss of trees that would impact on the Grantown on Spey Conservation Area. It was also stated that the scale of development would be excessive with impacts on the privacy and amenity of neighbours and services to future residents of the site. The committee approved the application, including a requirement for a Section 75 agreement for the provision of 3 affordable housing units on site. Subsequently, the developer has reached agreement in principle with Albyn Housing Society to take all six flats in the proposed Phase 1 block. This will provide the developer with a "credit" against a nearby future development in the town centre and would provide Albyn with an efficient unit for management purposes.
5. The Reserved Matters cover all aspects of the proposal other than the principle of the development and the position of the footprint of the flatted block, towards the rear of the site. These are already approved. Condition 2 of the outline planning permission requires the building to be of a traditional

architecturally sympathetic design in respect of building form, detail, and finishing materials.

6. Conditions 5 and 6 require the existing vehicular access through the site to South Street to be permanently closed off and a pedestrian link, designed and constructed to adoptable standards and to meet the requirements of all abilities access, to be provided to link the development with the existing access to South Street.
7. The application plans show a 3 storey building with two flats on each floor. The plans have been amended to introduce a more traditionally styled building complimentary to the Listed hotel and the conservation area, with a reduced height and more traditional window openings. To the rear is a more contemporary projection finished in vertical timber boarding and containing high level windows. This has been designed to minimise the loss of privacy to the bungalows over the North boundary. The building would be 10.2 metres to the ridge of the roof, compared with the height of the rear wing of the hotel at 14.4 metres. The roof pitches of both buildings would match at 37.5°.

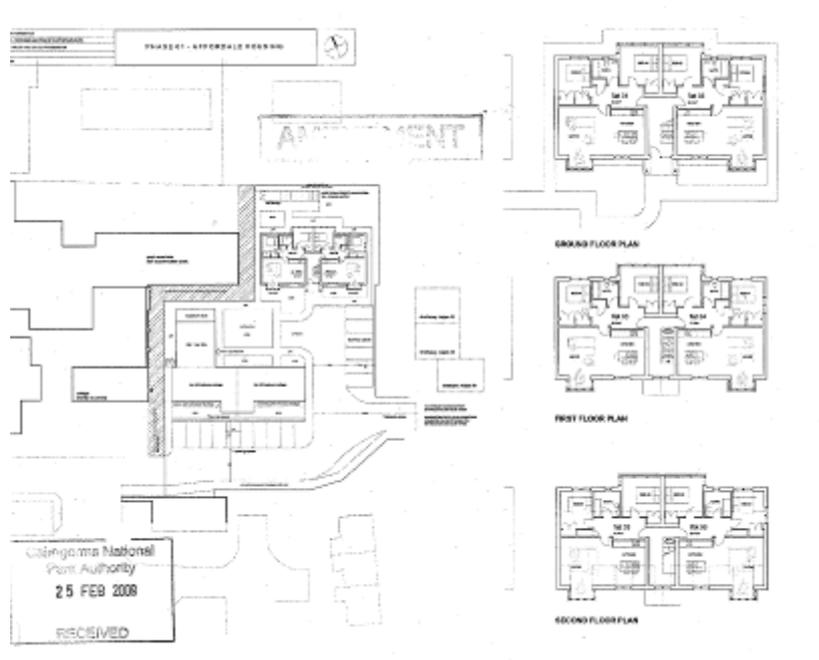




Fig. 4 Site Layout and Front and Rear Elevations

DEVELOPMENT PLAN CONTEXT

Cairngorms National Park Plan 2007

8. Strategic objectives for Landscape, Built and Historic Environment include; ensuring that development complements and enhances the landscape character of the Park; with new developments within settlements and surrounding areas complementing and enhancing the character, pattern and local identity of the built and historic environment.

Highland Structure Plan 2001

9. **Policy G2 Design for Sustainability** requires developments to be assessed on the extent to which they, amongst other things; are compatible with service provision; are accessible by public transport, cycling and walking as well as by car; maximise energy efficiency in terms of location, layout and design; make use of brown field sites, existing buildings and recycled materials; impact on individual and community residential amenity; demonstrate sensitive siting and high quality design; and contribute to the economic and social development of the community. To accord with the Structure Plan's objectives and strategic themes, policies for **housing development** in Highland aim to steer demand to appropriate locations within existing settlements.

Policy H5 Affordable Housing advises that Section 75 agreements and other mechanisms will be used to secure developer contributions where justified and affordable housing secured as

part of a larger development should not be of significantly higher density or lower quality.

Policy H8 Access Arrangements states that development proposals which involve new or improved access to serve more than 4 houses shall be served by a road constructed to adoptable standards.

Policy BC5 Listed Buildings and Conservation Areas seeks to preserve Highland's buildings and groups of buildings of historic or architectural interest.

Policy TC9 Car Parking advises that car parking provision associated with development proposals shall be carried out in accordance with the Council's general maximum standards.

Highland Council Development Plan Policy Guidelines 2003

10. This supplementary policy guidance advises that the Council operates a sequential set of mechanisms to achieve affordable housing provision in each case. On sites of 10 or more houses, a target of 25% is required. The first approach is for the developers to agree to transfer an area of serviced land on site, or to build an agreed number, type and mix of affordable housing units as an integrated part of their proposed scheme. The second approach, if the first is not achievable, is for the developer to agree the transfer of serviced land, or build the agreed number of affordable housing units, on another site in the community, that is under their control. If this is not achievable, developers may then agree to make financial contributions.
11. This guidance also advises on standards in relation to the provision of public and private open space in residential developments, minimum distances between windows for privacy, and day lighting/overshadowing.

Badenoch and Strathspey Local Plan 1997

12. **General Policy 2.5.13. Historic Buildings** advises that there will be a presumption against development which would adversely affect the character or setting of all listed buildings. In the **Grantown-on-Spey settlement statement**, the principle objectives include, amongst other things, a need to accommodate growth of the town within its landscaped setting, consistent with maintaining local heritage assets; and safeguard the towns built heritage and setting, including its semi-natural woodlands.
Policy 3.3.4. Footpaths requires footpaths and Rights of Way to be safeguarded.
Policy 3.5.1. Conservation Area advises that development, including ancillary buildings, should be of a form and scale

compatible with the character of the town and consistent with guidelines, including, amongst other things; finishes (natural stone or harled walls with roofs in slate or similar); design (roofs of 40 degrees, windows and doors of traditional dimensions and proportions, and gabled dormers); orientation/building lines (reinforcing established street frontages, possibly single storey tenement cottages on backland sites, and reinstatement of walls); and open spaces (that safeguard important features and vistas).

Grantown-on-Spey Town Centre Backland: Development Brief 1999

13. The Council agreed the above as policy supplementary to the adopted Local Plan. It seeks primarily to: identify remaining opportunities for "infill" development; and rationalise related access and amenity considerations in the areas to the rear of the High Street and the Square. It states that "*The intermediate backland – lying essentially between the High Street frontage and residential streets to the rear – comprise rear service areas, the remnants of large gardens, allotments/paddocks and communal drying greens, and other open spaces. These uses have been supplanted by development over the years. A significant part of this area remains under used or neglected and could present scope for additional infill. However, many potential sites are difficult to access or occasionally land locked, and building requires to be consistent with established uses, the grain and character of the town and residential amenity.*" The brief identifies two zones of common uses, character and access limitations/potential. **The site lies within Zone 1 (High Street, Square Frontage and Associated Rear Curtilage).** This zone identifies the area as "*predominantly commercial/mixed town centre uses (including retail, office and residential) – where limited spare capacity in access from the High Street/Square should be associated with improvement, extension and/or conversion of existing buildings/uses.*"

CONSULTATIONS

14. **Highland Council Area Roads Manager** expresses concern about the loss of off-street parking for the hotel and adjacent dental practice. The access road must be completed to adoptable standards. The submitted layout requires amendment to the access and turning for large service and emergency vehicles. A roadside footway shall be provided along the road side frontage

of the hotel and dental clinic, between the Square and the application site. Further conditions relating to bin stores, cycle storage and parking are recommended. Vehicular access between the site and South Street shall be stopped up and a multi-user pedestrian link to adoptable standards provided.

15. **Contaminated Land Officer** reports that contamination may have occurred in the area occupied by Phase 2. This should be dealt with when Phase 2 is submitted for consideration.
16. **Scottish Water** has no objection and capacity for water supply and waste water disposal is available.
17. **Economics and Social Development (Housing)** Albyn Housing Society Ltd. have agreed to supply a mix of affordable housing for rent and low cost home ownership arrangements.

REPRESENTATIONS

18. Two representations have been received.
 - The operator of the dental clinic has no objections in principle but seeks to ensure that the parking area in front of the clinic is left unobstructed at all times, particularly during the construction phase.
 - The owner of the Grant Arms Hotel objects to the proposal on the grounds that the flatted block will be within 4 metres of the hotel, blocking light and the view from two hotel bedrooms. The building is disproportionate to the site and will affect (the amenity of) the hotel and surrounding neighbourhood. The size and scale of the building should be reduced.

APPRAISAL

Design

19. Development in the Conservation Area should preserve and enhance, or at least, not detract from the character and amenity of the Conservation Area. Policies and Guidance reinforce the legislative background and give specific guidance on roof pitches, window, door and materials. The proposed building is large and located in back land where guidance indicates that single storey structures may be most appropriate. However, there are a number of examples of residential infill off the Square at Grantown and although changing the character of the traditional low density back lands, they have adopted traditional designs and layouts. A revised design is considered to

be reasonably empathetic with the Conservation Area. It will not be inter-visible with the two Listed Buildings in the vicinity, as seen from the Square. The building is lower than the rear wing of the hotel and will appear as an adjunct to the rear wing in the built form of the area. The roof pitch is lower than the plus 40° pitches (37.5°) characteristic of the Conservation Area and hitherto incorporated into new development but it will match the pitch of the adjacent rear wing of the hotel.

20. The rear elevation has been redesigned to minimize the loss of privacy to bungalows to the rear. Its design follows from the dual objectives of providing privacy and a good sized first bedroom to each flat. The rear elevation has its own contemporary architectural character focussing on a cubic form of vertical timber work relieved by horizontal lines of high level windows with traditional windows in the flanks, and leaded roofs. Trees in the adjacent garden at the south east corner of the site are unlikely to be affected. A traditional wall and existing vegetation along the north boundary will be retained.

Amenity of neighbours

21. The privacy of existing residential property over the North and East boundaries is partially protected by the use of high level and corner windows. A condition for a screen fence is recommended for the East boundary. The rear facing bedroom windows will be 9 metres from the rear boundary and 21 metres from the bungalow to the North. There is an intervening access lane and partial screening by shrubbery. The building is likely to appear overbearing given the very open nature of the present site but with a significant reduction in the height of the building will substantially reduce any overbearing effect. The distance between the building and the East boundary is 2.3 metres but the existing houses enjoy their main amenities and outlook to the East and South towards South Street, away from the site. Existing trees will help soften the effect of this gable on neighbours.
22. The West gable is 4 metres from the end gable of the hotel wing. There are two bedroom windows in this gable. These are secondary windows in double aspect rooms. No proposed windows will overlook them. Any effects from overshadowing have been reduced by a reduction in the height of the building, with the North East facing bedroom window looking on to the roof of the proposed flats and the South West facing bedroom enjoying considerable lighting from unaffected South facing windows.

Outdoor Amenity Space

23. The Highland Council outdoor amenity space standard is 40m² per two bed flat and 25m² per one bed flat. The rear amenity space provides 148m² of grass, excluding the bin and cycle storage areas. This is 25m² per flat, meeting the one bed but not the two bed standard. The position of the building and total number of units in Phases 1 and 2 are already approved. The layout has been found acceptable by the affordable housing provider. There is no opportunity to increase the outdoor amenity space if Phase 2 is to be achieved later. There are considerable opportunities for outdoor recreation within a short distance of the centre of Grantown - on - Spey, therefore recommended that the layout and on site amenity space is accepted,

Access, Parking and Roads

24. Whilst it would have been desirable to afford the hotel some rear parking, the principle of the development of the site has been established via the outline planning permission. In any case, the application site is now in separate ownership and the land is not available for hotel parking. It is understood that there is an informal arrangement with the dentists for the overnight parking of tour buses; otherwise they must park on the frontage. Public car parking is available in the Square and the nearby Burnfield car park. The parking for the dentists is immediately outside the dental practice and is not be affected by the proposed flats.
25. The parking standard for 6 flats is 1.5 spaces per unit and this is specified in Condition 4 of the outline planning permission. Six parking spaces are shown close to the flats and can be provided in conjunction with the access road. An additional two spaces can be provided during the second phase of the site development. This is below the standard but given the affordable nature of the flats and their location in the town centre, close to services and public transport, the parking is considered adequate.
26. The access road must be completed to adoptable standard. Adjustments to the design are required to provide access and turning for large service and emergency vehicles. A condition to secure these changes is recommended. A pedestrian footway will be provided along the South side of the site to link with existing pedestrian paths on the South side of the existing access lane. The Area Roads Manager requirement for a pedestrian path adjacent to the hotel would be supplementary to the above provision. A gravel route already exists and is not

generally used by pedestrians. Given that a formalised path would affect the setting of the Listed Building, a formal footway past the hotel is not considered desirable.

27. Bin and cycle storage is provided for in the rear amenity area and in the Phase 2 area and can be secured by condition.
28. The developer is prepared to promote the closure and reformatting of the access through to South Street, for pedestrian use only. Conditions relating to this are already approved on the outline permission.

Surface Water Drainage

29. A scheme of surface water drainage is required by Condition 1. This has yet to be submitted and will be subject to consultation with SEPA and the Highland Council Area Roads Engineer. Approval should be secured prior to the commencement of the development. A condition requiring approval and implementation is recommended.

Energy Efficiency

30. One of the benefits of the proposal and the format of the affordable housing proposed is the opportunity to meet high energy efficiency standards. This is a key plank of the second aim of the National Park. The building is a compact shape but no specific proposals for energy efficiency and the use of renewables have been included in the scheme. A condition to identify the energy consumption of the flats, means of achieving low energy consumption by end users, CO2 reduction and an identifiable contribution from renewables would greatly benefit this development as the building is partly justified by its efficiency as a contribution to the affordable housing stock. In the absence of a policy basis to obtain this by a condition of planning permission, an advisory note is included in the recommendation.

Conclusions

31. The proposal is a large building with ancillary structures and an access road, all fitted into a constrained site. The position of the building is already authorised. With some amendments to the scheme, the design and layout adequately address the Conservation Area status of the area, the constraints of the site and provide reasonable protection of the amenities and privacy of neighbours. The proposal represents an opportunity for a

conveniently located affordable flatted block that can meet the needs of residents in an efficient manner.

IMPLICATIONS FOR THE AIMS OF THE PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

32. The building would not detract from the character and amenity of the Grantown-on-Spey-Conservation Area or the Listed Grant Arms Hotel or Spey House so the cultural heritage of the area is upheld.

Promote Sustainable Use of Natural Resources

33. The building is a compact shape that can be efficiently insulated and heated. The location is highly accessible to all services without the need for transport.

Promote Understanding and Enjoyment

34. No material implications for this aim.

Promote Sustainable Economic and Social Development

35. The development provides affordable flats at a highly accessible location, which will assist in supporting the social and economic needs of the local community.

RECOMMENDATION

Grant approval of the Reserved Matters subject to the following conditions

1. The development hereby approved shall be commenced prior to (i) the expiration of 5 years from the date of the grant of outline planning permission, or (ii) if later, the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. This approval relates solely to the reserved matters referred to in the outline planning permission reference number 06/304/CP. Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions imposed on that outline planning permission.

3. Notwithstanding the details on the plan hereby approved, prior to the commencement of the development, a plan showing the layout of all roads and footpaths designed to an adoptable standard shall be submitted for approval of the Cairngorms National Park Authority, in consultation with the Highland Council Area Roads Manager. The approved internal access road, the footpaths, the parking area for 6no. cars and street lighting satisfactory to Highland Council's Lighting engineer, shall be completed to adoptable standard prior to the occupation of the first flat in the development hereby approved.
4. Prior to the commencement of the development hereby approved, a scheme for the surface water drainage of the site by means of Sustainable Urban Drainage Systems (SUDS), in accordance with the CIRIA Sustainable Urban Drainage Systems - Design Manual for Scotland and Northern Ireland (C521), shall be submitted for the approval of the Cairngorms National Park Authority, acting as Planning Authority, in consultation with SEPA and The Highland Council Area Roads Manager. The approved scheme shall be installed in its entirety prior to the occupation of the first flat hereby approved.
5. Prior to their application to the building samples of all finishing materials, including colours, shall be submitted for the approval of the Cairngorms National Park Authority.
6. All bin stores (including the provision for recyclables) and cycle storage, positioned to the satisfaction of the Highland Council TECS Services (Roads and Environmental Health), shall be installed and available for use prior to the occupation of the first flat in the development hereby approved.
7. Prior to the occupation of the first of flats hereby approved a 2.0 metre high vertically and close boarded screen fence shall be erected along the East boundary between the site and Nos. 1 – 4 Strathspey Lodges.
8. The existing wall along the North boundary and associated shrubbery shall be retained and maintained to the satisfaction of the Cairngorms National Park Authority acting as Planning Authority.
9. The high level windows on the East elevation shall be obscurely glazed.

10. Parking and access to the adjacent dentists premises shall be maintained at all times during construction works and no construction traffic shall park anywhere on the dentists forecourt.

ADVICE NOTES

Energy Efficiency

The developer is reminded of the opportunity to meet high energy efficiency standards. This is a key plank of the second aim of the National Park. The building is a compact shape and lends itself to low carbon, high efficiency energy technology both in construction and end user energy consumption, greatly benefiting the environment, the affordable housing stock and the future residents. The developer is urged to design the building using every opportunity to employ low energy use technologies and renewables.

Roads Construction Consent

Roads Construction Consent is required for all roads related works intended for adoption.

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23 February 2009

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