
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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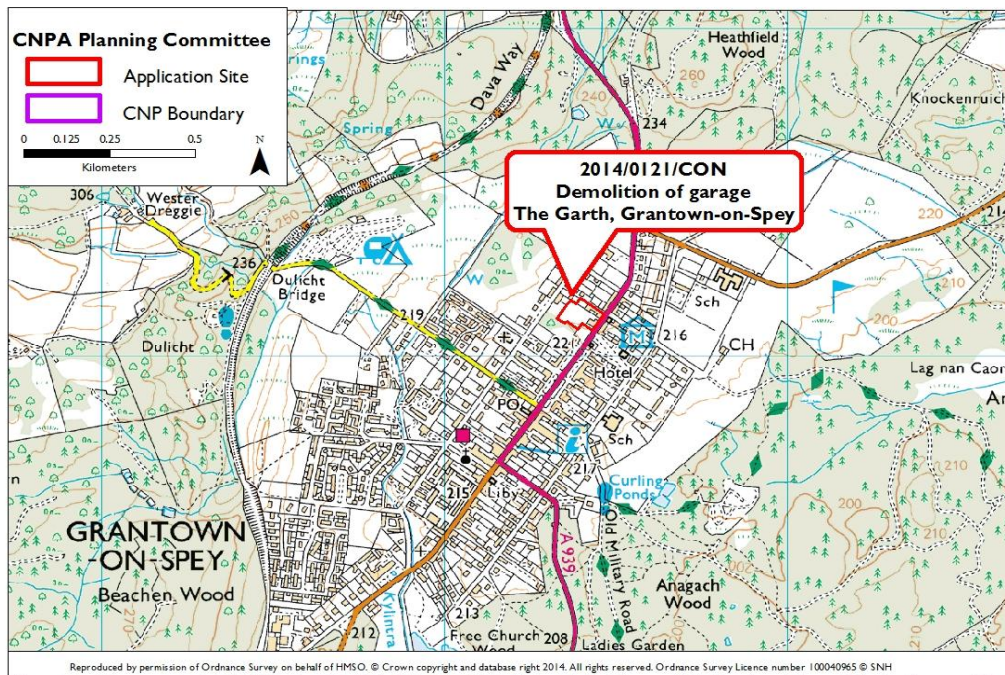
DEVELOPMENT PROPOSED: DEMOLITION OF GARAGE AT THE GARTH, 21-23 CASTLE ROAD, GRANTOWN ON SPEY

REFERENCE: 2014/0121/CON

APPLICANT: WKW PARTNERSHIP, CAIRNGORM HOTEL, 77 GRAMPIAN ROAD, AVIEMORE

DATE CALLED-IN: 28.04.14

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

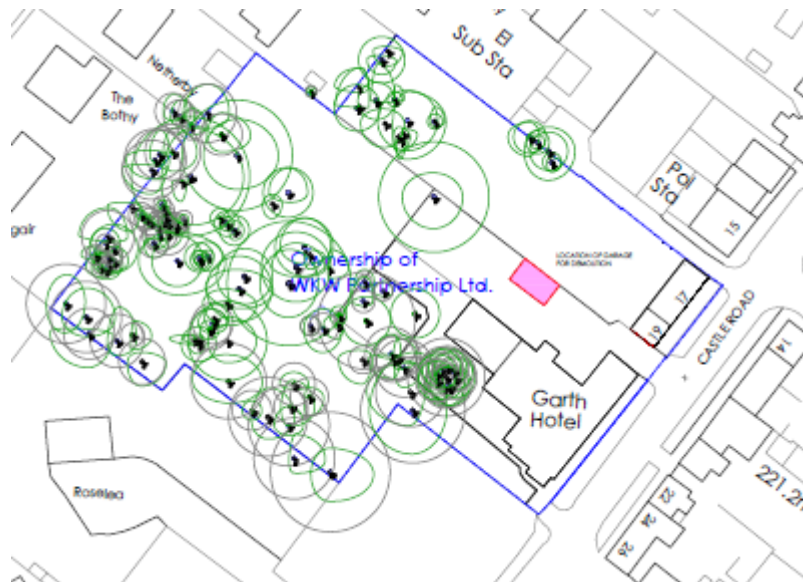


Grid reference: (E/303430, N/828104)

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Conservation Consent is sought to demolish an existing garage building in association with the development of 12 self-catering flats (Application No 2014/0105/DET) at the same address. The building has a pitched roof covered in metal sheeting, traditional stone walls on the south-east gable and to the rear, a brick gable to the north-west and a line of black-painted timber doors to the south-west facing the existing access road.



2. The application was accompanied by a Bat Survey, which advised that no current bat roosts had been found in the building.

DEVELOPMENT PLAN CONTEXT

National policy

3. **Scottish Planning Policy¹ (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.
4. **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.
5. 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.”
6. 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.
7. 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

¹ February 2010

without subsidy. **SPP** advises that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.

8. 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.
9. **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 December 2011

10. The Scottish Historic Environment Policy (SHEP) sets out Scottish Ministers' policies, providing direction for Historic Scotland and a policy framework that informs the work of a wide range of public sector organisations. It states that the remains of the past can act as a powerful catalyst and a stimulus to high quality new design and development, leading to successful regeneration and community-building. The Ministers believe that the historic environment should be valued as an asset, rather than thought of as a barrier to development. This reinforces the identity of communities, and can add value, provided that value is recognised at the outset and it becomes an integral part of any development or regeneration project.
11. The SHEP states that the protection of the historic environment is not about preventing change. Ministers believe that change in this dynamic environment should be managed intelligently and with understanding, to achieve the best outcome for the historic environment and for the people of Scotland. Such decisions often have to recognise economic realities.
12. In the Section entitled 'Conservation Area Consent', the policy refers to the possibility that the demolition of even a single building and the construction of a new building or buildings in its place could result in harm to the character or appearance of a conservation area, or part of it. It advises that, in deciding whether conservation area consent should be granted, planning authorities should take account of the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site. In some cases, demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or

location makes its re-use extremely difficult. In instances where demolition is to be followed by re-development of the site, consent to demolish should in general be given only where there are acceptable proposals for the new building.

Strategic Policies

Cairngorms National Park Partnership Plan (2012 - 2017)

13. The Partnership Plan sets out the vision and overarching strategy for managing the Park and provides a strategic context for the Local Development Plan. Three long term outcomes have been identified to deliver the vision for the Park and development proposals would be expected accord with those :
- A sustainable economy supporting thriving businesses and communities;
 - A special place for people and nature with natural and cultural heritage enhanced; and
 - People enjoying the park through outstanding visitor and learning experiences.

The CNP Partnership Plan can be viewed on the Cairngorms National Park Authority website at <http://cairngorms.co.uk/park-authority/about-us/publications/?publicationID=299>

Local Plan Policy

Cairngorms National Park Local Plan (2010)

14. 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>
15. 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.
16. 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.

17. 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.
18. Policy 5 – Biodiversity: Development that would have an adverse effect on habitats or species identified in the Cairngorms Local Biodiversity Action Plan, or by Scottish Ministers through the Scottish Biodiversity List, including any cumulative impact, will only be considered where:
- a) The developer can demonstrate that the need and justification for the development outweighs the local, national or international contribution of the area of habitat or population of species; and
 - b) Significant harm or disturbance to the ecological functions, continuity and integrity of the habitats or species populations is unavoided, or minimised where harm is unavoidable.
19. Policy 10 – Conservation Areas: Policy: 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. Where an existing building within a conservation area contributes positively to its character, demolition will only be permitted where it is demonstrated beyond reasonable doubt to the planning authority, that every effort has been taken to secure its long-term future, without success. In such instances, proposals for demolition will not be considered in the absence of a detailed planning application for a replacement development that enhances or preserves that character. Demolition will not begin until evidence is given of contracts let for the approved development.
20. 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;

- Protect the amenity enjoyed by neighbouring properties and all proposals will be designed to help create environments that can be enjoyed by everyone; and
- Be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.

Supplementary Planning Guidance

21. 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

22. 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.
23. 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.

CONSULTATIONS

24. **The Highland Council’s Historic Environment Team** advise that this building is a fairly late and much altered building within the conservation area and hence that it’s demolition will not have an unacceptable impact on the character and appearance of the conservation area.

REPRESENTATIONS

25. None

APPRAISAL

26. This application requires to be considered in parallel with the planning application for the redevelopment of the same site (CNPA Application No 2014/0105/DET). This related application is being reported to the same Planning Committee Meeting, with a recommendation that it is approved subject to payment of a planning gain contribution and to a series of planning conditions.
27. The Highland Council's Historic Environment Team do not object to the demolition of the garage building, as it is a fairly late and much altered building, whose removal will not have an unacceptable impact on the character and appearance of the conservation area.

Conclusion

28. In the event that the planning permission is granted for the proposed replacement building, it is considered that granting conservation consent for the demolition of the garage would accord with the Development Plan policies.
29. If members are inclined to approve this application, it will require formal referral to Historic Scotland for their final approval.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

30. The demolition of the garage will have no impact on this aim, as its removal is not deemed to have an unacceptable impact on the character and appearance of the conservation area.

Promote Sustainable Use of Natural Resources

31. A condition has been suggested requiring that the stone from the garage is re-used in the new development, if possible.

Promote Understanding and Enjoyment of the Area

32. The demolition of the garage will have no impact on this aim.

Promote Sustainable Economic and Social Development of the Area

33. The demolition of this garage building would facilitate the wider development proposals for the site, which are the subject of a separate planning application and will, in themselves, promote sustainable economic and social development of the area.

RECOMMENDATION

That Members of the Committee support a recommendation to grant conservation consent for the demolition of garage at The Garth, 21-23 Castle Road, Grantown on Spey, subject to the following conditions:

- 1 No works of demolition shall take place until construction contracts have been entered into for the replacement development of the site and written evidence of this has been submitted and approved in writing by Cairngorms national Park Authority acting as Planning Authority. The replacement development shall be for a scheme, which has a current full planning permission.

Reason: To ensure that the Cairngorms National Park Authority acting as Planning Authority retains effective control over the timing of the development to avoid premature demolition within the Conservation Area, in the interests of visual amenity.

- 2 No works of demolition shall commence until a photographic record of the Building, in accordance with the attached specification (See Advice Notes), has been approved in writing by Cairngorms National Park Authority acting as Planning Authority in consultation with The Highlands Council Historic Environment Team.

Reason: To protect the historic interest of the site.

- 3 The stone from the demolished garage shall be salvaged and re-used in the construction of walls and landscape features on the development site of the associated planning application (Application No 2014/0105/DET).

Reason: To contribute to the character and appearance of the development within the Conservation Area and to minimise the need for import of new materials to the site, in the interests of visual amenity and sustainable development.

Advice Notes

- 1 In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
- 2 It is recommended that all construction works (including deliveries of materials) shall take place within the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1300 on Saturdays, there shall be no work or deliveries of materials on Sundays and Public Holidays.

- 3 You will find attached the specification for the required work, which simply requires the Historic Environment Team to be supplied with a ground plan of the building to be impacted, along with a set of photographs. Please supply this to the applicant. Applicants should normally be able to undertake this work themselves. Often their architect will already be in possession of a suitable plan. All photographs are lodged in the Highland Historic Environment Record, where they may be consulted for research. Please advise the applicant to send photographs direct to us. We will advise you of receipt and confirm that they form a satisfactory record. Where applicants send the photographs to the Planning Office we would be grateful if you could please forward them to us. The applicant should refer to Highland Council Standards for Archaeological Work, specifically Sections 9.1 - 9.17. at <http://www.highland.gov.uk/NR/rdonlyres/4FAA681F-979F-478C-870DCBB4D00DCFFF/0/HCSAWv1.pdf>

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21 May 2014

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.