
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT MANAGEMENT)**

**DEVELOPMENT PROPOSED: PARTIAL DEMOLITION AND
RETENTION OF EXISTING
BUILDINGS AS ANCILLARY
STORAGE AND ERECTION OF
DWELLINGHOUSE INCLUDING
CHANGE OF USE OF LAND TO
DOMESTIC GARDEN GROUND AT
BRAEVIEW, BRAEMAR**

REFERENCE: 2012/0243/DET

APPLICANT: GEORGE KNOX

DATE CALLED-IN: 03 AUGUST 2012

RECOMMENDATION: APPROVE WITH CONDITIONS

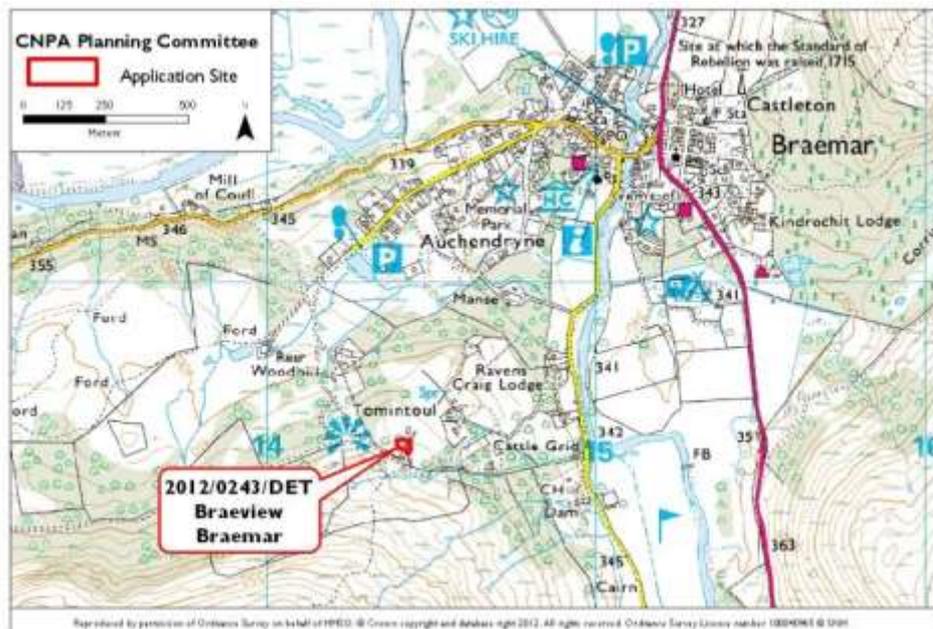


Fig. I - Location Plan

SITE DESCRIPTION AND PROPOSAL

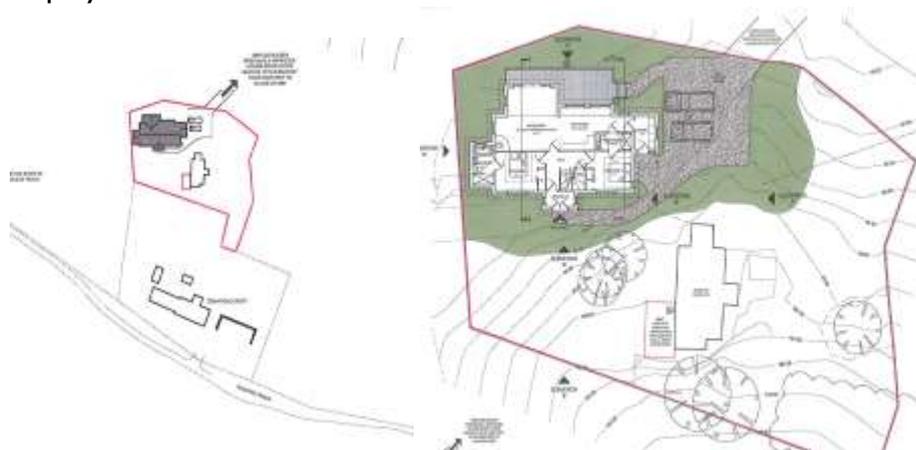
1. Full planning permission is sought to erect a new house to replace an existing small wood and corrugated iron cottage. The original cottage is to be retained as ancillary domestic storage, with a small lean too addition to the rear of the cottage removed. Photographs of the existing cottage are shown below in Figures 2 & 3.



Figures 2 & 3 Existing cottage

2. The proposed new house will sit to the west of the existing cottage at Braeview as shown in Figures 4 & 5 below which also show the relationship to Tomintoul Croft. A design statement has been submitted in support of the application outlining how the design has developed to fit the site, by locating

the new build in a hollow below the old house taking advantage of spectacular views to the north, whilst also retaining the original cottage and the history of the area. This also explains the rationale for not upgrading the original cottage, this being its size and condition restricts the ability to meet modern standards whereby it was felt to be more appropriate to build a sympathetic new house, and retain the character of the original. The design statement also outlines that energy efficiency measures and zero carbon technologies will be employed.



Figs 4 & 5 Site relationship with Tomintoul Croft and relationship of proposed house to existing cottage

3. The site is located at Braeview, to the north west of, and above, Braemar in a relatively remote location. It is situated on the lower slopes of Morrone, adjacent to, but not within, the Morrone Birkwood Nature Reserve, which is also a Site of Special Scientific Interest and Special Area of Conservation. This is an attractive hillside landscape with a number of traditional cottages dispersed around the area in a typical crofting pattern. Predominant finishes are corrugated iron and timber.
4. The site is presently accessed from the Duck Pond to the west of Braemar, via an existing, very narrow rough track leading to Morrone Birkwood, with a viewpoint on route. This is part of a wider network of core paths here. A small branch off this track leads through rough grazing to the application site which is set amongst native trees on a sloping hillside location. It is proposed to access the site via a new track to be formed leading eastwards to join the old military road back into Braemar.
5. This track has previously been approved by Aberdeenshire Council (Reference APP/201/2370) to serve both the application site and Tomintoul Croft, which lies some 30 metres to the south west of the site. Some members may recall a recent application for a replacement house at Tomintoul Croft, which was approved at the May 2011 meeting of the Planning Committee following previous applications for different house types. (Reference 11/0024/CP) During consideration of that application Tomintoul Croft was listed for its historic and architectural importance by Historic

Scotland, category A in recognition of its important historical content, and largely unchanged interior.

6. The proposed new house is a one and a half storey (attic accommodation) four bedroomed house with front wing detail, rear porch and small side extensions. Proposed finishes are Scottish Larch clad walls (natural finish), random rubble basecourse, and red profiled sheeting roof with white painted timber fascia, doors and windows. A decking feature is proposed to the front (north) of the house looking towards Braemar.
7. Following discussion the design of the proposed house was revised to reduce the gable width, whereby the proportions of the house are more traditional and in line with the house approved at Tomintoul Croft. Figures 6 & 7 below shows the house type in combination with the existing cottage



Figures 6 & 7 relationship of existing cottage to proposed house

It is proposed to site the house on ground which lies at a lower level than the existing house with minimal changes to ground levels proposed. No trees will require to be removed to accommodate the development.

8. As noted earlier, access is proposed via a new track to be formed leading eastwards. Foul drainage will be by means of a new mound soakaway system with certification submitted to demonstrate that this will work. Surface water will be disposed of by means of sustainable urban drainage system within the site, with connection to the existing private water supply.

DEVELOPMENT PLAN CONTEXT

National Policy

9. **Scottish Planning Policy (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It sets out that 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 and has the basic aim "to achieve the right development in the right place."
10. 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 key topics in this case are *housing* and *landscape and natural heritage*. These set out that Planning Authorities should support opportunities for enjoyment and understanding of the natural heritage with siting and design to be informed by local landscape character. In terms of housing Scottish Planning Policy is generally supportive of replacement rural housing subject to landscape and design considerations.
11. National Parks are also discussed under the heading of national designations, and the four aims of the Park are outlined. Para. 138 advises "*in circumstances where conflict between the objectives arises and cannot be resolved, the 2000 Act requires that the conservation of the natural and cultural heritage should take precedence.*"

Strategic Policies

Cairngorms National Park Partnership Plan 2012-2017

12. The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. It sets out the strategic direction and priorities for the Park.
Three long term outcomes for the Park are set out as follows:
 - 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.

13. These outcomes address the interaction of the three main characteristics of the National Park these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. A series of work programmes to help deliver the outcomes is set out in the Plan.

Local Plan

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. New development requires to be assessed in relation to all policies contained in the Plan. In this case the key policies are set out below.
16. Policy 23 – Replacement Houses which sets out that there will be a presumption against the replacement of an existing house unless the existing house is demonstrated to be structurally unsound or incapable of rehabilitation; the existing house is not listed; the new house is located to incorporate the footprint of the original house unless an alternative adjacent site would minimise any negative environmental, social or economic effects of the development, and the existing house has been vacant for at least ten years.
17. Policy 11 – The local and wider cultural heritage of the Park –this policy presumes against development which does not protect, conserve or enhance a site, feature or use of land of local or wider or cultural historic significance or its setting.
18. Policy 6 – Landscape which sets out that there will be a presumption against any development that does not complement and enhance the landscape character of the Park.
19. Policy 16: Design Standards for new development applies which sets out the design standards to be met with new development and is supported by supplementary planning guidance in the form of sustainable design guide
20. Also relevant are Policy 1 Natura 2000 Sites and Policy 2: National Natural Heritage Designations given that the site lies close to a SSSI and special area of conservation. This policy basically seeks to ensure there is no adverse effect on the overall integrity of the designated area.
21. Policy 34 – Outdoor Access applies which encourages development which improves opportunities for responsible outdoor access- in this case the development does not impinge upon the existing core paths network.

22. Other policies relating to servicing, also apply.

Supplementary Planning Guidance

23. 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. Guidance on Natural Heritage applies here. This guidance sets out how the natural heritage of the National Park will be taken into account when considering development proposals. The Sustainable Design Guide also applies which sets out key issues to be considered with new development.

CONSULTATIONS

24. **CNPA Ecology Officer** has no adverse comments and does not consider a bat survey to be necessary in this instance given the nature of the outbuilding to be demolished.
25. **Braemar Community Council** has been consulted and advised that some of their members considered that the development would be too large and imposing at this location
26. **Aberdeenshire Council's Contaminated Land Officer** having received information regarding the previous use of the site, has no adverse comments.
27. **Aberdeenshire Council's Environmental Health Officer** has noted that it is proposed to connect to an existing private water supply. They have no objections to the proposal but recommend that a condition be attached requiring that the water supply is tested prior to occupation of the house, with any appropriate treatment installed to ensure that the supply with the relevant private water supplies regulations.
28. **Aberdeenshire Council's Roads Development Officers** have no adverse comments.
29. **Aberdeenshire Council's Planning Gain Team** has confirmed that developer contributions will not be required in this case.

REPRESENTATIONS

30. The application was not publicly advertised. No representations have been received.

APPRAISAL

Principle of Development

31. In terms of the principle of this development Local Plan policy 23 on replacement houses presumes in favour of replacing houses that are structurally unsound or unsuitable for rehabilitation, normally on the site of the existing property. In this case the existing small bothy type cottage would be difficult to renovate and extend to meet modern living standards and

space without significant extensions which would destroy its original character.

32. However, as the building is of some merit, sitting well in the landscape and of some cultural interest, it is considered that it would be inappropriate to lose it through demolition and replacement with a new house. As such the proposal to retain the cottage in ancillary use and site a new house beside it, is in principle, considered to be reasonable. It is also in line with recent planning decisions in the immediate vicinity, and elsewhere in the Park.
33. It is however essential to ensure that the details of the new development are satisfactory and comply with Local Plan policies.

Siting Issues

34. The siting of the proposed new house will result in it lying at a lower level as compared to the original cottage. As the new house is larger this should help ensure it is not unduly dominant, and sits well in relation to the existing cottage. The submitted sections and plans demonstrate this will be the case, with the new house respecting the original ground levels.
35. Similarly the siting of the new house will ensure that existing trees can be retained and thereby ensuring a natural setting for the house is retained. The applicants have also confirmed that any boundary enclosures will be post and wire fencing which will also help keep the open natural feeling of this site.
36. Finally the siting of the new house at a lower level, set within trees and lying beyond (north) the existing cottage at Braeview, means that there are not considered to be any particular impacts upon the setting of Tomintoul Cottage which is an A listed building of architectural and historic importance.
37. It is therefore considered that the siting of the house is appropriate in the landscape, will relate well to the existing house and create an acceptable, small visual grouping with it.

Design

38. The design of the proposed house has been amended to reduce its width and thus improve its proportions. This has resulted in a design which is sympathetic to the new house approved at Tomintoul Croft. It should also relate satisfactorily to the existing cottage, with external finishes selected to try and reflect and complement that property. As such the proposal is considered to comply with Local Plan policy and guidance.
39. In respect of design it is noted that the local Community Council have raised concerns regarding the scale of the new house. This concern was initially shared by Planning Officers, and the applicants were asked to re consider the design with a view to ensuring it did not overly dominate the existing cottage. I am now satisfied that the reduction of gable width, together with some other minor amendments, has secured this objective and consider that the design is acceptable in this case.

Environmental Issues

40. The site is located close to existing buildings and will not result in loss of trees in the area, nor is it considered to have any undue impact on the immediate habitats here. It is sufficiently far away from the Morrone Birkwoods designated site to ensure no adverse impact upon the qualities of that area. Accordingly the application is not considered to have any particular environmental implications.

Access/Servicing Issues

41. There are no particular technical or servicing issues associated with the development, with appropriate consultees satisfied with the proposal subject to appropriate conditions regarding testing of the private water supply.

Conclusion

42. In these overall circumstances the proposed development is considered to comply with Local Plan policies and guidance subject to appropriate planning conditions being attached

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

43. The proposed development will enable the retention of a small cottage which is considered to be of some cultural interest, whilst the design and finishes of the new house are considered to be appropriate to its setting and relationship to the existing buildings here. Existing trees are to be retained whereby, overall the proposal is considered to comply with this aim.

Promote Sustainable Use of Natural Resources

44. The proposed development uses wooden finishes which could be locally sourced with the accompanying design statement demonstrating satisfactorily that this general aim can be met with this development.

Promote Understanding and Enjoyment of the Area

45. The proposal is not considered to have any particular impact upon this aim and will not detract from the enjoyment of the area given the standard of design and siting to be employed. As such any impacts are considered to be neutral.

Promote Sustainable Economic and Social Development of the Area

46. The proposal will enable a vacant building, which is of some local merit, to be retained in productive use whilst also enabling a new house to be constructed which will help support the economic and social development of the area. The proposal is therefore considered to contribute positively to this aim.

RECOMMENDATION

47. That Members of the Committee support a recommendation to **GRANT** planning permission for partial demolition and retention of existing building as ancillary storage and erection of dwellinghouse including change of use of land to domestic garden ground at Braeview, Braemar subject to the following conditions:

1. The development to which this permission relates must be begun within 3 years from the date of this permission.

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

2. The existing cottage shall be retained as ancillary storage and shall not be occupied as an independent dwelling unit. The external finishes of the building shall be retained as existing unless otherwise agreed with the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure that the development complies with Local Plan policies for replacement houses in the countryside

3. The development hereby approved shall be constructed in accordance with the approved plans and sections

Reason: In order to ensure the new development fits in well with the landscape in accordance with Local Plan Policies

4. Before the new house is occupied tests shall be carried out on the existing private water supply to establish whether any treatment is required to ensure an adequate and wholesome supply is provided. These details to be submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority and thereafter any treatment required shall be implemented before occupation of the house hereby approved.

Reason: To ensure that the house is satisfactorily serviced in accordance with Local Plan policies ,

5. Unless otherwise agreed with the Cairngorms National Park Authority acting as Planning Authority, all existing trees shall be retained on site and as shown on the approved site plan.

Reason: In order to ensure the new development fits in well with the landscape in accordance with Local Plan Policies

6. Unless otherwise agreed with the Cairngorms National Park Authority acting as Planning Authority, and notwithstanding the provisions of the Town and Country (General Permitted Development) (Scotland) Order 2011 , any new boundary enclosures which may be erected on site shall be in the form of a

post and wire fence and the finishes of the proposed parking areas shall be of a permeable surface.

Reason: In order to ensure the new development does not detract from the open nature of the landscape in accordance with Local Plan Policies

7. No work shall commence on the cladding of the building hereby approved until samples of the proposed external finishes (including roof, walls, decking and verandah) have been approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason: In order to ensure the new development fits in well with the landscape and complements the setting and style of houses in the area, in accordance with Local Plan Policies

8. The house hereby approved shall not be occupied until the foul drainage system is completed in accordance with the approved plans

Reason: To ensure the development is provided with a suitable drainage system, in the interests of amenity and public health and in accordance with local plan policies.

Advisory Notes

- (1) In the event of any evidence of bats being noted during construction works the Cairngorms National Park Authority and Scottish Natural Heritage shall be contacted immediately.

Katherine Donnachie
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26 November 2012

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.