

---

## CAIRNGORMS NATIONAL PARK AUTHORITY

---

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

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

---

**DEVELOPMENT PROPOSED: FULL PLANNING PERMISSION FOR ERECTION OF FOUR HOUSES AT SHELTER STONE, 129 GRAMPIAN ROAD, AVIEMORE**

**REFERENCE: 09/225/CP**

**APPLICANT: DOROTHY SLOAN, THE SHELTER STONE, 129 GRAMPIAN ROAD, AVIEMORE C/O HRI ARCHITECTS, INVERNESS**

**DATE CALLED-IN: 24 JULY 2009**

**RECOMMENDATION: REFUSAL**



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought in this application for the erection of four houses on garden ground to the rear of a property known as the Shelter Stone, which is located on the western side of Grampian Road in Aviemore. The identified site area encompasses the former rear garden ground, which has been separated from the remainder of the land area by the relatively recent erection of timber fencing. The vehicular access off Grampian Road is also included within the site boundaries. The Shelter Stone which is a 1<sup>3</sup>/<sub>4</sub> storey traditional stone built dwelling, and is also a Category C(s) Listed Building, is not included within the site boundaries, nor is the existing parking area to the front of the property. The Shelter Stone premises is operated by the applicant as a bed and breakfast / self catering accommodation. A single storey extension on the northern side of the building (known locally as the 'Shelter Stone' bothy) has had a variety of separate uses, the most recent of which has been an adult learning centre.<sup>1</sup>



**Fig. 2 : The Shelter Stone and bothy, with the proposed site located to the rear**

2. Shared access arrangements serve the Shelter Stone, the bothy, the rear garden area and also the property adjacent to the north (formerly the Alt na Craig Hotel, and now known as International Starters). A small wooden fence has been erected approximately 16 metres in from the junction of the access with the public road, demarcating the access to the proposed site area from the car parking area serving International Starters.
3. The proposed site is substantially enclosed by timber fencing, of varying height and design, along the northern, western and eastern boundaries, with wire fencing and vegetation on the southern boundary. There are also several mature trees in this area. Although the trees overhang the site and provide a significant level of screening, they are all on neighbouring property.

---

<sup>1</sup> Learn Direct were the most recent occupants of the building.

A flat roofed double garage structure is located in the south eastern corner of the site. This would be demolished to accommodate the proposed housing development.

4. In terms of neighbouring buildings, the land immediately to the south accommodates a Victorian villa<sup>2</sup> towards the front of the site. Planning permission was granted by Highland Council in 2005 in the rear garden area for the development of four flats.<sup>3</sup> International Starters (hotel and restaurant facility) occupies the two storey building to the north of the site. Single storey semi detached properties are located to the rear of the proposed site in Craig-na-Gower Avenue. The private rear gardens of nos. 35 and 37 adjoin the western boundary of the site, with the properties positioned approximately 11 metres from the boundary.

### The Development Proposal

5. The four dwelling units proposed in this application have been arranged in two semi detached blocks, of which one is positioned on an east – west access, parallel to the southern boundary of the site, while the second block is positioned on a south to north axis, parallel to the rear boundary of the site. The two proposed blocks essentially result in an L shape formation on the site, with the remainder of the area to the front of the units being identified for car parking and hard surfacing. A total of six car parking spaces are proposed on site, one of which is identified as a disabled driver bay. Communal refuse storage areas are also provided on the site. Small areas of private open space to serve each of the properties are proposed to be located to the side and rear of the units.<sup>4</sup>



Fig. 3 : Sub division of rear garden



Fig. 4 : Demarcated vehicular access to the proposed site.

6. While the site layout and general form and proportions of the proposed structures have remained unchanged throughout the course of this planning application, some design changes have occurred, in response to concern raised by the CNPA. The originally proposed one and a half storey units had a minimalist appearance, incorporating plain fenestration, external flue pipes

<sup>2</sup> Braeriach House.

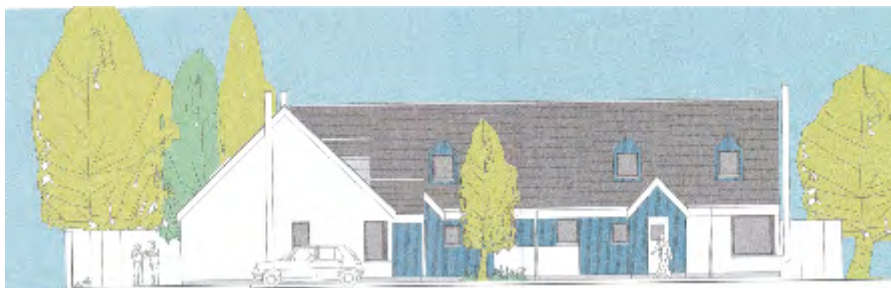
<sup>3</sup> Highland Council planning ref. no. 05/00229/FULBS refers; CNPA planning ref. no. 05/346/CP refers.

<sup>4</sup> The area of private open space attributed to each of the properties has been detailed on the submitted plans as follows : plot no. 1 – 97.09m<sup>2</sup>; plot 2 – 105.36m<sup>2</sup>; plot – 107.83m<sup>2</sup>; and plot 4 – 75.16m<sup>2</sup>.

in place of chimneys, and external finishes consisting of wet dash white harling and blue timber cladding. The most recent submission includes amongst its amendments the introduction of chimneys, the incorporation of astragalled windows, a natural stain on the timber cladding, and barge boards proposed to be painted to match those of the 'Shelter Stone', all of which collectively create a more traditional appearance. Each unit is designed to have an open plan kitchen / living / dining area on the ground floor, as well as a bathroom and single bedroom. The upper floor accommodation would consist of two bedrooms (one of which is en suite) and a bathroom.



**Fig. 5 : Proposed site layout plan**



**Fig. 6 Originally proposed design**



**Fig. 7 : Currently proposed design**

7. The site layout plan (fig. 5) also shows proposals for the area to the front of the 'Shelter Stone'. However this is outside the identified site boundaries. An expanse of gravelled area had already been formed here, which was previously laid out as garden ground. This was the subject of some discussion at the time of the CNPA Planning Committee determining the earlier planning application on the site (CNPA ref. no. 08/206/CP). Concern



was expressed by the Committee regarding the nature of the treatment of this front garden area and the consequent impact on the setting of the Listed Building. As a result the applicant now intends to carry out further works in order to improve the aesthetics of this area. The proposals do not however form part of the current application and no other planning application has been submitted at the present time.

### Site History

8. Two planning applications were previously submitted on the same site in 2008. Both applications were called in by the Cairngorms National Park Authority. Full planning permission was sought in 08/206/CP for the erection of 8 no. flats, and formation of hard surface to the front of the 'Shelter Stone'. The flats were proposed to be accommodated in a two storey building in the rear garden area. The CNPA Planning Committee refused permission for the development<sup>5</sup> for three reasons. The siting, scale, size, character and design of the building was deemed to have an adverse impact on the 'Shelter Stone', as a Category C(s) Listed Building. The second reason for refusal made reference to the overbearing effect, which would cause overlooking and potential overshadowing to the adjacent houses and gardens located to the immediate west of the site. The final reason for refusal stated that the development would act as a precedent for the inappropriate backfilling of backland areas along this side of Grampian Road.



Fig. 8 : Proposed elevations 08/206/CP



Fig.9 : Proposed elevations 08/406/CP

9. A second application was submitted and called in by the CNPA in December 2008 (CNPA planning ref. no. 08/406/CP refers), in which full planning permission was sought for the erection of 6 flats on the site, which were again to be accommodated in a two storey building, albeit of an amended design. An appeal was lodged with the Directorate for Planning and Environmental Appeals in March 2009 against the non determination of the

<sup>5</sup> The application was determined at the meeting of 17<sup>th</sup> October 2008.

planning application. The DPEA dismissed the appeal on May 8<sup>th</sup> 2009, with the Reporters decision raising similar concerns to those already outlined by the CNPA in the course of the earlier planning application on the site.

### **The Applicants Case**

10. The applicant purchased the 'Shelter Stone' in 1994 and since that time has operated it for self catering and as Bed and Breakfast accommodation. The adjacent 'Shelter Stone' bothy has been in use for the past 10 years as office accommodation. The applicant now wishes to expand and enhance the accommodation aspect of the business in a moderate fashion. It is stated in the submission that the target market requires the provision of high quality units.
11. HRI Architects, acting on behalf of the applicant, submitted a Design Report in Support of the Application. In the Background section of the Design Report reference is made to the recent history of previous applications on the site and it is stated that the "basis of refusals of previously submitted applications is noted and accepted." The current proposal is intended to offer substantial amendments in terms of the unit numbers and design approach, in order to address previous concerns. The Design Report states that "the nature and scale of the application acknowledges and continues the existing and prevalent nature of development over many years to the village centre of Aviemore." HRI Architects note that it is their clients contention that well designed, modestly scaled and appropriate development at this location "cannot be seen as a precedent as it essentially continues - and finalises – similar 'backland' development to Grampian Road properties, directly related to the economic development and sustainability of the village of Aviemore."
12. In a section entitled Design Approach, reference is made to previous comments of the CNPA that appropriate development in the area should be 'single storey and of traditional appearance.' The planning agents contend that this view has been directly addressed in the current proposal in terms of the massing, disposition and finishes of the proposed houses. The units are designed as 1.5 storey cottages, although the point is made that the design is "single storey massing and ridge height," with understated dormer windows provided to the frontage roof pitches and limited velux windows to the rear, in order to ensure that overlooking to adjoining properties is negligible.
13. The Design Report includes a concluding summary, where the current proposals are described as –
  - Suitably scaled;
  - Carefully and appropriately designed;
  - Of traditional appearance;
  - Have no detrimental effect on the amenity of adjoining properties;
  - Are suitably set back from and non detrimental to the setting of the listed building; and
  - Offer modest economic benefit to the village.

14. Further points were made by HRI Architects in response to a letter from the CNPA planning officer in which concerns were raised about a number of aspects of the proposals originally submitted at the outset of this application. In response to the CNPA suggestion that four units on the site represented an overdevelopment of this area, it is advised that four units is the minimum economically viable for the applicant. The CNPA's concerns on overdevelopment are acknowledged in the response, but it is nonetheless stressed in the submission that the current "proposals are a complete re-design of the original submission and are proposing half the number of residential units from those originally intended." It is also clarified that two of the proposed units would be retained as lettable holiday accommodation (units 3 and 4 adjacent to the rear boundary of the site), while the remaining two would be sold on the open market (units 1 and 2 adjacent to the southern boundary of the site).
15. Highland Council's Development Plan Policy Guidelines regarding private open space, minimum distance between windows of habitable rooms and daylighting are also noted. However, it is requested that the CNPA acknowledge that this development is proposed in a village centre where existing housing densities are variable. It is contended that that the policy guidelines have not been applied in many recent developments close to site.

## DEVELOPMENT PLAN CONTEXT

### Highland Structure Plan 2001

16. General **Housing** policy steers housing development towards existing and planned settlements, as opposed to countryside areas. **Policy H8 (Access Arrangements for New and Existing Development)** advises 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 T3 (Self Catering Tourist Accommodation)** states that permission for tourist accommodation proposals will be granted on the basis of the development not being used for permanent accommodation. This will be secured by means of an appropriate occupancy condition.
17. **Policy G2 (Design for Sustainability)** states that all developments will be assessed on the extent to which they, amongst other things; 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 brownfield sites, existing buildings and recycled materials; impact on cultural heritage; demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of appropriate materials; and contribute to the economic and social development of the community. **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.

**Badenoch and Strathspey Local Plan 1997**

18. The site is within the settlement area of Aviemore. The settlement map identifies the area as "white land" where it is not allocated for any particular use. A variety of general policies are applicable.
19. **Policy 2.2.9** concerns Tourism and Recreation and states that these activities will continue to make a vital contribution to the economy. The priority is to ensure that broadening the range and quality of facilities and accommodation is balanced with protecting the areas exceptional scenic and heritage resources. **Policy 2.2.10** on Tourism encourages the development of tourist accommodation and facilities at suitable sites within or immediately adjoining communities. Development is expected to be compatible with adjoining land uses, spare capacity in infrastructure and safeguards for local heritage and amenity. Proposals should either associate well with the prevailing pattern of building, or be well-absorbed visually by landform or trees. **Policy 2.5.13** on Historic Buildings clearly presumes against development which would adversely affect the character or setting of all listed buildings.

**Highland Council Development Plan Policy Guidelines 2003**

20. Policy guidelines for **Design and Sustainable Construction** are set out. The guidelines state that a minimum of 100m<sup>2</sup> of private open space should be provided for detached or semi-detached houses. It is also advised for detached or semi-detached houses that developers should ideally seek to achieve a minimum setback of 10 metres from the back of house to the rear boundary. The guidelines also state that the minimum acceptable distance between windows of habitable rooms that are directly facing each other is 18m, in the interests of privacy. This distance may be reduced depending on angle or screening. In relation to daylighting, new development should not result in significant loss of daylight or overshadowing of any habitable or useable room within a neighbouring building.

**Cairngorms National Park Plan 2007**

21. Strategic objectives for Landscape, Built and Historic Environment include; ensuring that development complements and enhances the landscape character of the Park; new development in settlements complementing and enhancing the character, pattern and local identity of the built and historic environment; and understanding and conserving the archaeological record, historic landscapes and historic built environment. Strategic objectives for Sustainable Use of Resources, includes, all management and development in the Park seeking to make the most sustainable use of natural resources, including water and energy. Strategic objectives for Sustainable Communities, includes making proactive provision to focus settlement growth in the main settlements and plan for growth to meet community needs in other settlements. Strategic objectives for Housing, includes, increasing the



accessibility of rented and owned housing to meet the needs of communities throughout the Park. Strategic objectives for Sustainable Tourism, includes, strengthening and maintaining the viability of the tourism industry in the Park and the contribution it makes to the local and regional economy.

## CONSULTATIONS

22. The **Area Roads and Community Works Manager** of Highland Council has assessed the proposal and recommends a number of conditions to be attached in the event of the granting of planning permission.
23. **Aviemore and Vicinity Community Council** does not object to the proposed development. Noting that it is for four no. one and a half storey houses, the Community Council describe it as “less intrusive and more acceptable.” It is suggested that the use of an element of matching stone on the wall and gable ends would link the old with the new. It is also suggested that lighting at the site should be low level.
24. A detailed consultation response has been received from the **Conservation Officer** at Highland Council. Reference is made to the ‘Shelter Stone’ being a Category C(s) listed building, which is “one of only a few remaining little altered villas in the centre of Aviemore.” The Conservation Officer considers it inevitable that the development proposal would, if built, result in a form of development that would have a significant impact on the listed building, it’s setting and the wider streetscape. The proposed erection of four dwellings is considered overdevelopment and would be “likely to have a detrimental impact on the listed building and its wider setting.”
25. The response from the Conservation Officer describes how the private amenity space associated with this traditional building type was a fundamental part of the design and remains a significant contributing factor in the historical significance of the listed building. Concern is also raised about the impact on the amenity of residents residing at numbers 35 and 37 Craig-na-Gower Avenue (to the rear of the proposed site), with the Conservation Officer noting that there appears to be a significant difference in land level between the plots “which is likely to result in the proposed development being dominant to the established dwellings within these plots.” The response from the Conservation Officer concludes that the proposed development, if permitted, would result in a built form which is unlikely to be compliant with the requirements of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Historic Environment Policy, SPP23 Planning and the Historic Environment, and Designing Places A Policy Statement for Scotland.
26. The proposal has been considered by Highland Council’s **Archaeology Unit**. There is no objection and no archaeological conditions are recommended.

## REPRESENTATIONS

27. The application was advertised in the 'Strathspey and Badenoch Herald' on 15 July 2009 as "Development Affecting the Setting of a Listed Building." Three letters of representation have been received, all of which object to the development proposal. R.A. Smith from Craig-na-Gower Avenue, Aviemore strongly objects to the proposal and refers to his grounds of objection being the same as expressed previously in relation to earlier applications on the site.<sup>6</sup> In addition reference is made to the fact that planning permission has been refused for the two previous applications on the site.
28. W.J.L Stewart, also of Craig-na-Gower Avenue objects to the development and refers to this being the third occasion to object, with the two previous applications being refused. The author considers that the proposed site is being overdeveloped and "should planning permission be granted it will open the flood gates for others."
29. In a submission from A. Wylie, also of Craig-na-Gower Avenue, seven grounds of objection are outlined. Concerns are raised regarding privacy, due to the proximity of the proposed buildings to the adjoining residential property boundaries and the consequent separation distances between the existing and proposed properties. The proposal is described as overdevelopment and the design is considered "incongruent with the surrounding properties of a more traditional design." Reference is made to backland infilling and the fact that the previous applications on the site were rejected as inappropriate and that the same should apply to this current application. Other concerns raised relate to the lack of landscaping proposals, the potential impact on existing trees due to one of the proposed new builds abutting existing trees. The final point raised is in relation to visual impact, and again reference is made to previous refusals on the site.
30. HRI Architects have responded to the points raised in the letter submitted by Mr. Wylie. On the subject of privacy, it is stated that there is a 2 metre high timber slatted, boundary fence between the applicants and the objectors' property. The suggestion of overdevelopment is refuted, stating that the "proposal is certainly not over development in the context of density of the surrounding properties." In response to design issues the architects submission refers to the application comprising of single storey, pitched roof properties and queries Mr. Wylie's reference to 'more traditional design' "in view of the nature of design of the properties on Craig na Gower Avenue." In relation to landscaping it is clarified that the proposal does not include any tree felling and "proximity from existing mature trees will not affect the health of said trees" which are on adjoining land and not in the ownership of the applicant.

---

<sup>6</sup> Previous grounds of objection referred to the rear garden area being too small, and suggesting that a single storey building might be acceptable (08/206/CP).

## APPRAISAL

31. This proposal raises issues in relation to the principle of development of this nature in this location; the impact of the development on the setting of “Shelter Stone” which is a Listed Building; the impact of the amount of development proposed on neighbouring properties, and the wider area; and precedent.
32. The proposed development site is within the settlement area of Aviemore and given its village location it is accepted that densities higher than outwith settlements will prevail. I also accept that various forms of backland development have been permitted to the rear of some properties on Grampian Road, including on land immediately adjacent to the south of the proposed site, where as detailed in paragraph 4 planning permission was granted for the erection of 8 flats as holiday accommodation. Whilst consideration of the foregoing matters lead me to conclude that the principle of some development is acceptable on the proposed site, concerns nonetheless remain regarding the extent of development.
33. I accept that significant efforts have been made in this application to amend the previous design concepts put forward. The change in approach from the previously proposed large two storey structures on the site,<sup>7</sup> to the current arrangement of four reasonably modest scaled dwelling units is to be welcomed as a move in the right direction. However, given the confined nature of the site and its relationship with the surrounding buildings in the vicinity, my concerns regarding overdevelopment remain. This is an issue which was raised with the applicants in the early stages of this current application, when it was suggested by the CNPA planning officer that the development proposals should be amended to accommodate a maximum of two or three units on the site. As detailed in paragraph 14 the applicant has indicated that the minimum number of units economically viable for her is four, with the intention being to sell two of the units on the open market and the remaining two being retained for holiday letting purposes. In considering the development proposal issues such as economic viability can be given little weight and should not detract from legitimate planning considerations, such as the issue of overdevelopment.
34. The subdivision of the original site area which has occurred as a result of the erection of timber boundary fencing to the rear of the ‘Shelter Stone’ has already significantly reduced the area of private open space surrounding the property. The remaining former rear garden equates to the proposed site. The site layout plan demonstrates that the majority of the area would be occupied by the four proposed dwelling houses, as well as much of the area to the front of the properties given over to hard surfacing to accommodate car parking and access arrangements.

---

<sup>7</sup> The first proposal was intended to accommodate eight flats (CNPA ref. no. 08/206/CP) while the second application was for six flats (CNPA ref. no. 08/406/CP).

35. The areas of private open space associated with the houses on plots 1 and 4 falls below the minimum 100m<sup>2</sup> of private open space outlined for Residential Standards in the Highland Council Development Plan Policy Guidelines (97.09m<sup>2</sup> and 75.16m<sup>2</sup> respectively). The garden areas associated with plots 2 and 3 are marginally above the minimum standard (at 105.36m<sup>2</sup> and 107.83m<sup>2</sup> respectively), having the advantage of being positioned on corner plots. At approximately 2 metres, the separation distances between the proposed dwellings and the rear boundaries of each of the plots is also below the recommended 10 metre standard. It is also necessary to bear in mind that two of the units are intended for sale. As such the units could be occupied as permanent accommodation and failure to provide adequate open space provision to serve those units would be detrimental to the general amenity of prospective residents. Where units are proposed for holiday letting purposes, the more limited nature of the use is such that visitors to the facility are unlikely to have the same level of on-going need for private open space provision, and appropriately sized areas of communal open space fulfil users requirements. In such instances there may be greater opportunity to accept a reduction in private open space requirements, as would appear to be the case in the planning permission which was granted for 4 holiday letting units on adjacent land to the south, to the rear of 'Braeriach'.
36. The limited separation distances that can be achieved between the proposed new dwellings (plots 3 and 4) along the western boundary of the proposed site and the existing properties to the rear in Craig-na-Gower Avenue is also a concern. A maximum of 13 metres separation can only be achieved, in comparison to the recommended standard separation distance of 18 metres. I note the point raised by HRI Architects on behalf the applicant regarding the existence of a 2 metre high timber boundary fence, as well as the commitment to standardise the varying types and condition of boundary treatment. The provision of enhanced boundary treatment would not however mitigate the impacts on the privacy of existing properties, to the west of the site in particular, as existing ground levels vary between the proposed site and the garden grounds of properties in Craig na Gower Avenue.<sup>8</sup>
37. A further issue of concern is in relation to the impact of the development on the setting of the Listed Building. As detailed earlier in this report the 'Shelter Stone' is a Category C(s) Listed Building. Any development within its curtilage should not therefore have an adverse or detrimental impact on the setting or character of the main building. The Memorandum of Guidance on Listed Buildings and Conservation Areas, which provides national policy guidance on such matters, states:

---

<sup>8</sup> In a letter to the agent, HRI Architects (17 September 2009), the CNPA planning officer referred to the varying ground levels and requested that a site section be provided, extending from east to west from Craig na Gower Avenue to Grampian Road, and providing details of existing and proposed finished floor levels and ridge heights. The information was not provided and reference was made in the response submission to practical difficulties and cost.

“While new development within the curtilage should often simply be refused outright, it can sometimes be achieved discretely without detriment to the main subject of listing.”

“No building of similar or greater bulk should be erected close to the main subject of listing.”

38. As highlighted in the consultation response from Highland Council’s **Conservation Officer** the ‘Shelter Stone’ is one of few remaining villas in the village centre. The response attaches significance to the undeveloped private curtilage contributing to the setting of the listed building. I agree with the concern expressed by the Conservation Officer that the high density of the current proposal in a small domestic curtilage is likely to result in the proposed development being dominant to the listed building. However, I do not necessarily consider that this comment rules out the possibility of a lesser level of development on the site. It is necessary to concede that efforts have been made in the design approach (for example the introduction of relatively low level one and a half storey units, coupled with the recent design changes which resulted in properties having a more traditional appearance) to address concerns expressed and guidance provided in the course of the previous applications on the site regarding a requirement for any new development to the rear of the Shelter Stone to be subservient, in size, scale and design to the main building. While cautiously endorsing the new design approach, I remain of the view that the number of units proposed and the consequent development density and site layout is inappropriate and would have negative impact on the setting of the Listed Building.

## **IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK**

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

39. The development is considered to adversely impact on the setting and character of the cultural and built heritage of the “Shelter Stone” Category C(s) Listed Building and would not therefore contribute towards conserving and enhancing the cultural heritage of the area.

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

40. The development is promoted as maximising sustainability in its design principles. This is generally positive in relation to this aim.

### **Promote Understanding and Enjoyment**

41. The development has no implications for this aim.

### **Promote Sustainable Economic and Social Development**

42. As two of the proposed dwelling units are intended as holiday letting accommodation, the proposal could be considered to assist in sustaining and developing an existing business and, in part promote additional visitor



accommodation. However, the development will have an impact on the amenity of neighbouring properties.

## RECOMMENDATION

### 43. That Members of the Committee agree a recommendation to:

**REFUSE** planning permission for the erection of four houses at the 'Shelter Stone', 129 Grampian Road, Aviemore, for the following reasons :

1. Due to the proposed number of dwelling units and their siting, the development will have an adverse impact on the character and setting of the existing property known as "Shelter Stone", which is a Category C(s) Listed Building. To permit the development, would be contrary to national, regional and local plan policy, as contained in the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998, Policies G2 (Design for Sustainability) and G6 (Conservation and Promotion of the Highland Heritage) of the Highland Structure Plan 2001, and Policy 2.5.13 (Historic Buildings) of the Badenoch and Strathspey Local Plan 1997. In addition, in this respect, the development fails to meet the objectives of the Cairngorms National Park Plan 2007 and the first aim of the Cairngorms National Park, which is to conserve and enhance the natural and cultural heritage of the area.
2. Due to the position of the proposed units on the site, the one and a half storey nature of the design and the proximity to site boundaries, the proposed development will have an adverse impact, causing potential overlooking of existing properties to the immediate west of the site. As such, the development is considered to have an adverse impact on the privacy and residential amenity of these adjacent properties, and represents overdevelopment of the site, due to its failure to comply with general guidelines set out in Highland Council Development Plan Policy Guidelines 2003.
3. The level of development proposed would set a precedent for the inappropriate infilling of backland areas along this side of Grampian Road, which will disrupt the general pattern and density of development in the locality and would result in the loss of visual links, from the built-up areas of Aviemore to its surrounding countryside landscape.

**Mary Grier**  
**17 December 2009**  
[planning@cairngorms.co.uk](mailto:planning@cairngorms.co.uk)

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.