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# CAIRNGORMS NATIONAL PARK AUTHORITY

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

**Prepared by: DEREK MANSON, PLANNING OFFICER (DEVELOPMENT MANAGEMENT)**

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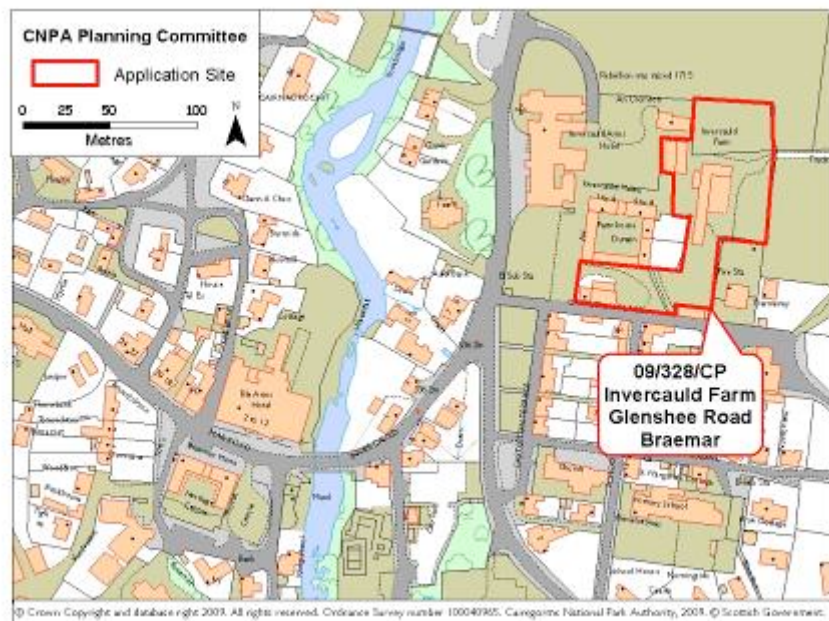
**DEVELOPMENT PROPOSED: VARIATION OF CONDITION 4 (WINDOW TYPE) OF PLANNING PERMISSION REFERENCE 05/I34/CP**

**REFERENCE: 09/328/CP**

**APPLICANT: MR DAVID HAGAN**

**DATE CALLED-IN: 30 OCTOBER 2009**

**RECOMMENDATION: APPROVAL**



**Fig. I - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. This application seeks to vary a condition relating to the type of windows proposed, that the CNPA applied by a condition to an earlier consent (05/134/CP) at Invercauld Farm, Glenshee Road, Braemar. The site is located to the rear of the Invercauld Arms Hotel and included the former Bluebird Bus Depot. The approved planning permission was for a *“Housing Development (12 Units) Consisting of Conversion of Bus Depot to Form Two Flats, Conversion of Steading to Form Three Houses and Erection of Seven New Houses.”*
2. The variation is specifically in relation to the six new dwelling houses arranged in two terraces of three and located on Castleton Place, and is to vary condition 4 which relates to the window type for these properties only. The approved condition currently states that *“Vertically sliding timber sash and case windows shall be used throughout the development in place of the mock sash and case windows identified on the elevation drawings”*. The applicants are seeking for a variation to this condition to change to timber mock sash and case windows on the six new build houses. These would be painted white.



**Figure 2 – Photo showing the development site**



**Figure 3 – Photo showing property with mock sash and case close to the development site**

## PLANNING HISTORY

3. **05/134/CP** - Granted full planning permission subject to conditions and Section 75 agreement on the 25<sup>th</sup> August 2006 for a Housing Development (12 Units) Comprising Conversion of Bus Depot to Form Two Flats, Conversion of Steading to Form Three Houses and Erection of Seven New Houses
4. **05/168/CP** – Granted Listed Building Consent on the 25<sup>th</sup> August 2006 for a Housing Development (12 Units) Comprising Conversion of Bus Depot to Form Two Flats, Conversion of Steading to Form Three Houses and Erection of Seven New Houses

5. **08/323/CP** - Granted full planning permission subject to conditions on 8 January 2008 for the erection of two dwelling houses on plots 12 and 13 Invercauld Gardens, Glenshee Road, Braemar.
6. **Request for non material variation to 05/134/CP** - The applicant initially sought a non material variation to amend the permitted finish on the new build terraced properties on Castleton Place from granite to a wet dash finish. However, the CNPA Planning Committee were keen to seek the views formally of Braemar Community Council and after discussions with the Community Council the applicants have decided to keep the granite finish but wish to apply to change the window type from sash and case to mock sash on the new build terraced properties on Castleton Place.

## **DEVELOPMENT PLAN CONTEXT**

### **Cairngorms National Park Plan 2007**

7. Strategic objectives for Landscape, Built and Historic Environment include; ensuring that development complements and enhances the landscape character of the Park. New developments within settlements and surrounding areas should complement and enhance the character, pattern and local identity of the built and historic environment

### **Aberdeenshire Local Plan 2006**

8. **Policy Env\17** of the Local Plan refers to **Conservation Areas**, stating that all designated Conservation Areas shall be protected against any development that would have a detrimental effect on their special character or setting. The policy requires that new development wholly or partly within Conservation Areas must be of the highest quality, and respect and enhance the architectural and visual qualities that give rise to their designation. The importance of conservation areas are highlighted, with the Plan describing them as “an important physical record of the architectural development and historical growth of an area” and “an irreplaceable cultural and economic resource that contributes to the distinctive character and quality of Aberdeenshire.”
9. Basic guidance is provided in **Appendix 4** on **Conservation Areas**. All new development affecting Conservation Areas are required to conform with conventional building lines, use materials and detailing which respects the character and traditions of the area, and be of a scale and proportion which is sympathetic to the character of the particular building and surrounding area.
10. **Policy Env\18** of the Local Plan deals with **Listed Buildings**. The policy encourages the protection, maintenance, enhancement, active use and conservation of Listed Buildings. It is a requirement that all alterations and extensions to Listed Buildings, or new developments within their curtilage, are of the highest quality, respect the original structure in terms of setting, scale, design and materials.

## CONSULTATIONS

11. **Braemar Community Council** has no objection as the applicant has dropped his request to remove the granite from the front face. The Braemar Community Council is happy with sash and case look alike windows as opposed to pure sash and case. They felt that they were considering the appearance of the property and the appearance of the property would not be adversely affected by such a concession and it would improve the thermal efficiency of the dwellings.
12. **Historic Scotland** has not made a response at the time of writing the report.
13. **Aberdeenshire Council Built and Cultural Heritage Team** has not made a response at the time of writing the report.

## REPRESENTATIONS

14. The proposal was advertised in the Piper and Herald on the 23 October 2009. There has been one letter received on the proposal from the factor of Invercauld Estate, who also sits on the Community Council, and he writes to confirm that the Community Council have no objection to the proposal for look-alike sash and case windows for Invercauld Gardens, Braemar. This letter can be seen in Appendix 1.

## APPRAISAL

15. The applicants have requested a variation to planning condition 4 on the original consent relating to the window type on the new build houses. The key issue is whether the principle of using timber mock sash and case windows are considered to be acceptable in the Conservation Area as opposed to the traditional timber sash and case windows which have been conditioned in the approved planning permission.
16. The applicants have submitted a supporting statement as to the reasoning behind the application for the variation of the condition on the window type. This is shown in full in Appendix 2. The main points the supporting statement makes is that that the development is too expensive to meet the criteria set by the pre-construction conditions and says that the difference in cost between the cost of sash and case and mock sash and case is approximately £30,000. The applicant states that this difference may well jeopardise the development in its present form and in turn jeopardise the affordable housing. The applicant says that they have to reduce costs and the condition of sash and case windows is a significant cost. The applicant then goes on to state that it is generally accepted by all parties that look alike sash and case is operationally more effective than sash and case. The applicant concludes that the move from sash and case to look alike will allow the development in its present form and improve the amenity value to residents.

17. During a recent site visit it was noted that many of the surrounding properties also contained within the Braemar Conservation Area do not have sash and case type windows with many being mock sash and case. The applicant in his supporting statement claims that from around 100 windows that he counted only 8 are sash and case and these are old and in disrepair. The Braemar Community Council have held extensive discussions with the applicants and they have supported the change from sash and case to mock sash and case stating that the mock sash and case would not adversely affect the appearance of the property and would improve the thermal efficiency of the dwellings.
18. Therefore, it is considered that by allowing the variation to move from timber sash and case to timber mock sash and case in the new built houses along Castleton Place would not significantly detract from the character of the Conservation Area and would enable the development to proceed in its present form and deliver six affordable houses.

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

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

19. The variation is not considered to detract from the cultural heritage of the area as there are many other examples of mock sash and case windows in the Conservation Area. The proposal does not impact on any natural heritage issues.

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

20. The windows will be constructed of timber however it is not clear where the timber is being sourced therefore it is difficult to gauge the impact the proposal has on this aim.

### **Promote Understanding and Enjoyment**

21. The proposed windows will not impact on this aim.

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

22. The proposed variation in window type will enable the development to proceed and result in the provision of six affordable houses in Braemar therefore is considered to promote sustainable economic and social development.

## RECOMMENDATION

**23. That Members of the Committee agree to a recommendation to:  
Grant the variation of condition 4 of Planning permission reference  
05/134/CP (APP/2005/0728) to the following wording**

Notwithstanding the plans hereby approved vertically sliding timber sash and case windows shall be used throughout the development in place of the mock timber sash and case windows identified on the elevational drawings for the original consent 05/134/CP, except in respect of plots 3 to 8 for the new build affordable housing units adjacent to Castleton Place, which shall be finished with timber mock sash and case windows as per the details in consent 09/328/CP.

**Reason** – In order to ensure the delivery of the affordable housing element of planning consent 05/134/CP.

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**19 November 2009**  
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