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# CAIRNGORMS NATIONAL PARK AUTHORITY

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

**Prepared by: NEIL STEWART, PLANNING OFFICER (DEVELOPMENT CONTROL)**

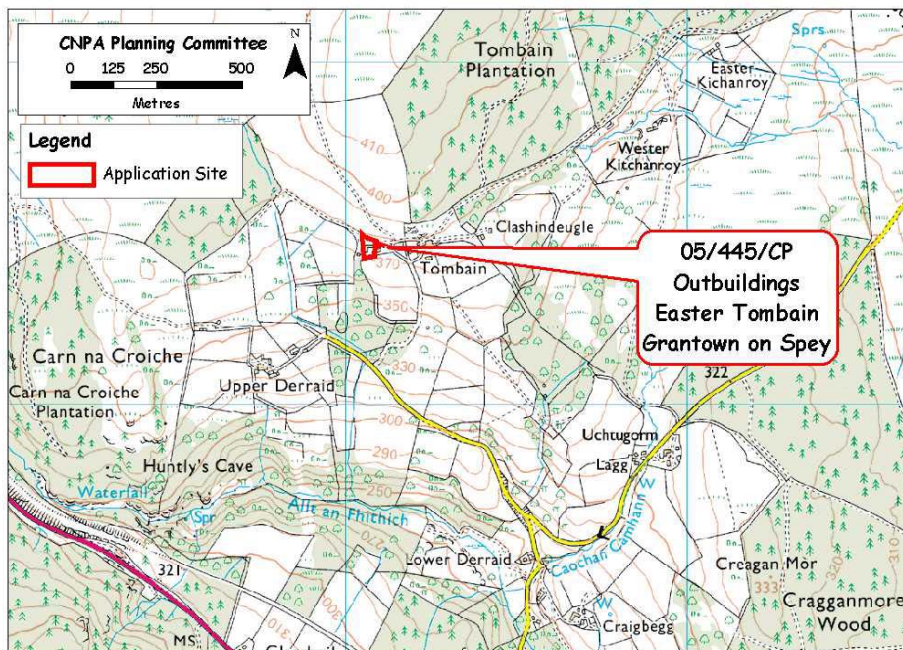
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**DEVELOPMENT PROPOSED: ALTERATIONS, REBUILDING AND EXTENSION TO OUTBUILDING TO FORM DWELLINGHOUSE, EASTER TOMBAIN, GRANTOWN-ON-SPEY (APPROVAL OF RESERVED MATTERS)**

**REFERENCE: 05/445/CP**

**APPLICANT: STEWART MACINTYRE, RIVERSIDE LODGE, AVIEMORE, INVERNESS-SHIRE, PH22 1GH**

**DATE CALLED-IN: 21 OCTOBER 2005**



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. This site lies approximately 4.5km to the north of Grantown-on-Spey in a rural hillside location to the north of the minor road which serves the "Cottartown" dispersed community. The site is elevated and affords panoramic views to the south and south-east over the landscape surrounding Grantown-on-Spey and beyond. To the north side of the site there is a backdrop of birch woodland but to the south a field slopes downwards towards a more open fielded landscape. Immediately to the east side of the site is an existing stone and slate cottage with some timber clad extensions ("Tombain Cottage"). This house is in the ownership of the applicant but is currently used for short-term holiday lets. On the actual site itself, there are the walled remains of a former "L"-shaped steading/outbuilding.



2. The proposal is to create a new dwellinghouse from this former steading by "restoring" the salvagable east wing and adding a new build extension on the footprint of the west wing. The stone walls of the east wing will be retained and used to form the sleeping accommodation (4 no. bedrooms). New window openings will be formed and a new slated pitched roof will be constructed. The new west wing has been designed in a contemporary manner with a zinc finished mono-pitched roof, stained larch vertical timber cladding and

aluminium framed glazing areas. It will accommodate the cooking, eating and living areas as well as some storage and garage accommodation. The two wings will be linked by flat roofed fully glazed additions which form the circulation and sun areas. There is also a sheltered sun terrace. Access is to be formed by utilising an existing track to the rear. A new septic tank and soakaway system is to be installed for on-site foul water disposal.

3. A supporting "Design Statement" accompanies the application. This includes visual and written information in support of the proposal and covers matters in relation to site analysis, design approach and references/precedents, use of materials, and planning policy context.
4. **In August 2002, Highland Council granted an Outline Planning Permission, to the applicant, for the refurbishment and conversion of this outbuilding to a house. This permission lasted for 3 years. In June 2005, an application to renew this Outline Permission was submitted to Highland Council. The CNPA considered the notification of this application at its Planning Committee on 1 July 2005. The decision was NO CALL-IN, and NO COMMENTS were considered necessary. As such, Highland Council granted a further Outline Permission for the refurbishment and conversion of this former outbuilding to a single dwellinghouse, on 7 July 2005. The current proposal therefore represents an application for Approval of Reserved Matters, following the granting of the Outline Permission.**

## DEVELOPMENT PLAN CONTEXT

5. In the **Highland Structure Plan 2001, Policy G2 (Design for Sustainability)** states that proposed developments will be assessed on the extent to which they, amongst other things; are accessible by public transport, cycling and walking as well as car; maximise efficiency in terms of location, layout and design, including the utilisation of renewable sources of energy; make use of brownfield sites, existing buildings and recycled materials; impact on natural resources; and demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments. **Policy H3 (Housing in the Countryside)** requires housing development to be generally within existing and planned new settlements. However, in countryside areas (as defined in Local Plans), some housing development (including reuse of existing traditional buildings) of an appropriate location, scale, design and materials may be acceptable where it supports communities experiencing difficulty in maintaining population and services or a need has been demonstrated. **Policy L4 (Landscape Character)** seeks to ensure that the present landscape character is maintained and enhanced when considering development proposals.

6. In the **Badenoch and Strathspey Local Plan 1997**, the site lies in an area on the edge, but within, the **“Dispersed Communities” Policy Area for “Cottartown” (Policy 2.1.2.4.)**. This policy states that, subject to detailed siting and design, single houses will normally be acceptable within this dispersed settlement area. **Policy 2.2.1(b) (Agricultural Diversification)** states that the conversion of redundant buildings for small scale business and residential purposes will be supported, subject to adequate access and compatibility with neighbouring uses and amenity. **General Policy 2.1.2 (Housing in the Countryside)** advises that single houses outwith recognised settlements, will require to be; properly located in harmony with the landscape; compatible in scale and character with local buildings, where appropriate; and designed and constructed to a high standard with particular emphasis on proportions, roof pitch, fenestration and selection of materials.
  
7. **For information purposes only, the CNP Consultative Draft Local Plan**, allocates the site within a **General Policy 1 area** where development will be permitted if it is unlikely to have a significant adverse effect on the aims of the National Park or any of its special qualities. **General Policy 5 (Sustainable Development)** sets out a range of sustainable development principles against which new developments will be assessed. **Policy 4 (Landscape)** states that development that is likely to have an adverse impact on the special landscape qualities of the National Park, including landscape character, scenic qualities, natural beauty, amenity, historic landscape elements, cultural components or wild land character parts of the National Park, will not be permitted. **Policy 39 (Proposals for Housing Outwith Defined Settlements)** states that new houses in such areas will only be favourably considered if the applicant has lived and/or worked in the area for at least 3 years and are currently un-/inadequately housed; or, the proposal can be justified as essential worker housing for long term economic activity which is specific to that locality, including active management of a crofting/agricultural unit or other land based industry. **Policy 40 (Conversions of Existing Non-residential Buildings)** states that conversions/extensions/alterations/replacement of existing rural buildings will be permitted, if criteria relating to design, number of new units proposed, and the redundancy and economic viability status of the original building, are complied with.

## CONSULTATIONS

8. Consultations carried out by Highland Council at the Outline application stage remain valid.
  
9. At that time, **Highland Council’s Area Roads Manager** was concerned that the site was remote and was served by a public road that is given low priority in terms of general road maintenance. Further development could result in demands for an improved level of service

and place additional pressure on limited maintenance resources. However, if granted he recommended the imposition of conditions relating to the formation of a turning area, visibility splays at the junction of the Upper Derraid road and the Tombain road, and the construction width and materials of the private access road to the site. Conditions to this effect were imposed on the Outline Permission.

10. **SEPA** requested that percolation tests be carried out, prior to the determination, to assess the suitability of the ground conditions for the disposal of foul water from the development. These tests were not done prior to determination of the Outline application. However, tests have now been carried out, and the results have been submitted and demonstrate that the ground is capable of accommodating a soakaway system.
11. **Highland Council's Archaeology Unit** requested a condition be imposed that a photographic record of the remains of the old buildings be made and submitted, for record purposes, prior to any works commencing on site. This was not a condition on the previous Outline permission in 2002 but could have been imposed on the renewal in 2005. However, no condition was included.

## REPRESENTATIONS

12. No representations have been received.

## APPRAISAL

13. Although this application seems to represent a conversion of an existing outbuilding, two previous applications have been received and accepted in outline format. The latest outline approval, having been granted in July 2005, remains extant. The application therefore seeks a Reserved Matters approval following the granting of the outline and as such it is not possible to revisit the principle of a new house as a refurbishment/conversion of the existing on-site structure. Nevertheless, I feel it is worth mentioning that in my view, it is questionable that the proposal actually represents a conversion project at all, because, in my mind, there is an insubstantial amount of "*existing building to convert*". As such, I feel that the proposal represents more of a new build house than a refurbishment/conversion and extension, of an existing redundant traditional outbuilding. However, this said, the site lies within a "Dispersed Communities" policy area as defined in the statutory Badenoch and Strathspey Local Plan. This policy, subject to satisfying detailed siting and design criteria, permits the principle of single new houses because of the dispersed settlement pattern of development in the area. If the proposal was classed as a new build house, then it is likely that it would comply, in principle, with the "Dispersed Communities" policy in the Local Plan. So, whichever, way

the proposal is viewed, the principle of a house on this site, is accepted, either by the existence of the Outline Permission or by extant Local Plan policy.

14. The principle issues therefore relate to the application's compliance with the terms and conditions of the Outline Permission, and the appropriateness of the design in terms of the character, and the natural and cultural heritage, of the area.
15. Apart from the roads conditions mentioned in Paragraph 9. above, the only other conditions imposed on the Outline Permission were standard ones, relating to the requirement to provide detailed plans of the proposed development in terms of layout, design, parking, access, landscaping and materials. **There are no conditions controlling the appearance, nature and character of the final house design.** Being an application for Approval of Reserved Matters following the Outline, the previous roads conditions would remain valid and enforceable as part of any permission ultimately granted. The submission details, plus the supporting "Design Statement", also provide an adequate level of information to assess the proposal. As such, there are no implications for the proposal in relation to the conditions of the Outline Permission.
16. The site is not located within any natural heritage or landscape designations and although it is remote from any significant public vantage point or road, it is located in an elevated position which can be viewed from the approaches from the south, and from some of the surrounding areas. The site does though enjoy a natural setting with some trees on the south boundary and a backdrop of woodland. Although remote, any development of a modest scale would not appear isolated, prominent, or on the skyline of the landscape.
17. The "Design Statement" provides a narrative on the design approach;

*"The approach seeks to create a dwelling which responds to the requirements of a twenty first century family home through an innovative, modern design, which is sensitive to its rural setting.*

*The remains of the ruined steading are the primary generator of the design. Their location, orientation, materials, and scale respond to the landscape setting, with a plan form that has evolved to provide shelter from prevailing winds.*

*The design builds on this by retaining the L-shaped footprint of the existing steading, which is considered as two distinct parts; the restored stone east wing which houses the cellular sleeping quarters, and a new simple, linear timber structure designed for flexible, open plan, living accommodation. The two wings are connected by a glazed link and south facing terrace which provide the primary circulation and maintain the identity and scale of the two forms. This space, oriented to the views of the Cairngorms, will be sheltered sun space at the heart of the*

*house benefiting from passive solar gain. The orientation also maintains the privacy of the adjacent Tombain Cottage.”*

18. From this, and an examination of the site and its features, it is my view that the proposed design is both respectful of its context but innovative and contemporary in its approach. Since the proposal, in my view, represents almost entirely a new build rather than a conversion, I do not see that a slavish adherence to traditional or conservationist design is imperative for this development to be appropriate or successful. The design does, however, draw on the fact that a functional traditional stone outbuilding once stood on the site, by retaining and refurbishing the stone walls of the east wing and forming a traditional slated pitched roof. Although there are new build extensions, the simple contemporary forms and structures employed for them, in conjunction with the extensive use of glass, allows the identity and character of the “traditional wing” to be visually retained. The use of vertical timber is also appropriate in relation to its rural context and in the interests of sustainable design.
19. As stated in the supporting “Design Statement”, recent planning policy at national level promotes a more innovative approach to building design, in order to achieve an overall higher quality of architecture which is responsive to modern requirements but also its environment. In my view, the proposal meets with these objectives. It will have a minimal impact on the landscape but at the same time takes advantage of the site and its characteristics.
20. **In conclusion, the principle of a house on this site has been established by the Outline Permission and by extant Local Plan policy. There are no outstanding technical issues relating to drainage, access or water (use of an existing well) and there are no contraventions of policy in relation to design. Within a National Park, I feel it is entirely appropriate to advocate innovative approaches to building design, in suitable locations, and where it will result in a building of lasting quality. In supporting this proposal, it is worthy to note some of the text of SPP15 (Planning for Rural Development (February 2005)). Paragraph 23 states;**

***“Opportunities to replace run down housing and steadings with designs using new materials should also be embraced. Planning Authorities should not unreasonably constrain such modernisation and steading conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so. They should adopt a supportive approach and ensure that new development fits in the landscape. There is an unmet demand for plots on which unique, individually designed houses can be built in rural locations.”***

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

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

21. There are no natural heritage designations on the site. The remains of the outbuilding are shown on the first edition Ordnance Survey map of c.1870 and therefore Highland Council's Archaeologist, at the time of the outline, requested that a condition be imposed requiring a photographic record be submitted prior to works commencing. This was not imposed on the Outline Permission. However, in the interests of conserving the cultural heritage of the area, and because it does not inhibit the acceptability of the proposal, I feel it is appropriate to add a condition requiring a record of the structure to be made and submitted. As stated above, I feel the design of the proposal respects the character of the area and complements the remains of the original building. It is therefore viewed as positive in terms of enhancing the cultural heritage of the area.

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

22. The proposal uses renewable materials (timber) but also has been designed, by the use of expanses of south facing glass, to harness passive solar energy. At the time of writing, a requested sustainability statement has yet to be received, but receipt is anticipated prior to the Committee considering the proposal.

### **Promote Understanding and Enjoyment of the Area**

23. There are no implications for this aim.

### **Promote Sustainable Economic and Social Development of the Area**

24. The proposed house is not related to any local land management needs. However, as stated above, in this location, there is no policy requirement for this. The applicant currently resides near Aviemore but wishes to relocate. As such, there are no particular benefits in relation to this aim.

## **RECOMMENDATION**

25. That Members of the Committee support a recommendation to:

**Grant Approval of Reserved Matters for Alterations, Rebuilding and Extension of Outbuilding to Form Dwellinghouse, Easter Tombain, Grantown-on-Spey, subject to the following conditions:**

1. The development hereby approved shall be commenced prior to 7 July 2010.



2. This approval relates solely to the reserved matters referred to in the Highland Council outline planning permission reference number 05/00186/OUTBS. Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions imposed on that outline planning permission.
3. The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by the CNPA acting as Planning Authority before development commences. The scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of the development and shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and to the extent of any areas of earthmounding, and shall ensure:-
  - a. Completion of the scheme during the planting season next following the completion of the development, or such other date as may be agreed in writing with the CNPA acting as Planning Authority.
  - b. The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the CNPA acting as Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
4. Prior to the commencement of development, a photographic record shall be made of the remains of the former outbuilding and other features on the site affected by the proposed development, in accordance with the attached specification, and shall thereafter be submitted to the CNPA acting as Planning Authority. No site clearance work shall take place until confirmation in writing has been received from the CNPA acting as Planning Authority, following consultation with Highland Council's Archaeology Unit, that the record made has been lodged and is satisfactory.
5. Prior to the commencement of works on site, exact details and specifications (samples may be required) for the following finishing materials shall be submitted for the further written approval of the CNPA acting as Planning Authority;
  - a. the timber framed windows for the east wing (which shall include a traditional stepped sash),
  - b. the roofing material for the new build elements (including colour),
  - c. the timber cladding (including detailed construction and stain colour),
  - d. the new rendered wall on the eastern boundary (including colour),

- e. the new access track and parking area within the curtilage of the new house.

**Neil Stewart**  
**6 January 2006**

***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.