
CAIRNGORMSNATIONALPARKAUTHORITY

Title: REPORTONCALLED -INPLANNING APPLICATION

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DEVELOPMENTPROPOSED: OUTLINE PLANNING PERMISSION FOR DEMOLITION OF HOTEL, ERECTION OF 22 FLATS AND CAR PARKING, ROYAL HOTEL, 29HIGHSTREET, KINGUSSIE

REFERENCE: 04/331/CP

APPLICANT: AVIEMORE AND HIGHLAND DEVELOPMENTS LTD. MYRTLEFIELD HOUSE, GRAMPIAN ROAD, AVIEMORE, PH221RH

DATECALLED -IN: 16July2004



Fig.1 -LocationPlan

SITE DESCRIPTION AND PROPOSAL

1. This former hotel is sited in a central position on the High Street in Kingussie. It lies within the central commercial core of the settlement on the north side of High Street. To either side and across the road are mixed commercial and residential uses. The buildings on either side are 2 storey. The site is essentially flat but an embankment rises steeply to the rear where there are some trees with some houses beyond. The existing hotel buildings consist of 2 traditionally built 2 storey wings facing the High Street (slate and white washed harling and one containing a former bar), with a central flat-roofed modern linking wing. There are several modern flat-roofed and unsightly additions extending to the rear. The main pedestrian access to the building is via the central wing but there is an existing narrow vehicular access from High Street to the east side which leads to a small parking and service area to the rear.
2. The application is submitted in outline format. However, the indicative drawings show all the existing buildings removed with two new buildings constructed, one to the rear of the site built into the slope, and the other along the High Street frontage. The building to the frontage is shown as accommodating 14 no. 2 bedroom flats and the one to the rear as accommodating 8 no. 2 bedroom flats. The indicative drawings show the building to the front having 2 storey wings either side of a 3 storey central element. The one to the rear would also have a 2 storey wing on the east side of a 3 storey building. Following extensive discussions with the Scottish Executive Trunk Roads Department, the existing access would continue to be the vehicular access point and this would serve parking areas amounting to 22 spaces.
3. The initial proposal by Aviemore and Highland Developments Ltd. was to have 4 of the units as affordable. However, recently, we have received confirmation that Albyn Housing Society propose to take over the development, subject to formal agreement with the developer, and as such it will be 100% affordable. They have confirmed that they are in negotiations with the developer, and the expectation is that it will be a mixed tenure development offering shared equity and rented units. This proposal is supported by Communities Scotland and the other members of the Rural Housing Forum.

DEVELOPMENT PLAN CONTEXT

4. **Highland Structure Plan 2001** sets out the following policies which are relevant to the proposal. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things; make use of brownfield sites, existing buildings and recycled materials; are accessible by public transport, cycling and walking as well as car; are compatible with service provision; demonstrate sensitive siting and high quality design in keeping with

local character and historic and natural environments; and contribute to the economic and social development of the community. **Policies H4 & H5 (Affordable Housing)** both support the general principle of providing an adequate supply of social housing where there is a demonstrable need, through various mechanisms, including developer contributions. There are no specific **Tourism Policies** which prevent the loss of hotels. However, the general spirit of these policies is to promote tourism activity and accommodation. **Policy TC9 (Car Parking)** seeks to ensure that car parking provision associated with development proposals are carried out in accordance with Highland Council's general maximum standards.

5. The site lies within the commercial core of Kingussie which is designated for commerce/tourism. The main settlement objectives for Kingussie, as stated in the **Badenoch and Strathspey Local Plan 1997** are to encourage further investment in service businesses, strengthen commercial prospects and enhance the village centre for pedestrians and shoppers, and safeguard the village from unsympathetic infill housing. **Policy 7.2.1. (Tourism)** of the settlement statement, provides support for the development of tourist-related facilities and services. Opportunities exist, it states, for upgrading and expanding existing hotels, and other accommodation and facilities, subject to site specific planning requirements. **Policy 7.2.7. (Village Centre)** seeks to consolidate retail, office, community and residential uses within the village centre. Rehabilitation of vacant properties, including public and Listed Buildings, and other properties of townscape value, will be encouraged.

CONSULTATIONS

6. **Scottish Water** have confirmed that public sewers are available but for foul drainage only. The Kingussie Waste Water Treatment System is known to be at capacity. However, it is felt that the loadings proposed, compared to those of the existing hotel, are comparable. **This does not, however, free up any capacity in the system.** Public water is available. Surface water must, however, be disposed of using on-site Sustainable Urban Drainage Systems (SUDS).
7. Following the submission of information on outline proposals for on-site SUDS, **SEPA** have no objections, subject to detailed SUDS proposals being conditioned as part of any approval.
8. Under delegated powers, **Highland Council's Former Area Planning Manager** confirms that while the building occupies a prominent position on the High Street, and has a degree of architectural merit, it is not listed. Due to unfortunate additions, and the fact that it has been unoccupied for over 2 years, it provides a dilapidated and poor appearance which has a detrimental effect on the appearance of the centre of Kingussie, in general. It also sits opposite the listed Court

House where a small square has been the subject of environmental improvements by the Council. Current Local Plan policy seeks to consolidate retail, office, community and residential uses within the centre. However, he advises that there has been considerable unmet demand for both general needs and affordable housing in Kingussie and that the embargo on further residential development in Kingussie, because of the drainage constraints, limits development opportunities in this sector. There has been little or no flatted development taking place in Kingussie for some time, and he suspects that demand for such properties would be considerable. To conclude, notwithstanding any parking and access difficulties, he advises that the balance of advantage lies in the provision of residential facilities, within the High Street area of the town and that redevelopment at this site, in particular, seems like an attractive option.

9. **The Scottish Executive Trunks Roads Division** initially objected on the grounds that there is on street parking in the area, close to a signalised junction. As such, they felt that the proposed development would result in increased interference with the safety and free flow of traffic on the trunk road. They recommended refusal and if the Planning Authority did not accept this advice, the application would be required to be notified to the Scottish Executive under the Notification of Applications Circular 4/1997. However, after a protracted period of time, eventually, agreement was reached on an amendment to the access proposals which now shows "build -outs" of the footpath and appropriate road markings at the junction of the existing access, with the trunk road. Subject to conditions, the outstanding objection has been removed.
10. **Highland Council's Area Roads Manager** has advised that dedicated parking should be provided at a rate of 1.5 spaces per flatted unit. On the basis of this, there is a shortfall of 11 spaces. General public parking in Kingussie is relatively limited at present. He has a concern that the development proposed would put additional pressure on the available on -street parking provision on local roads close to the site. He accepts that parking provision for the existing hotel use is less than ideal but states that it is his impression that most of the custom for the hotel arrived by coach or was locally generated and arrived on foot. Current Scottish Executive Guidance (SPP17 – Transport and Planning Maximum Standards) relates to commercial **town** centre development where good public transport links are available and the maximum standards promoted are not generally applicable to residential development. **The Area Roads Manager continues to recommend unfavourably on this basis.**
11. **Highland Council's Area Housing Manager** was consulted on the original proposal for 4 affordable housing units and advised that there is an identified affordable housing need in Kingussie. Preliminary discussions and agreements had taken place with the applicants and he wished a condition imposed that the 4 units within the development

would be for Low Cost Home Ownership through the GRO grant mechanism of Communities Scotland. This was in line with Badenoch and Strathspey's 20% affordable housing percentage.

12. **The CNPA's Housing Officer** also felt that the 4 units agreed was acceptable. Following the proposal to have Albyn Housing Association "take over" the development, notes from the **Badenoch & Strathspey & Nairn Development Forum**, indicate support for the proposal for 100% affordable and that a mix of rent and shared equity units was preferable.
13. **The CNPA's Sustainable Tourism Officer** has advised that the Royal Hotel was predominantly a "bustour" hotel, and currently in Kingussie, there are two other hotels that provide accommodation for this tourism market. There are also some other hotels e.g. in the Newtonmore area that service that sector. It is stated that the direct contribution made to the tourism economy from tourists on bus tours is usually less compared to other tourists. The hotel has been on the market for some time, and the view could be taken that it is not sufficiently attractive for a bustour company to purchase directly, or for alternative owners to take on as a new business. Although the loss of the hotel will reduce the total amount of accommodation available in Kingussie, it is stated that it is of a particular type suited to a particular sector of the market and thus presumably bustours have been accommodated elsewhere. Due to the central position of the hotel, the local community is keen that action is taken, to improve what is becoming a "derelict" site, which in turn, could be, overall, beneficial to the "attractiveness" of the area to the visitor.

REPRESENTATIONS

14. Four letters of representation have been received. There is some concern about the impact of the proposed block to the rear of the site, in terms of loss of privacy, impact on the stability of the slope and the potential loss of a mature tree. One letter also raises queries about the impact on a narrow lane which provides access to an adjoining property. There is also a query about the impact on the sewerage system. There is a letter of support which emphasises that the High Street has suffered from derelict premises in the past and that, subject to an architecturally sympathetic plan being proposed at the detailed stage, they welcome the proposal. There is also a request to provide secure cycle storage facilities.
15. These letters are attached to the report.

APPRAISAL

16. The determination of this proposal is reliant upon the principle of the loss of the hotel and its replacement with residential use (affordable housing), potential impact on the townscape and neighbouring properties, and the indicative provision of parking, all as relative to planning policy and other material considerations.

Loss of Hotel to Residential Use and Provision of Affordable Housing

17. Having carried out an extensive site visit to the hotel, with the applicants and their agents, it is clear that the building's state of repair, externally and internally is very poor. Its derelict state, is due in the main, to the fact that it has lain empty for some time and has been the subject of vandalism and water penetration. However, there have also been several unfortunate additions over the years, which have done little to improve the overall appearance and quality of the building. The standard of accommodation within the building, is now so poor that refurbishment to even a basic modern hotel accommodation standard is not viewed as a feasible option. Evidence has been submitted from a Licensed Trade and Commercial Property Agent which confirms that despite having several viewers, including two bus operators considering purchasing the hotel, no offers were forthcoming. The consensus of opinion was that it was in such a poor condition, that only a very large capital investment could resurrect it as a business. Even then it was viewed as doubtful that the profits likely to be generated would be sufficient to service the borrowings which would be required. The Property Agent also states that there was significant competition in this area of the market in the local and wider area.
18. As we have seen with other proposals for changing hotels into residential use elsewhere in the Park (Monaltrie Hotel in Ballater in particular), the work that has been taken forward in relation to the Strategy and Action Plan for Sustainable Tourism, should lead to an increase in tourism numbers and lengths of stay, and subsequently, a precautionary approach could be argued. However, this approach must be weighed against other considerations, such as the cultural and community importance of the site, the building and its facilities, and what benefits the potential re-use could bring to the social and economic development of the community as a whole, such as the provision of affordable housing. In this instance, from the information supplied and the consultation responses received, it appears that the hotel, latterly, was not providing for the wider tourist market or to any great extent, as a significant community facility. Although occupying a prominent position on the High Street, it is also not a listed building nor does it hold a significant cultural value in terms of its historical tourism or community use. While the loss of the site to the tourism industry is unfortunate, it is the case that the replacement residential use is for 100% general and social needs housing. In my opinion, this carries significant weight in terms of balancing the social and economic issues,

and sets the proposal apart from others under consideration at present. As such, I support the principle of the proposal, and submit that bringing additional residential development to the site has the overall potential to improve the current vitality of the mixed use core of Kingussie. Structure Plan and Local Plan Policies support the principle of redeveloping on "brownfield" sites, particularly where redundant or derelict buildings are involved.

Impact on Townscape and Neighbouring Properties

19. The application is only submitted in outline format. The sketch plans are therefore submitted for **information only**, and if approved, a further detailed application for Approval of Reserved Matters would be required. However, the drawings have been useful to demonstrate the scale, design and layout of buildings and parking envisaged. On this prominent site in the built core of Kingussie, there are other buildings of similar scale and height. The potential for the retention and re-use or part re-use, within the scheme, of the two more traditional buildings to the High Street frontage was put to the applicant. However, the agents have advised that this option was examined during the indicative design process but rejected on several grounds. These included, the potential for overlooking to adjacent properties, from a conversion project, the difficulty in achieving an adequate design solution to an "infill" block because of existing window positions and access requirements, and the need to screen car parking from the road. As stated above, the buildings are not listed and they are not in a conservation area. It would also be difficult to achieve the standards required for housing provided by a Registered Social Landlord, in terms of size and layout of units, within the existing buildings. I therefore find that there is justification, in principle, for the development, in terms of allowing the removal of the existing buildings and the potential to create a design which would improve the current situation.
20. The representations from the neighbouring parties are acknowledged. However, it seems to me that the indicative plans show that overlooking can be designed out at the detailed stage, and that the impact of any block to the rear on the slope, or on the properties to the rear can be minimised. It would seem likely that some trees would be affected, but this must be weighed up against the other benefits that could accrue from the proposal and the overall significance in townscape terms of their loss. Again, however, this should be a matter for consideration at the detailed stage. The issue of access on the adjacent lane on the west side is essentially a civil one but the applicant has confirmed that the indicative proposals show a retention and widening of this lane.

Parking

21. Highland Council's Area Roads Manager maintains his objection to the proposal on the basis that the indicative provision of car parking is less than the standard requirements for flat developments (1.5 space per flat). On the basis of 22 flats, this standard would require the provision of 33 spaces. The indicative drawings show 100% parking ie. 22 spaces – one per flat. The applicants response is that providing one per flat is in line with Scottish Executive Guidance which aims to limit car parking provision in town centre locations to encourage the use of public transport and diminish car use. They also contend that consideration should be given to the fact that the building could legally still continue its use as a hotel and that the existing shortfall in on-site parking for the hotel use would be significantly greater in terms of current standards, than their proposal.
22. Again it is important to remember that this is an outline permission and matters of detail regarding such an issue can be resolved at the detailed stage. However, it is appropriate to consider whether or not the number of flats and scale of development that is being applied for can be satisfactorily accommodated on the site, particularly in urban situations, even at the outline stage. It is the case that existing parking provision for the hotel is well below that of current standards. However, I do not feel that it is appropriate to use that as a significant or sole reason for allowing a completely new development which does not meet current standards. SPP17 does state that, in general, residential developments should be excluded from the implementation of reduced (maximum) parking standards. This is because the aim of reducing parking standards at "trip destinations" is seen as the principle way of reducing the number of car trips. It is not possible to constrain car ownership and therefore, if numbers of trips are reduced, it follows that more cars will remain at home. However, SPP17 also states that in highly accessible areas, consideration could be given to reducing standards in residential development. This site is located within the centre of Kingussie, close to local shops and services, and on a main through route where public transport services (bus and train) are in close proximity. There is on-street parking available in the vicinity and some public car parks within reasonable walking distance. It seems to me that the location of the development provides considerable justification for reducing the parking standards, even if this shortfall continues to come forward at the detailed stage.
23. Nevertheless, I feel that the most significant factor in departing from Highland Council's parking standards in this instance, is the proposal for all the flats to be in the affordable sector. There is clearly a need in Kingussie for low cost home provision for local people and this site provides an opportunity to help improve that situation considerably. Albyn Housing Society have indicated that, in their experience, they have frequently negotiated reduced parking standards in town centre locations on the basis that car ownership is statistically lower amongst

their residents than the wider population. While I would not wish to set an undesirable precedent of other developments, the provision of 22 “affordable” properties at this location is significant enough, (particularly when the shortfall is only 11), to provide justification for departing from the normal stance on parking standards.

24. Having taken account of all considerations, I am satisfied that there is significant justification for recommending approval of this application.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

25. The development may result in the loss of some trees. However, this can be further considered at the detailed stage. The site is not within a Conservation Area and the buildings are not Listed. Being located in a prominent position on a main route through one of the National Park’s main settlements, the development provides the opportunity to improve the visual appearance and streetscape of the area.

Promote Sustainable Use of Resources

26. Issues of energy efficient design and use of renewable materials are matters for the detailed application.

Promote Understanding and Enjoyment of the Special Qualities of the Area

27. The proposal does not raise any issues in relation to this aim.

Promote Sustainable Economic and Social Development of the Area’s Communities

28. The loss of a hotel business is negative in terms of its contribution to the tourist economy of the area. However, in this instance, any loss is off-set by the proposal to provide 100% affordable housing in a suitable town centre location which can only be positive in terms of the social and economic development of the area.

RECOMMENDATION

29. **That Members of the Committee support a recommendation to:**

Grant Outline Planning Permission for the Demolition of Hotel, and Erection of 22 Flats and Car Parking, at the Royal Hotel, High Street, Kingussie, subject to the following conditions:

1. A formal planning application and detailed plans indicating all matters relating to the siting, design and external appearance of all buildings, means of access thereto, car parking, means of enclosure, any tree retention, and landscaping proposals shall be submitted for the prior approval of the Planning Authority within 3 years of the date of this consent and the development must be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all the foregoing Reserved Matters.
2. That unless otherwise agreed in writing with the Planning Authority, the entire development hereby approved, shall comprise affordable housing units, as defined in Highland Structure Plan 2001 and Planning Advice Note 74 (Affordable Housing), and shall be carried out in association with a Registered Social Landlord.
3. That unless otherwise agreed in writing with the Planning Authority, car parking on the site shall be provided at a standard of at least one per residential unit. In addition, secure internal cycle storage space shall be provided in accordance with Highland Council's standards and guidelines.
4. That any forthcoming application for Approval of Reserved Matters shall be accompanied by full working details of the method of on-site disposal of surface water drainage. Such a scheme shall be in accordance with the agreed outline SUDS proposals and with the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, CIRIAC 521/2000. No development shall commence on site until the detailed SUDS scheme has been approved, in writing, by the Planning Authority, SEPA and Scottish Water, where appropriate.
5. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, and unless otherwise agreed in writing with the Planning Authority, no demolition works shall be carried out at the site, until such time as a formal planning permission has been approved and issued for the detailed development proposal and a formal contract let for its construction.
6. That unless otherwise agreed in writing with the Planning Authority, in consultation with the Scottish Executive Trunk Road Network Management Division, the proposed access shall join the A86 trunk road in a manner which complies with the layout detailed on the

approved drawing no. 2759 -SK-01, Rev. A. It shall be constructed to a standard as described in the Department Advice Note TA 41/95 (Vehicular Access to All -Purpose Trunk Roads, as amended in Scotland) and in accordance with details that shall be submitted and approved by the Planning Authority, in consultation with the Scottish Executive Trunk Road Network Management Division, prior to any other part of the development commencing.

7. Should an access gate be installed, it shall be located at least 5 metres from the heel of the footway of the adjacent trunk road and it shall only be capable of opening away from the road.
8. There shall be no drainage connections to the trunk road drainage system.

Determination Background

This application has been delayed primarily because of the technical issues of drainage, the original trunk roads objection and parking. In particular, it took over 6 months to resolve the Trunk Roads concerns (written confirmation from them received on 6 June 2005). In addition, the issue of the shortfall in parking provision remained a concern until we were informed that the development was to be 100% affordable housing. Confirmation of this was only received on 23 June 2005.

Neil Stewart

8 July 2005

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