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## CAIRNGORMS NATIONAL PARK AUTHORITY

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

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

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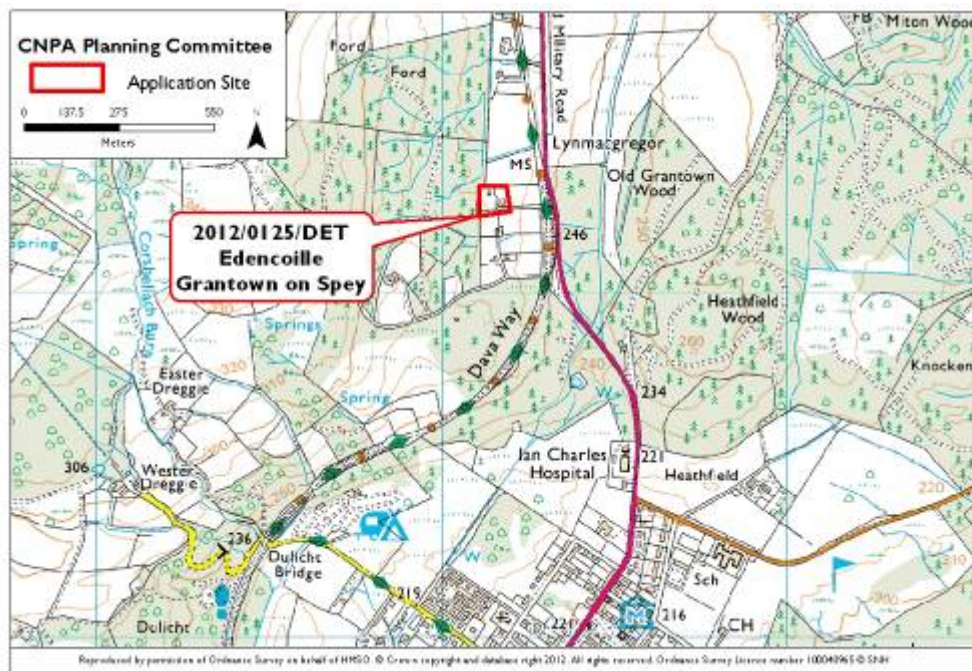
**DEVELOPMENT PROPOSED:** ERECTION OF HOUSE ON THE FOOTPRINT OF AN EXISTING STONE BOTHY AT EDENCOILLE, GRANTOWN ON SPEY

**REFERENCE:** 2012/0125/DET

**APPLICANT:** MRS. ALISON ROBERTSON, EDENCOILLE, GRANTOWN ON SPEY C/O 23 ARCHITECTURE LTD.

**DATE CALLED-IN:** 27 APRIL 2012

**RECOMMENDATION:** APPROVE WITH CONDITIONS



Grid reference: 303170 829250

Fig. 1 - Location Plan

## SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought in this application for the erection of a new dwelling house on land which forms part of the current garden area of a traditional detached property named Edencoille, at Lynmacgregor which is a short distance to the north of Grantown on Spey. The identified site area encompasses the overall garden ground, including the existing dwelling house and the location of the proposed new dwelling. The overall site area extends to approximately 5765 square metres.
2. The existing dwelling house is a one and a half storey traditional stone built property, which is positioned in the south eastern area of the site. The A939 public road and the former railway line are located a short distance to the east of the property. The existing dwelling and the surrounding garden ground are set on somewhat elevated ground relative to the road and railway line. The siting of dwellings on this higher ground is a common feature of residential development in the vicinity. The existing dwelling house and garden are accessed from a gravel surfaced track, which runs parallel to western side of the railway embankment, before sharply turning uphill and westwards to approach the front of the existing dwelling house.



**Fig. 2: Approach to existing dwelling**



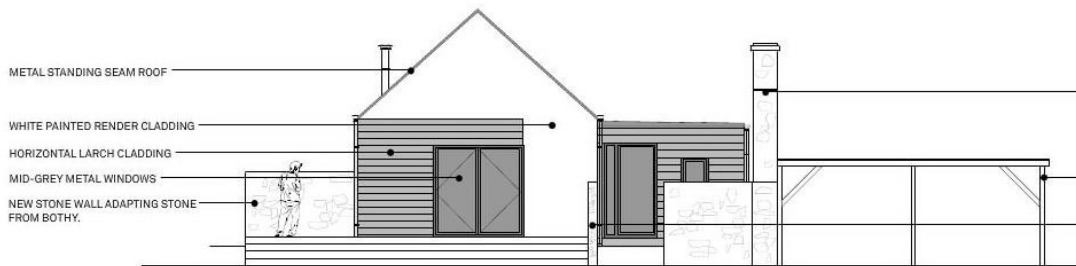
**Fig. 3: Remains of bothy, with the existing dwelling located in the SE corner**

3. The new dwelling house is proposed in the north western corner of the garden area, generally on the footprint of the remains of a stone bothy. The design of the new dwelling incorporates one gable of the bothy as a feature between the entrance ramp to the dwelling and the proposed adjacent car port. The proposed dwelling is a single storey elongated form, which is described in supporting information as being based on a traditional longhouse<sup>1</sup> with the house “borrowing the vernacular form of a narrow plan with small window openings and pitched roof.” External finishes consist of a combination of white painted render and horizontal larch cladding, under a dark grey metal roof.<sup>2</sup> Windows are proposed to be metal, in a mid grey colour. In addition to the incorporation of one of the gables of the bothy, additional stone from that structure is also proposed to be used to create

<sup>1</sup> Taighean dubha – a form often associated with the Scottish Hebrides.

<sup>2</sup> The house is proposed to be erected using SIP panels (structural insulated panels).

landscaping features around the house, including forming stone walls at the entrance to the house and as wind screens to the sides of a deck.



**Fig. 4: Proposed eastern elevation, with the gable wall of the bothy retained between the proposed entrance ramp and car port**



**Fig. 5: Proposed southern elevation**

4. The floor plan accommodates an open plan kitchen / dining and living room, two bedrooms, a bathroom, utility and storage space. A deck is proposed around the southern and eastern perimeter of the new dwelling. The main access is proposed in the north eastern corner of the house. A ramped access would lead to the front door, with the bothy wall framing the northern side of the ramped access. The house has been designed to provide access for less able bodied.
5. A range of energy efficient measures are also proposed to be incorporated into the new dwelling. An air source heat pump would be located in a small enclosure within the proposed car port and solar heat collectors are proposed on the south facing pitch of the roof. A wood burning stove (and associated flue) is also proposed to provide a means of additional heating.



**Fig. 6: Location of proposed dwelling (positioned on an east / west orientation) as identified by black poles**

6. The garden ground on which the dwelling is proposed is mainly set to lawn and is interspersed with a variety of mature trees. Mixed broadleaves, mainly lime and an ornamental birch, are located to the south and east of the proposed dwelling. A stand of maturing Norway spruce are located immediately outside the western site boundary, which forms part of a wider woodland area listed on the Ancient Woodland Inventory.<sup>3</sup>

#### **Background and brownfield justification**

7. The proposed dwelling house is intended to provide accommodation for the applicants' (Mrs. Robertson) elderly parents,<sup>4</sup> who intend to retire to the new property as soon as it would become available. The new dwelling would essentially be ancillary accommodation, and it is intended to remain within the ownership of the applicant. In considering the case as initially presented, it appeared that the proposal could comply with policy and be accepted as ancillary accommodation, with the use of a planning condition or a planning obligation, to ensure that it remained associated with the existing main property on the site.
8. Despite the intention to retain the proposed new dwelling as ancillary accommodation, the potential formal linkage of the property to the main dwelling, either by condition or planning obligation, was flagged up by the agent as presenting difficulties. In the event that the title of the proposed dwelling does not remain separate from the main dwelling, it would preclude the construction being zero rated for VAT purposes, which in turn would impact on the affordability aspect for the applicant and her parents. Due to the request that the development be considered as an independent dwelling, it was necessary for the applicant / agent to put forward a case demonstrating compliance with Policy 22 (Housing Development outside Settlements) of the Cairngorms National Park Local Plan.
9. The information subsequently submitted in support of the development notes that Policy 22 permits housing development on brownfield sites. A case has been advanced to demonstrate that the site of the proposed new dwelling constitutes a brownfield site. The site is currently occupied by the remains of a derelict bothy, which partially collapsed in February 2009 due to snow loading. This occurred prior to the applicant assuming ownership of the property. The bothy is thought to date from the late 19<sup>th</sup> century. It is thought to have been built as ancillary accommodation to the main dwelling house, which was constructed circa. 1830. It is suggested in the submission that it may have been used in its initial stages as living accommodation for a single man, perhaps a labourer or groomsman, with the southern end of the structure being used as a stable / workshop. In more recent times, the bothy was used as a storage facility, until its partial collapse during the winter of 2009. Since that time the structure has remained derelict. The stone from the collapsed walls has remained on the site and efforts have been made to make the remains of the structure as safe as possible. On the basis of all of the

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<sup>3</sup> Listed as LEPO1860 – long established plantation origin.

<sup>4</sup> Supporting information states that "Mrs. Robertsons elderly parents have contributed greatly to this area, both as tenant farmers and running of the post office in Dulnain Bridge for a number of years."

foregoing facts and the current state of the building remains, the submission from the agent strongly promotes the site as brownfield land.

### Site history

10. The previous owners of the property sought full planning permission in 2006 for the erection of a dwelling house on the site.<sup>5</sup> Highland Council's Badenoch and Strathspey Local Plan (1997) was in effect at that time and the site was within an area identified as 'Dispersed Communities.' Within such areas, single houses were acceptable, subject to detailed siting and design. The planning application was not called in by the CNPA. Planning permission was granted by Highland Council in November 2006. No development was undertaken and the consent has since expired.



Fig.7: Bothy, as existing in 2006

11. Planning permission has more recently been granted for alterations and extensions to the main dwelling house.<sup>6</sup> The works have been undertaken.

## DEVELOPMENT PLAN CONTEXT

### National policy

12. **Scottish Planning Policy<sup>7</sup> (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:
- The constraints and requirements that planning imposes should be necessary and proportionate;
  - The system should .....allow issues of contention and controversy to be identified and tackled quickly and smoothly; and
  - There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.

<sup>5</sup> CNPA ref no. 06/380/CP; Highland Council ref. no. 06/00262/FULBS.

<sup>6</sup> Planning applications in 2009 and 2010, which were determined by Highland Council.

<sup>7</sup> February 2010

13. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government’s central purpose of increasing sustainable economic growth.” Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that “the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
14. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
15. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
16. Housing: **SPP** highlights the Scottish Government commitment to increasing the supply of new homes. The planning system is expected to enable the development of well designed, energy efficient, good quality housing in sustainable locations. In discussing the ‘Location and Design of New Development’ the SPP advises that redevelopment of urban and rural brownfield sites is preferable to development on greenfield sites.
17. Rural development: Para. 92 of **Scottish Planning Policy** states in relation to rural development that the “aim should be to enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality.” All new development is required to respond to the specific local character of the location, fit in the landscape and seek to achieve high design and environmental standards.
18. Landscape and natural heritage: The **Scottish Planning Policy** document recognises the value and importance of Scotland’s landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.

19. **Scottish Planning Policy** concludes with a section entitled 'Outcomes' in which it is stated that the "planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environmental assets."

### **Strategic Policies**

#### **Cairngorms National Park Partnership Plan 2012 - 2017**

20. The Cairngorms National Park Partnership Plan 2012 – 2017 is the management plan for the National Park for the next 5 years. It sets out the vision and overarching strategy for managing the Park and provides a strategic context for the Local Development Plan. Three long terms outcomes have been identified to deliver the vision for the Park, to continue the direction set out in the first National Park Plan and to together deliver the four aims of the National Park. The outcomes are :
- A sustainable economy supporting thriving businesses and communities;
  - A special place for people and nature with natural and cultural heritage enhanced; and
  - People enjoying the park through outstanding visitor and learning experiences.
21. A number of policy priorities have been identified to help deliver each of the outcomes. Policies to secure the outcome of 'a special place for people and nature with natural and cultural heritage enhanced' are of particular relevance to the current proposal. Policy 2.8 seeks to enhance the design and sense of place in new development and existing settlements. The Plan sets out a number of means by which policy 2.8 can be achieved, including enabling new development which contributes positively to a sense of place; promoting a high standard of sustainable design, energy efficiency, sustainably sourced materials and construction in new development; and supporting the retention and enhancement of the local character.

### **Structure Plan Policy**

#### **Highland Council Structure Plan (2001)**

22. **Highland Council Structure Plan** is founded on the principles of sustainable development, which are expressed as –
- Supporting the viability of communities;
  - Developing a prosperous and vibrant local economy; and
  - Safeguarding and enhancing the natural and built environment.
- A variety of detailed policies emanate from the principles.
23. The following provides a brief summary of the policies applicable to a development of this nature. **Policy NI – Nature Conservation** advises that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Plan refers to

the socio-economic benefits of the nature conservation resource and advises that it should be optimised by a high level and standard of interpretation and understanding wherever possible.

24. The Structure Plan also includes a section on biodiversity, defining it as “natural richness and diversity of nature – the range of habitats and species and the uniqueness of each and every organism.” Biodiversity is not the same as natural heritage, but is one of the key functional components. As a key part of the natural heritage of an area it is important to protect, and where possible enhance biodiversity and to monitor any change.
25. Section 2.4 of the Plan concentrates on the subject of landscape, stating that “no other attribute of Highland arguably defines more the intrinsic character and nature of the area than its landscape.” Similar to national policy guidance, there is recognition that landscape is not a static feature and that the protection and enhancement of landscape and scenery must be positively addressed. **Policy L4 Landscape Character** states that “the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.”
26. **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.

### **Local Plan Policy**

#### **Cairngorms National Park Local Plan (2010)**

27. The Cairngorms National Park Local Plan was formally adopted on 29<sup>th</sup> October 2010. The full text can be found at :  
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
28. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
  - Chapter 3 - Conserving and Enhancing the Park;
  - Chapter 4 - Living and Working in the Park;
  - Chapter 5 - Enjoying and Understanding the Park.
29. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with other policies, are intended to meet the sustainable development needs of the Park for the Local Plan’s lifetime.



The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.

30. Policy 6 – Landscape: there will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular the setting of the proposed development. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.
31. Policy 11 – The Local and Wider Cultural Heritage of the Park: There will be a presumption against development that does not protect or conserve and enhance the site, feature, or use of land of local or wider or cultural historic significance, or its setting.
32. Policy 16 – Design Standards for New Development: this is one of a number of policies which is intended to encourage developers to consider how they can best include the principles of sustainable development in their proposals, and consider the impact on the environment, economy and community. Policy 16 requires that all proposals are accompanied by a design statement which sets out how the requirements of the policy have been met. The design of all development is encouraged to :
  - Reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and materials;
  - use materials and landscaping that will complement the setting of the development;
  - demonstrate sustainable use of resources; and
  - be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.
33. Policy 18 – Developer Contributions: Development which gives rise to a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects, will normally require the developer to make a fair and reasonable contribution in cash or kind towards the additional costs and requirements.
34. Policy 19 – Contributions to affordable housing: proposals for one or two open market dwellings will be required to make a contribution towards affordable housing. This will be a cash payment towards the meeting of housing need in the local area.
35. Policy 22 – Housing development outside settlements : Other than affordable housing, other housing outside settlements will be permitted where
  - (a) The accommodation is for a worker in an occupation appropriate to the rural location (and complies with a number of factors including the presence of the worker being essential for 24 hour supervision of the rural enterprise, there is no suitable alternative residential accommodation

- available, and the proposed dwelling is within the immediate vicinity of the worker's place of employment); **or**
- (b) The dwelling is for a retiring farmer or crofter, on land managed by them for at least the previous ten years, or for a person retiring from another rural business where their previous accommodation is required for the new main operator of the farm, croft or rural business;<sup>8</sup> **or**
- (c) the development is sited on rural brownfield land.

### **Supplementary Planning Guidance**

36. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted.

### **Sustainable Design Guide**

37. The guide highlights the fact that the unique nature and special quality of the Cairngorms National Park and the consequent desire to conserve and enhance this distinctive character. The guidance has at its core the traditional approach to design which aims to deliver buildings which provide a resource efficient, comfortable and flexible living environment. The **Sustainable Design Guide** requires the submission of a Sustainable Design Statement with planning applications. It is intended that applicants would use the Sustainable Design Statement to demonstrate how standards set out in the Sustainable Design Checklist will be achieved.
38. One of the key sustainable design principles referred to in the document is that "future development in the Park should be sensitively located, reflect existing development pattern and setting, and respect the natural and cultural heritage of the Park." Developments are also required to reflect traditional materials and workmanship, and take on board innovation, contemporary design and the emergence of modern methods of construction.

### **CONSULTATIONS**

39. **Highland Council Archaeology Section:** The consultation response notes that the traditional cottage (bothy) on the site was depicted on the 1<sup>st</sup> edition OS map c. 1874 and is of local historic interest. It is recommended in the event of granting permission that a photographic record is compiled of the remains of the building prior to the commencement of development.
40. **Highland Council Forestry:** The response noted the proximity of the proposed dwelling house to existing trees to the south, east and west. The Forestry Officer considers that there is potential to construct the proposed house without impact on the root protection areas or crown spreads of most of the existing trees. However, some concern was expressed regarding the potential impact of a hardstanding access and the car port on adjacent trees. Further information was requested on this, including identification of the

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<sup>8</sup> In either circumstances (a) or (b) of Policy 22, the Local Plan also states that "such proposals will be secured through planning condition or legal agreement."

extent of hardstanding and the means by which the root protection areas and crown spreads of the existing trees are to be safeguarded during construction.

41. The Forestry Officer also expressed some concern about the proximity of the proposed dwelling to some existing trees and suggested that the dwelling could be repositioned to provide increased separation from the mature conifers in the plantation outside the site boundaries. A separation of 15 - 20 metres was suggested.
42. **Planning Gain:** The proposal has been considered by Planning Gain officials and it is recommended that a contribution is required towards the provision of affordable housing.
43. **CNPA Landscape Officer:** The Landscape Officer considers that the location of the proposed development is in keeping with the pattern of habitation within this landscape character area (Glen Beg to Dava Moor). In terms of the proposed siting, it is noted that the site is secluded and screened from the public road by the old railway embankment. As the development would sit on the site of the former building, there would be minimal alterations to ground levels, landforms or loss of trees.
44. In commenting on the design, the Landscape Officer notes that the scale and mass of the building relates well to others in the landscape character area. The proposed re-use of stone in the shelter walls is welcomed as reflecting the cultural tradition and continuity of habitation on the site. However, reference is also made to a number of minor concerns, including the proposed larch cladding being laid horizontally whereas the Speyside tradition is more traditionally laid vertically. It is also noted that while the form of the main part of the proposed new building is traditional, the flat roofed extension and the non-functional retained gable confuse the otherwise simple lines of the building. It is suggested that design amendments could address the concerns. Otherwise the development has the potential to have a positive impact on the local landscape character.

## REPRESENTATIONS

45. The development proposal was advertised in the Strathspey and Badenoch Herald on 18<sup>th</sup> April 2012. No representations have been received in respect of the development proposal.

## APPRAISAL

46. There are a number of issues to consider in the assessment of this proposal, including the acceptability of the principle of the development and its compliance with planning policy, and looking particularly at the case presented in relation to Policy 22 – Housing Development outside Settlements. Other issues to be considered include design, visual and landscape impact and potential impacts on existing trees in the vicinity.

### **Principle**

47. As referred to in paragraph 10, planning permission was previously granted for a dwelling house on the site, in accordance with the Badenoch and Strathspey Local Plan housing policy. The capacity of the site to accommodate a new dwelling house has been established in this now expired consent. However, given that the Cairngorms National Park Local Plan has since been adopted, it is necessary to revisit the principle of development in the context of currently applicable housing and other policies. The applicants' intention to retain the proposed new dwelling for use by relatives is genuine. The general site arrangements which include sharing the existing access and traversing close to the existing dwelling house and into the garden area in order to access the new dwelling, all suggest that a formal separate dwelling house and curtilage would present a complex arrangement, as well as potentially diminishing the residential amenity of the existing dwelling. Although intending to use the new structure as a form of ancillary accommodation, the VAT related reason for not wishing the new property to be formally linked to the main dwelling house is driven by practical cost issues and is similar to other cases which have been presented to the CNPA in the course of other planning applications.
48. Given the applicants wish to avoid the VAT implications that would arise from treating the new dwelling as ancillary accommodation, the only criteria of Policy 22 – housing development outside settlements, with which a proposal for a new house on the site would comply is if the proposal is considered as being on rural brownfield land. Brownfield land is defined in the Local Plan as “land which has previously been developed” and the term may cover vacant or derelict land, or land used by redundant or unused buildings. The history which has been provided of the bothy on the site, as detailed in paragraph 9 adequately demonstrates that the new dwelling is proposed on brownfield land. On that basis, the principle of a new dwelling house (and one which is unrestricted through any ties to the existing dwelling on the site) is acceptable.

### **Design**

49. The design of the proposed new dwelling house is detailed in paragraphs 3 -5 of the report. The design statement emphasises that the design has strong origins in the traditional longhouse concept. The proposed dwelling is relatively modest in scale, and the elongated single storey form i.e. the longhouse, when combined with the choice of external materials and window detailing, represents a contemporary take on a traditional concept. Efforts have also been made to recognise and preserve an element of the heritage of the former bothy, through the retention of a gable wall of the former structure as an independent feature at the entrance to the new dwelling.
50. The consultation response from the CNPA's Landscape Officer is generally positive towards the development proposal, considering it to be in keeping with the general pattern of development within this landscape character area. The scale and mass of the building is also generally welcomed, although some concern is raised about relatively minor elements, such as the proposed use of horizontal cladding instead of the more traditionally used vertical cladding, and the relationship of the flat roofed element with the retained 'non functional' gable bothy. The issues raised are minor in the overall context of design

considerations. They would not give rise to any significant adverse impacts on the visual amenity and landscape character of the area and are not such that the proposed development would be considered non compliant with Local Plan policies on Landscape (Policy 6) and Design Standards for Development (Policy 16). A range of energy efficient measures are also being incorporated into the new dwelling and this is a further demonstration of compliance with Policy 16 and with the requirements of the CNP's Sustainable Design Guide.

### **Forestry**

51. In reply to the points raised in the consultation response from Highland Council's Forestry Officer, including concerns regarding the impact of the new structure on the root protection area of existing trees, the agent has confirmed that "the dwelling can be constructed without impact on the root protection areas of the trees to the south and immediate east" and details of crown spreads etc. have been provided to support this. Details have also been provided of the protective measures that would be deployed during construction, including the use of hoarding type fencing and ground protection. It is also stated that hardstanding in the vicinity of the new dwelling would be permeable and the construction of this would only require a light scraping prior to matting and hard core being placed on top.
52. The Forestry Officer also raised concerns regarding the proposed proximity of the new dwelling house to a mature conifer plantation to the immediate west of the site. The plantation, which is part of a larger woodland area, is outside the boundaries of the subject site and also outwith the ownership and control of the applicant. The Forestry Officers suggestion of repositioning the house to achieve a greater separation distance from the forestry to the west of the site would unduly impact on the existing trees within the site. Potential changes to the orientation of the new dwelling would also be likely to have a negative impact on the property, resulting in a significant reduction in the level of sunlight afforded to the living areas. In addition, as noted in recent correspondence from the agent, the previous dwelling house which was permitted on the site would not have achieved the 15-20 metre separation distance which the Forestry Office is currently advocating to be achieved between the new structure and the existing trees outside the western site boundary. In balancing up all of those factors, the retention of the new dwelling in its currently proposed location is considered acceptable.

### **Conclusion**

53. The principle of a new dwelling house is acceptable at this location and complies with housing policies which permit such developments on brownfield sites. The case for considering the site as brownfield has been adequately demonstrated. The new structure has the potential to assimilate well into the landscape, with the proposed siting reflecting the general location of the former bothy and also being consistent with the pattern of existing development along this ridge above the former railway line.

## IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

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

54. The proposal for a new dwelling on the footprint of a former bothy, and which has substantially been designed to reflect traditional architectural heritage, with additional contemporary features, is not considered to raise issues in relation to cultural heritage.
55. The design and siting of the proposed dwelling is acceptable in landscape terms and adequate detail has been provided to confirm that the construction of the new property would not adversely impact on the crown spread or root protection areas of the most prominent trees existing on the site. Sufficient effort is being made in the proposal to conserve and enhance the natural heritage of the area.

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

56. Elements of the stonework from the former bothy are proposed for reuse on the site, as well as timber cladding being proposed as a feature of the external finishes. A range of energy efficient measures would also be incorporated. All of the foregoing can be considered to assist in achieving compliance with this aim.

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

57. The proposed development is of limited relevance to this aim. However, it has the potential to satisfactorily blend into its landscape setting and in this respect would not detract from the general public's enjoyment of the area.

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

58. The proposed dwelling would be used as accommodation for the applicants elderly parents and in this context, it could be considered to be of assistance to the social development of the area. In terms of economic development, the development of an additional dwelling house in a rural location has the potential to add to servicing costs for the local community in terms of services such as refuse collection, fire and health etc. and would tend to promote reliance upon the private car.

## RECOMMENDATION

That Members of the Committee support a recommendation to **GRANT** planning permission for the erection of a house on the footprint of the existing stone bothy at Edencoille, Grantown on Spey, subject to

- (a) the completion of a **Section 75 Planning Obligation** to secure the **payment of developer contributions towards affordable housing OR the payment of the required developer contributions in advance of the release of the decision notice;**

### **AND**

- (b) **subject to the following conditions :**

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

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

2. Prior to the commencement of above ground construction works, samples of window frames, roofing and all external wall materials shall be submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority. All agreed materials shall be utilised in the construction thereafter.

**Reason:** to ensure that the detailed finishing materials are appropriate for the building and its setting.

3. Prior to the commencement of development, a photographic record shall be made of the remains of the old building and / or other features affected by the proposed development, in accordance with Highland Council's specification (copy attached to decision notice), and shall thereafter be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in consultation with Highland Council's Archaeology Section. No site clearance work shall take place until confirmation in writing has been received from the CNPA as Planning Authority, that the record made has been lodged and is satisfactory.

**Reason:** to protect the historic interest of the site.

4. Prior to the commencement of development, a landscaping plan shall be submitted for the written approval of the Cairngorms National Park Authority acting as Planning Authority. The landscaping shall be implemented and maintained in accordance with the approved plan. The plan shall include details of finished levels, all trees to be retained (and all associated protective measures), and within areas of tree and shrub planting shall show the siting, numbers, species (which shall be appropriate to the rural setting) and heights (at the time of planting) of all trees, shrubs and hedges to be planted 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.

**Reason:** In the interests of protecting the visual amenity of the area and in order to enhance the natural heritage of the area.

5. All external timber cladding shall be applied vertically. For the avoidance of doubt the horizontal timber cladding shown on dwg. no's. ARC469-PL.04 (north and south elevations) and ARC469-PL.05 (east and west elevations) is not approved.

**Reason:** In the interests of maintaining the vernacular architectural traditions of the area.

6. Parking and manoeuvring space for at least 2 no. vehicles shall be provided within the immediate curtilage of the property such that each vehicle may enter and leave the site independently in forward gear.

**Reason:** in the interests of traffic safety.

7. All public services for the development, including electrical, cable television and telephone cables, shall be located underground throughout the site.

**Reason:** In the interests of minimising the visual impact of the development.

**Mary Grier**

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**10 July 2012**

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