
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: ANDREW TAIT, SENIOR PLANNING OFFICER
(DEVELOPMENT MANAGEMENT)

DEVELOPMENT PROPOSED: REPLACEMENT OF EXISTING DERELICT COTTAGE WITH ERECTION OF DWELLING AT EASTER TULLOCH COTTAGE, NETHYBRIDGE

REFERENCE: 2012/0018/DET

APPLICANT: MR P DE BEYER C/O CAMPBELL DOWNIE CONTRACTORS LTD

DATE CALLED-IN: 03 FEBRUARY 2012

RECOMMENDATION: APPROVAL

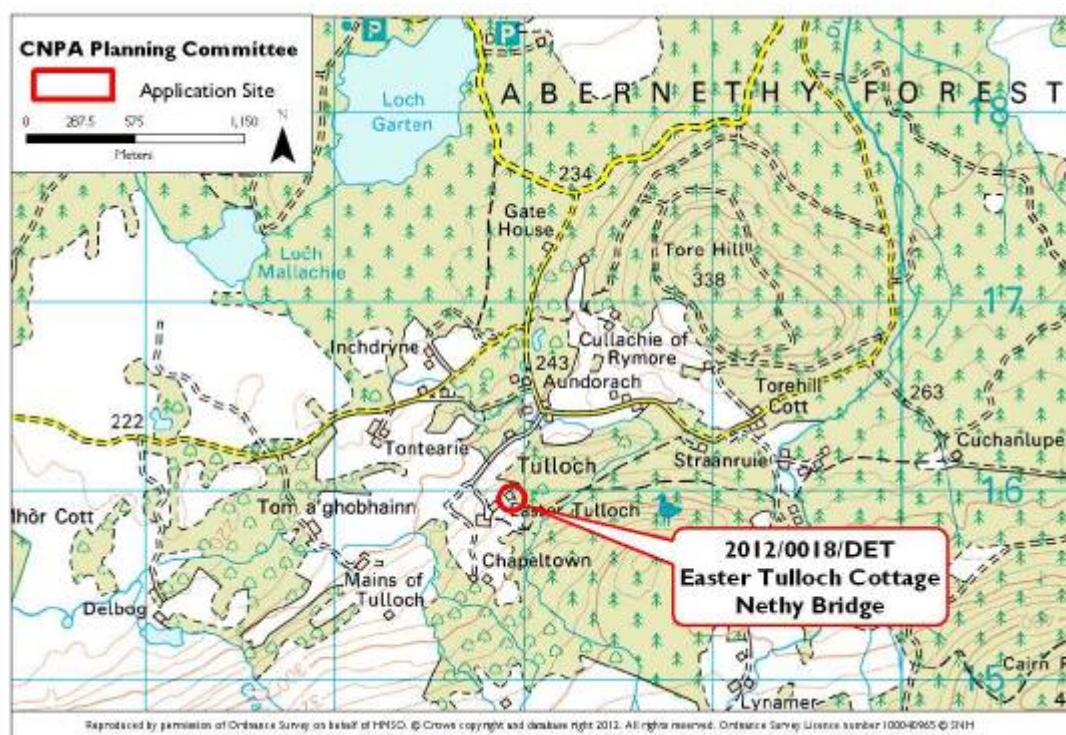


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The application site is located at Easter Tulloch near Nethy Bridge, in an elevated and open position close to an existing farm, the remainder of the area is made up by rough-grazing and woodland. The site comprises an existing traditional 19th century cottage which is in a semi-derelict state and which has been unsympathetically altered and extended, with the original stone northeast gable replaced with a rendered blockwork wall (see fig. 5) and a lean to porch. At the time of a site visit it was noted that a curtilage had been formed by post and wire fencing and the area surrounding the cottage has been scraped clear.



Fig. 2 – Site showing cottage to be replaced

2. This application originally sought planning permission to replace the existing 1.5 storey cottage (see fig. 2, 3, 4 & 5) with a new 1.5 storey modern dwellinghouse (see fig. 6 & 7). The existing cottage has solid natural stone walls, typically set out on large boulder footings and a corrugated iron roof. The original proposal cited the existing building, which has lain empty for a number of years as no longer in a habitable condition and unviable to retain and upgrade structurally.
3. The application proposed a replacement 3- bedroom house with a T-shaped footprint. It would be finished with a slate roof, natural stone (reclaimed from the existing cottage) and vertical larch timber cladding. The existing access would be retained and garden ground created alongside parking for up to 2 cars. Foul and surface water drainage would be via private septic tank and soakaway.
4. The original proposal was submitted with a structural survey indicating that it would be uneconomic to upgrade the house with extensive repairs and underpinning required. However, the existing house was considered to have some cultural heritage merit and negotiations have taken place with the applicant and agent to produce a proposal that retains the existing house while providing, in effect a replacement on the site. The proposal is now for a three bedroom dwelling based upon a single storey 'L' shaped footprint, materials being a slate roof with natural stone and timber walls (see figs 8 & 9).



Fig. 3 - Various perspectives of the existing house



Fig. 4 & 5 – Various perspectives of the existing house (cont.)



Fig. 6 & 7 – Original replacement house elevations and siting



Fig. 8 & 9 Revised proposals showing old house retained

DEVELOPMENT PLAN CONTEXT

- Part 2, Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, requires that planning

applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan covering the application site comprises the Highland Structure Plan 2001 and the Cairngorms National Park Local Plan 2010. The National Park Plan is also a material consideration.

National policy

6. **Scottish Planning Policy 2010** is the statement of the Scottish Government's policy for the land use planning system, supporting the central purpose of increasing sustainable economic growth. All new development should respond to the specific local character of the location, fit into the landscape and seek to achieve high design and environmental standards.
7. As a replacement for a variety of previous planning policy documents the new **SPP** includes 'subject policies', of which many are applicable to the proposed development. Topics include Rural Development and Landscape and Natural Heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
8. *Rural Development*: States that opportunity to build individually designed houses and to provide limited new housing along with converted rehabilitated buildings should be supported where possible. All new development should respond to the specific local character of the location, fit in the landscape and seek to achieve high design and environmental standards.
9. *Landscape and Natural Heritage*: Planning authorities are encouraged to take a broader approach to landscape and natural heritage than just conserving designated or protected areas and species. It is recognised in the SPP that the landscape in the countryside and in urban areas 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 local landscape character.
10. **SPP** 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." Planning authorities are required to be clear about the standard of development that is required. Quality of place not only refers to buildings, but also how the buildings work together as well as the relationships between buildings and spaces. Design is highlighted as an important consideration and planning permission may be refused solely on design grounds.¹ Finally it is stated that the planning system should be "judged by the extent to which it maintains and creates places where people want to live, work and spend time."

Strategic Policy

¹ Para. 256.

Cairngorms National Park Partnership Plan (2012-2017)

11. The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. Three long term outcomes address the interaction of three characteristics of the National Park recognising that: the Park is an internationally important area for nature conservation; the CNP is a fragile rural economy, and; the CNP is an internationally known tourism destination.

Structure Plan Highland Structure Plan 2001

12. 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.
13. **Policy L4 Landscape Character**, states that the Council will in the consideration of development proposals have regard to the desirability of maintaining and enhancing present landscape character.
14. **Policy G2 (Design for Sustainability)** sets out certain criteria against which proposed developments will be assessed. These include the extent to which they demonstrate sensitive siting and high quality design in keeping with the local character and historic and natural environment.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

15. **Policy 6 Landscape** states a presumption against any development that does not complement and enhance the landscape character of the Park.
16. **Policy 11 The Local and Wider Cultural Heritage of the Park** development should protect, conserve and enhance the cultural heritage of the area.
17. **Policy 16 Design Standards for Development** requires that all development minimises the effects of climate change, reflects the local vernacular and uses materials and landscaping that compliments its setting.
18. **Policy 23 Replacement Houses** the principle of replacement houses is acceptable providing it can be demonstrated that the house is (a) structurally unsound or incapable of rehabilitation, (b) not listed, (c) located on the existing footprint (unless a suitable alternative site was more likely to minimise any environmental effects of the development, and (d) has been vacant for at least 10 years.

19. **Policy 27 Conversion and Reuse of existing traditional and vernacular buildings** allows for the sympathetic and sensitive reuse of buildings.

Supplementary Planning Guidance

20. The **Sustainable Design Guide** requires development in the National Park to be well designed, sustainable and wedded to its location in this special place. It requires the design of all development to minimise the effect of the development on climate change; reflect and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and use of materials; and demonstrate sustainable use of resources. It requires a Sustainability Statement to be submitted. This statement demonstrates that energy efficiency, passive solar gain and a ground source heat pump would be used. Timber and other materials would be sourced locally and felled trees from the site have already been cut by a mobile mill for use in the construction.
21. **Conversion and Reuse of existing traditional and vernacular buildings SPG** allows for the sympathetic and innovative reuse of buildings including residential buildings that conserves and enhances them.

CONSULTATIONS

22. **Nethy Bridge Community Council** has no objection to the application.
23. **Highland Council Roads** has no objections and requires conditions for visibility splays, car parking provision and bin stores.
24. **Highland Council Archaeology** notes that the proposed development will involve the demolition of a traditional cottage, first depicted on the 1st edition OS map c 1874. The house is of local interest therefore if it is to be demolished a photographic record should be made of the house.
25. **CNPA Ecologist** notes that a bat survey is not required. It is unlikely that the demolition of the existing croft house would have an impact on bats.
26. **Planning Gain** requires the standard affordable housing contribution for single houses.

REPRESENTATIONS

27. The application was advertised in the *Badenoch and Strathspey* on 25 January 2012. No representations have been received.

APPRAISAL

28. In determining this planning application regard is to be had to the development plan and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The main considerations are the suitability of the proposed development in terms of fulfilling the replacement house policy requirements, its siting and design, and the impact of the

development on the character and visual amenity of the immediate area and the wider National Park.

Principle of Development

29. The proposal has been submitted on the basis that it is a replacement house for the semi-derelict cottage. The criteria to fulfil this are set out in Policy 23 Replacement Houses which states that the principle of replacement houses is acceptable providing it can be demonstrated that the house has been vacant for at least 10 years, is structurally unsound or incapable of rehabilitation and located on the existing footprint (unless a suitable alternative site is more likely to minimise any environmental effects of the development).
30. The existing cottage, despite the unsympathetic alterations appears structurally sound and is considered to reflect the vernacular architecture of the area. Highland Council Archaeology point out that the cottage is on the 1874 OS map and is of local interest. The original proposal involved the demolition of the cottage, while the proposal meets the criteria of the replacement policy in terms of being vacant for 10 years and not listed, an argument was being made that the old house was uneconomic to retain rather than it not being capable of rehabilitation for structural reasons. Negotiations have taken place that have resulted in a proposal for a single storey 'L' shaped steading which includes the retention of the original house as an outbuilding to be used for ancillary accommodation. This approach is similar to that taken recently with a replacement house on Deeside and is considered to accord with Policy 23 in replacing the existing use rights of the house with those of a new house, while retaining the old cottage because of its cultural merit.

Location, siting and design

31. It is considered that the proposed development is appropriately sited and would comply with Policy 6 - Landscape which states a presumption against any development that does not complement and enhance the landscape character of the Park. The revised submission reduces the bulk and scale of the building and reflects a steading type development that is reasonably typical of the area. Traditional materials would be used with a slate roof and walls in a combination of natural stone and vertical larch boarding. Windows and doors would be timber. Overall, the design is viewed positively and with the retention of the old cottage a sheltered courtyard will be created. The proposal is considered to comply with Policy 16 Design Standards.

Technical Issues

32. There are no significant technical issues, Highland Council roads have asked for visibility splays at the junction of the public road with the access track. However, the ground required is not understood to be in the control of the applicant and given the proposal still results in a single residential use at the site such conditions are not considered to be justified in this instance.

Conclusion

33. While concerns were originally expressed about the loss of the cottage and some more limited concerns about the bulk of the original proposed house positive negotiations have taken place and a solution has been found where in effect a replacement house can be provided at the site while the old cottage is retained for its cultural heritage merit. There is no hesitation in recommending approval.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

34. The proposal results in the retention of the existing cottage while providing a new house at the site which is appropriate in scale and form to the local character of the area.

Promote Sustainable Use of Natural Resources

35. It is not known whether all the materials would be sourced locally; however timber cladding and reclaimed natural stone are recognised to be sustainable building materials. The building would be highly insulated.

Promote Understanding and Enjoyment of the Area

36. The proposal has little relevance to this aim.

Promote Sustainable Economic and Social Development of the Area

37. The proposal would provide an additional house. This should be provided in a planned manner in accordance with development plan policies.

RECOMMENDATION

38. That Members of the Committee support a recommendation to **GRANT** planning permission for erection of replacement dwellinghouse at Easter Tulloch Cottage, Nethy Bridge subject to:
- A. Planning contribution toward affordable housing;
 - B. The following conditions:
 - I. The development to which this permission relates must be begun within three years from the date of this permission.

Reason: To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006.

2. Exact details, specifications and colours of all proposed external finishing materials (including roofing and window materials, natural stone and timber linings) shall be submitted for the further written approval of the CNPA acting as Planning Authority before any work commences on site.

Reason: In order to ensure that the materials are appropriate to the character of the building.

3. The existing dwelling indicated on Drawing Site Plan "Planning Revision CNPA" shall be retained and used only as ancillary accommodation in connection with the residential use of the new proposed dwelling indicated on the same plan.

Reason: To ensure that the building is retained and protected during construction but not used as a separate dwelling.

4. Prior to the commencement of development a statement shall be submitted to the CNPA acting as Planning Authority setting out how the old cottage will be protected on site during construction and how the cottage shall be repaired and maintained thereafter. Any works shall be carried out in accordance with the statement.

Reason: To ensure that the old house is protected during construction and is maintained into the future in the interests of conserving cultural heritage.

5. Prior to the commencement of the development a landscaping plan shall be submitted to and approved by the CNPA acting as planning authority. The plan shall include details of:
 - All existing trees/ landscape features to be retained, and;
 - Proposals for all soft and hard landscaping and details of additional tree species to be planted that are appropriate to the area.Landscaping shall be completed in the first planting season following the completion of the development unless otherwise agreed by the CNPA acting as planning authority.

Reason: To help assimilate the development into the surrounding landscape.

6. Prior to any other work starting in connection with the proposed development, unless otherwise agreed the works listed in the following paragraphs shall be completed and approved by the CNPA acting as Planning Authority in consultation with the Roads Authority.
 - (b) Parking and manoeuvring space for at least 2no. Cars shall be provided within the curtilage of the property such that all vehicles may enter and leave the public road in forward gear.
 - (e) Any gates provided shall open into the property only.

- (f) Suitable bin storage areas shall be provided close to the public road, sufficient for 3 standard wheeled bins.
- (h) Prior to any work of excavation or surfacing starting within 2 metres of the public road edge a road opening permit shall have been obtained from the Roads Authority.

Andrew Tait

10 July 2012

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.