
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: ANDREW TAIT, PLANNING OFFICER (DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: ERECTION OF NEW DWELLINGHOUSE, AT SITE ADJACENT TO NEWE AVENUE, NEWE, STRATHDON (OUTLINE PLANNING PERMISSION)

REFERENCE: 05/321/CP

APPLICANT: CANDACRAIG TRUST, PER ROBB KIER DESIGN, BRIGEND, BRIDGEVIEW ROAD, ABOYNE, AB34 5HB

DATE CALLED-IN: 31st JULY, 2005

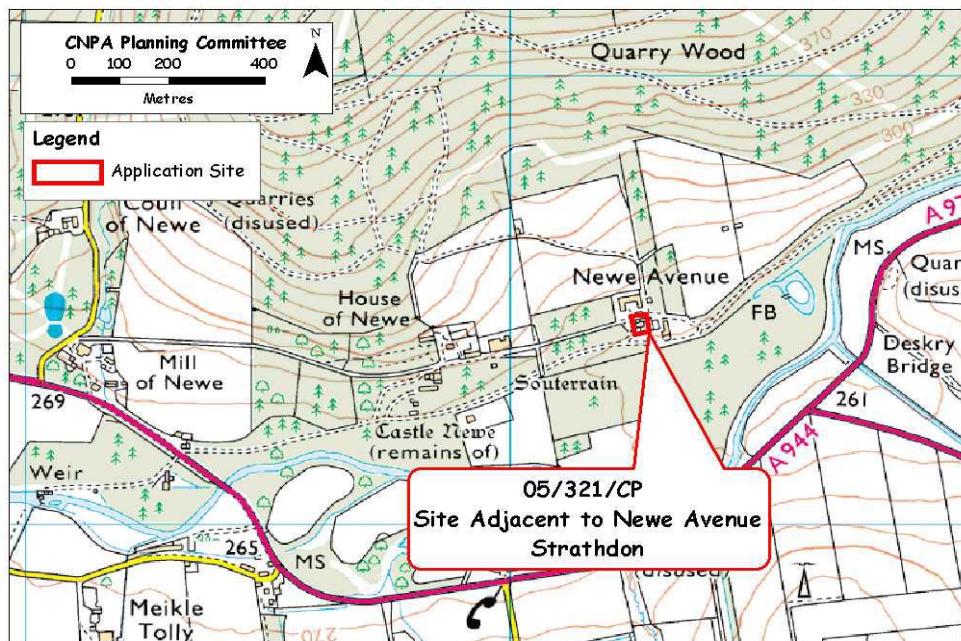


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This outline application is for the erection of a house on an area of vacant ground, close to other buildings. To the west there is a pair of empty semi-detached houses, and to the north are former agricultural steadings, now converted to two dwellings. To the north-east is another small detached house and to the east is the driveway to a larger one and a half storey house positioned to the south east of the application site. The application site lies within a grouping of existing houses. There are trees in the vicinity of the site, but no trees are affected by the development.



Fig. 2 Application site immediately to left of existing semi detached houses to be redeveloped as 2 detached.

2. The garden area for the nearest of the semidetached properties is to be moved to enlarge the garden for that property. The southern boundary of the application site is an existing dyke and fence, and a new timber boundary fence would be erected on the east side of the new house site. Access would be via an existing roadway to the present houses from the A944 at Mill of Newe, and the applicant's agent has indicated that he would be willing to put in place 4 passing places along the road, increasing safety for the road users. Drainage has been proposed as a treatment plant discharging to a watercourse, with surface water also going to the burn. New treatment plants are proposed for the adjacent semi-detached properties - proposed to be redeveloped as 2 detached houses (APP/2005/2478 being dealt with by Aberdeenshire Council) -

and their combined discharges are proposed to use a single pipe to the watercourse. It is understood that the application for the re-building of the two detached houses is about to be granted planning permission by Aberdeenshire Council.

3. The application is for outline planning permission, but the application plans also indicate a one and a half storey house, L-shaped, with a slated roof and roughcast walls.

DEVELOPMENT PLAN CONTEXT

4. **The Aberdeen and Aberdeenshire Structure Plan (NEST) 2001-2016, Policy 12, House Building in the Countryside**, states that there will be a presumption against new houses except for a new house which is essential to the efficient operation of an enterprise which is itself appropriate to the countryside. In the Rural Housing Market Area, there is an exception which supports the erection of a single new house within an existing cohesive group of at least five houses, where the development provides a material improvement to local public infrastructure and which is accessible to local services by public transport, foot or bicycle. Any development must be of the highest quality particularly in terms of siting, scale, design and materials. In **Policy 21, Design**, the Plan seeks an improvement in the general standard of design through (amongst other issues) the promotion of energy efficient designs, thermally efficient designs, and the use of sustainable materials.
5. **In the Finalised Aberdeenshire Local Plan** there are a number of relevant planning policies. **Policy HOU4 New Housing in the Countryside** states that the erection of a single new house in the Countryside will be approved, in principle, if a) it is for a full time worker in an enterprise which itself is appropriate to the Countryside; b) the presence of that worker on-site is essential to the efficient operation of the enterprise; c) there is no suitable alternative to a new house e.g. through conversion of an existing building or properties for sale or rent in the area, which could fulfil the required function; d) the proposed house is within the immediate vicinity of the worker's place of employment; AND e) it conforms with Appendix 1 (the Design of new development in Aberdeenshire). In the Case of a site in the Rural Housing Market Area part of the countryside, the site should as well as being within an existing cohesive group of at least 5 houses, the site should be accessible to local services by public transport, foot or bicycle, and the development should provide a material improvement to local public infrastructure. Any suitable development within this exception should conform to Appendix 2 which sets out guidance on the implementation of the policy criteria.

6. The site lies within an **Area of Landscape Significance – Policy ENV5**. Development within such an Area will not be permitted where its scale, location or design will detract from the quality or character of the landscape, either in part or as a whole. Where acceptable in principle, development must conform to Appendix 1 and Appendix 5 (Landscape Design Guidance). In all cases the highest standards of design, in terms of location, scale, siting, aesthetics and landscaping, will be required.
7. Other policies include **INF4 Drainage and Water standards** – to ensure the adequacy of drainage facilities, and water supply; **GEN1 Sustainability Principles** to ensure all new development is as sustainable as possible and that developers give increasing consideration to sustainability aspirations in their proposals; **GEN2 The Layout, Siting and Design of new Development**, to achieve high quality new development particularly of buildings, which respects the environment and provides a sense of place.
8. The **Preliminary Draft for Consultation of the Cairngorms National Park Local Plan** is about to be published. The starting point for the plan is 3 general policy areas from 1-3 with ascending importance in terms of site sensitivity. General Policy 1 relates to areas that are not identified by policy areas 2 and 3. Policy Area 2 relates to a range of features including Sites of Special Scientific Interest, National Nature Reserves and National Scenic Areas. General Policy Area 3 relates to areas that are particularly sensitive in environmental terms such as SAC's (Special Areas of Conservation) and SPA's (Special Protection Areas).
9. The site is located in 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.
10. **Policy 38 Proposals for Housing Outwith Defined Settlements** considers that outwith established settlement boundaries proposals for new houses will be favourably considered where the proposal complies with at least one of the following:
 - the applicant has lived and/or worked in the area for at least 3 years, and are currently un-/inadequately housed. Proof of residency and or work status will be required.
 - the proposal can be justified to house workers of long-term economic activity, which is specific to that locality, with a fully reasoned case why housing elsewhere is not suitable. Permission shall be restricted by a Section 75 Planning Agreement/occupancy condition to remain as essential worker housing in perpetuity, or resort to an agreed tenure of affordable housing where the employment use is no longer required.
 - the proposal is for a new house, which will be linked by a Section 75 Agreement to the active management of a crofting/agricultural unit, or other land based industry that requires to be based in that locality.

CONSULTATIONS

11. **SEPA** note that the application is supported by an assessment of the suitability of ground conditions for soakaways. The results indicate that the sub soils at the site are unsuitable for soakaways. SEPA have no objection to a private treatment system with discharge into the burn. A range of regulations is suggested that the system would have to comply with. SEPA consent to discharge would also be required.
12. The **Aberdeenshire Council's Roads** has no comment to make on the application. **Aberdeenshire Council Planning Officers** consider that the proposal complies with planning policy.

REPRESENTATIONS

13. A letter from the Candacraig Trust setting down the benefits of the proposal is attached at the back of the report.

APPRAISAL

14. For this development the main issue is the principle of a new house in the countryside. Statutory planning policy for single new houses in the countryside normally indicates a refusal unless it can be demonstrated that there is a specific need associated with the site, for example for an agricultural worker. No need case has been put forward for this new house. In the Structure Plan there is the exception in the Rural Housing Market Area for one house within an existing group of at least 5 houses.
15. The application site has 5 other houses around it to the west, north and east sides, and so in principle the policy can be met. The Local Plan (in Appendix 2) however does specify that some other criteria should be satisfied in order for a favourable decision to be made. The most relevant of these criteria are the positioning of the site 'within' the cohesive group, the design of the building to be in character with its locality, and not adversely impacting on existing landscape features. The site should be within 5km. of a defined settlement, be within 1km. of a major communications and development corridor or a daily timetabled bus route. There should also be a material improvement to the local public infrastructure (local drainage provision, access to the public road, pedestrian or cyclist improvements, provision of a bus shelter, passing places, grit boxes, or a waste management facility). Applicants are encouraged to seek the views of the existing local residents to help to determine which are most needed, and a statement should be submitted to demonstrate the local consultation, the outcome, and the means of implementing (demonstrating the means of securing the improvement).

16. The site is in a position that is 'within' a cohesive group, and the indicative design proposed is the same as the 2 new properties to be erected on the site of the semi-detached houses adjacent. The indicative design is a 'traditionally' proportioned one and a half storey house that would be appropriate to the area, and in scale with other properties in the locality (this is controlled by condition). The group of houses is within 5 km. of Bellabeg/Strathdon and within 1km. of a timetabled bus route. A letter has been provided setting down the benefits and those that would benefit from the passing places proposed and a map showing the location of 4 passing places has been provided. These benefits can be secured by planning condition. The provision of passing places on the private access road taking access to the public road would fit the policy guidance in terms of infrastructure improvement and this was clearly apparent from my site visit.

17. In terms of the Cairngorms Preliminary Draft Local Plan. The site is located within a General policy 1 area that in broad terms is the least sensitive area in environmental terms. Policy 38 of the draft places more of an emphasis upon the local economic contribution that a new dwelling would make in an area outwith defined settlements and also suggests that conditions/Section 75 Agreements should be used to ensure that the ownership of the dwelling remains with a person engaged in long term economic activity in that locality. While accepting this emphasis, in my view the development of the plan is at such an early stage that it would not be justifiable to adopt such an approach with this application. However, as the plan gathers momentum and support through further consultation more emphasis could be placed upon this approach.

18. Overall the development is acceptable, subject to a number of conditions on design, and the timeous provision of the passing places. It is important to ensure that the passing places are provided prior to the development of this site, as there will be increased traffic to this small group of properties during the construction phase. In addition, dykes or hedges should define the garden boundaries, which would be more appropriate than 'suburban' timber fencing.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

19. Using a vacant site within a small grouping of other properties would have minimal impact on either the natural or cultural heritage of the area. The site has no significant natural features that would be affected, nor would the development of this site affect the setting of any important architectural or historic buildings. The site is visually well screened from surrounding areas.

Promote Sustainable Use of Natural Resources

20. There are no firm details on the development at this (outline) stage, however indicative details suggest a traditional approach.

Promote Understanding and Enjoyment of the Area

21. Not directly applicable to this development.

Promote Sustainable Economic and Social Development of the Area

22. Another, potentially family, home in this small grouping of houses could be of benefit to the local community, especially if it were to be for full-time occupation for a person or persons employed locally. Sporadic housing in the remoter countryside could be difficult and more expensive to service, than if located in existing settlements, or small clusters such as this one.

RECOMMENDATION

23. That Members of the Committee support a recommendation to:
GRANT Outline Planning Permission for a new dwellinghouse on land adjacent to Newe Avenue, Newe, Strathdon, 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, means of enclosure 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. Any reserved matters application shall indicate a dwelling designed in a traditional manner not exceeding one and a half storeys in height, materials shall include timber windows natural slate for the roof.

3. That prior to the commencement of any development on this site, the 4 passing places shown on the plan submitted to the Cairngorms National Park Authority on 28 September 2005 shall be laid out and constructed to an agreed specification, to the satisfaction of the Planning Authority
4. That prior to the commencement of development, a landscaping plan which provides for tree planting, and stone dyking/hedge planting along the west, south and east boundaries of the application site, shall be submitted for the consideration and written approval of the Planning Authority. All planting shall be implemented in the first planting season following the completion of the development, to the satisfaction of the Planning Authority.

ADVICE NOTE

Your attention is drawn to the attached response from SEPA.

Andrew Tait

17 October 2005

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