
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(DEVELOPMENT MANAGEMENT)

DEVELOPMENT PROPOSED: ERECTION OF REPLACEMENT DWELLINGHOUSE AT GLASCORRIE, CAMBUS O' MAY BALLATER

REFERENCE: 2012/0102/DET

APPLICANT: MR N. WILLIAMS C/O INSPIRED DESIGN & DEVELOPMENT LTD

DATE CALLED-IN: 13 APRIL 2012

RECOMMENDATION: APPROVAL

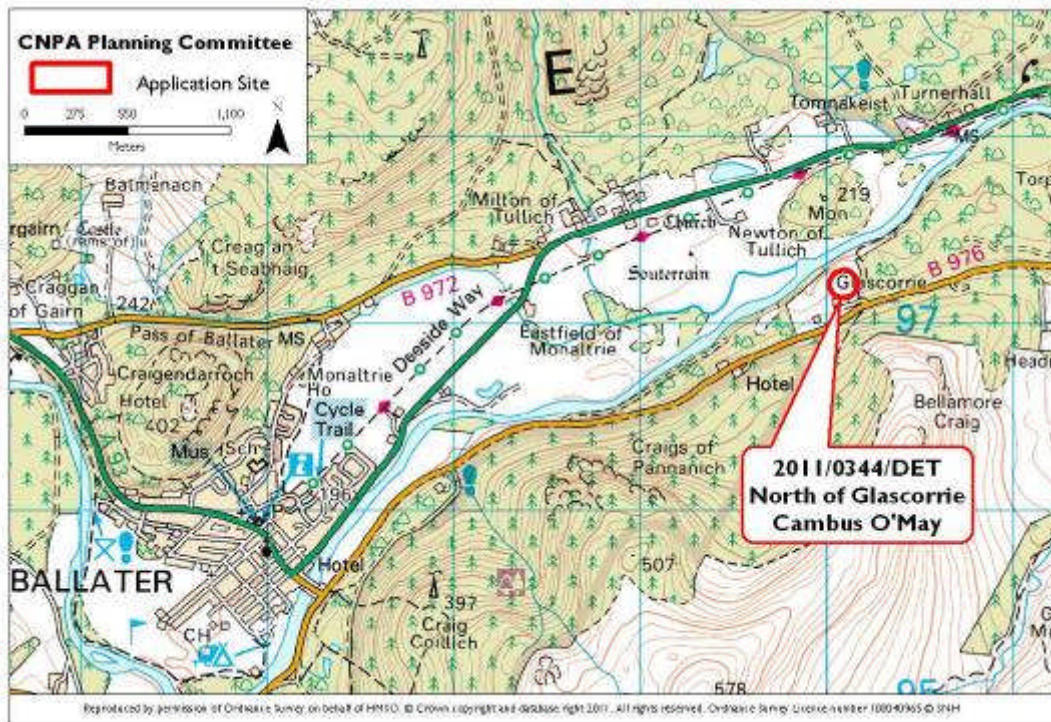


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The application site comprises an area of rough grassland at Glascorrie Croft some 4km east of Ballater, by the B976 South Deeside Road. Two dwellings (see fig.2) are located within the designated smallholding, including a modernised 1.5 storey detached house alongside a more traditional 19th century croft house and outbuilding (note both houses are owned by the applicant, only the latter of which is related to this application). The croft extends to 10.56 hectares and comprises rough grazing, on sloping and undulating land above the River Dee.

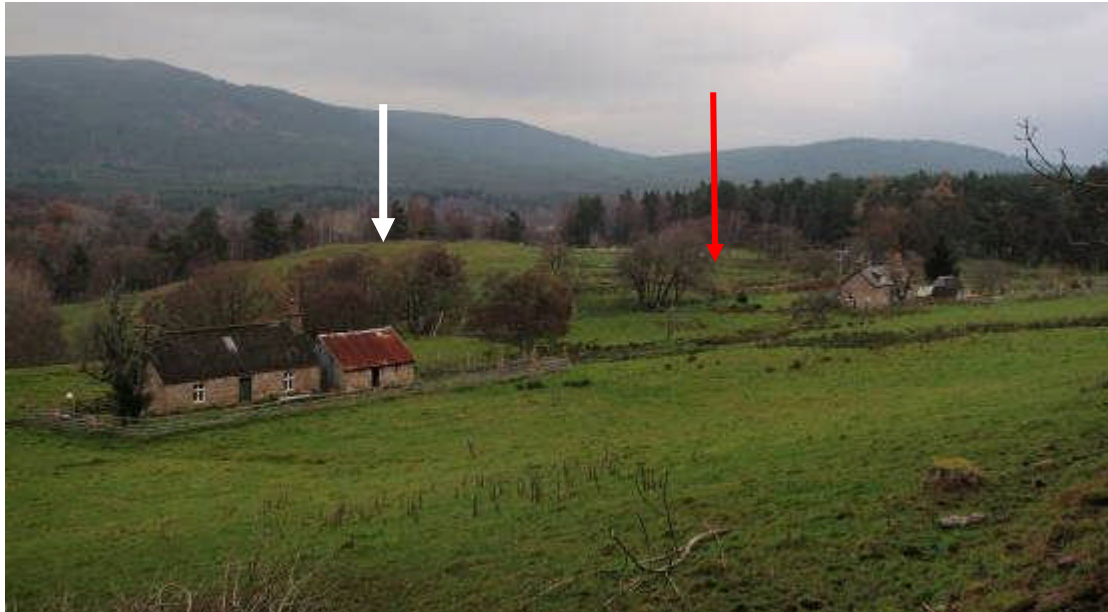


Fig. 2 – Site from South Deeside Road showing traditional croft house (foreground) with refused site (white arrow) new house site indicated (red arrow)

2. A section of Core Path UDE59 Dalmochie to Dinnet runs around the periphery of the holding above the River Dee.
3. This application seeks planning permission to replace the existing traditional but vacant croft house (see fig. 3, 4 & 5) with a new single storey dwellinghouse approx 100 metres to the northeast (see fig. 8&9). The applicant cites the existing building, which has lain empty for over 30 years (apart from being occasionally utilised as a bothy for scout camps) as no longer in a habitable condition and structurally 'uneconomical' to retain and upgrade.
4. The Planning Committee will recall refusing an application in February (CNPA Ref 2011/0344/DET) at this site for the replacement of the croft house with a bungalow on a prominent site approximately 250 metres to the north east of the croft house (see figs 6 & 7). While the Committee gave a clear steer that a replacement house would be acceptable there was also a desire to see radical changes to the siting and design of the house. Concern was also expressed at the loss of the traditional croft house. The Committee asked officers to seek a negotiated solution to the siting and design of the proposed house. The application has been re-submitted based upon a new house of an improved design closer to the croft house, and a neighbouring house also owned by the

applicant. The application is accompanied by a supplementary report (cost extract at back of report) and supporting letter. The application proposes a new house designed in a staggered 'H' shape with a kitchen/laundry linking the two wings. One wing contains a lounge, bedroom, dining area and art studio, the other wing houses guest bedrooms and a guest dining room as the house is to include a bed and breakfast business. The supporting letter is attached at the back of the report setting out the case for the application with the business element of letting out three rooms for B & B purposes. The letter comments that the location being adjacent to the core path makes it ideal for guest accommodation the income from which supplement the income from farm activities at the site. The house also contains an art studio.

5. The proposed house can be seen at figures 8 & 9. The house is designed with two wings of narrow plan form with gable chimneys and overhanging eaves and finished in a range of materials including a slate roof with a combination of timber and render for the walls. The elevation facing towards the road would have a natural stone panel to reflect the existing stone structures that are viewed from the South Deeside Road. A double garage is sited adjacent to the house and would be finished in vertical timber boarding with a red corrugated 'tin' style roof. Foul and surface water drainage would be via private septic tank and soakaways.



Fig. 3, 4 & 5 – Various perspectives of the existing house proposed to be retained as a store by this application.



Fig. 6 & 7 – Previous application refused in February 2012



Figure. 8 Current proposal site and existing cottage

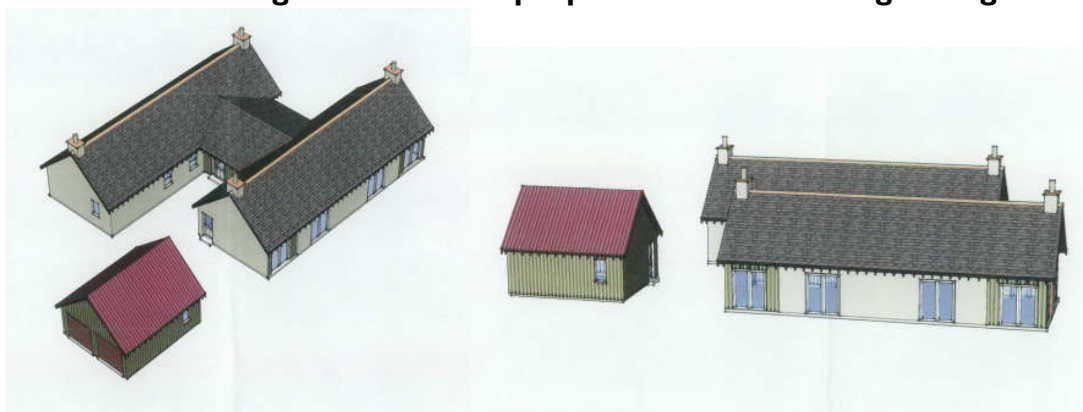


Figure. 9- Elevations of proposed house

DEVELOPMENT PLAN CONTEXT

6. 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 Aberdeen & Aberdeenshire Structure Plan (NEST) 2001 and the Cairngorms National Park Local Plan 2010. The National Park Plan is also a material consideration.

National policy

7. **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.
8. 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.
9. 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.
10. 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.
11. **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 Cairngorms National Park Plan (2007)

12. **The Strategic Objectives for Landscape, Built and Historic Environment include;** ensuring that development complements and enhances the landscape character of the Park; and new developments within settlements and surrounding areas complement and enhance the character, pattern and local identity of the built and historic environment.

Aberdeen & Aberdeenshire Structure Plan (NEST) Structure Plan 2001

13. **Policy 11 General Housing Considerations** requires that developments are well sited and properly designed to fit their surroundings.
14. **Policy 12 House Building in the Countryside** allows for house building when it is associated with the rehabilitation of an existing house and the development is of the highest quality in terms of siting, scale, design and materials.
15. **Policy 21 Design** seeks a constant improvement in the general standards of design.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

16. The CNP Local Plan is now the Local Plan used in the determination of planning applications in the National Park.
17. **Policy 6 Landscape** states a presumption against any development that does not complement and enhance the landscape character of the Park.
18. **Policy 11 The Local and Wider Cultural Heritage of the Park** development should protect, conserve and enhance the cultural heritage of the area.
19. **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.
20. **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

¹ Para. 256.

environmental effects of the development, and (d) has been vacant for at least 10 years. Para 4.67 on the implementation of the policy considers that conditions will normally be used to ensure the demolition of the existing house prior to the occupation of the new house, unless the redundant building is to be used as part of the redevelopment scheme, or holds significant cultural heritage merit.

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

Supplementary Planning Guidance

22. 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. A part of the supporting statement for the application noting that the design incorporates high levels of insulation, use of wood burning stoves with back boilers which feed an accumulator tank, serving the hot water supply and under floor heating.
23. **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

24. **Ballater and Vicinity Community Council** consider that the visual impact would be ameliorated if the garage roof were some colour other than red. With regard to the existing house the Community Council ask has the applicant agreed to carrying out basic maintenance of the building to ensure that the structure is kept serviceable as a store. The Community Council ask is this commitment to be policed, monitored and maintained in perpetuity in a sustainable manner.
25. **Aberdeenshire Council Roads** has no objections and requires conditions for visibility splays, car parking provision and turning area.
26. **Aberdeenshire Council Built Heritage Unit** note that the croft house is an example of a strong vernacular style associated with Deeside and the National Park. The built heritage unit comment that overall the numbers of surviving examples cannot be very significant.
27. **Aberdeenshire Council Archaeology** recommend a photographic survey condition be supplied for the site which is part of a former 19th century village.

28. **Aberdeenshire Council Environmental Health** note that the private water supply for Glascorrie has recently been upgraded and have no objection to the proposal.
29. **Aberdeenshire Council Planning Gain Service** has indicated a planning gain contribution towards affordable housing and secondary education.
30. **SNH** has no comment noting that now the croft house is to be retained there is no requirement for a bat survey.
31. **The CNPA Landscape Officer** considers that the house as now proposed would complement and potentially enhance the character of the Glascorrie clearing. Minor amendments to the design and landscaping proposals that build on the local character and construction details will secure that enhancement. Timber cladding on the south facing side of the southern wing to be extended to give a more balanced appearance to this elevation. Landscaping plan to be submitted for the approval of the CNPA.

REPRESENTATIONS

32. No representations have been received on this application.

APPRAISAL

33. 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 principle of the proposed development in terms of fulfilling the replacement house policy requirements, its location, 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

34. The site is located in a countryside area some way outside Ballater, at Glascorrie Croft alongside the B976. The proposal has been submitted on the basis that it is for a replacement house for the unoccupied croft house. The criteria to fulfil this, is 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).
35. Members will recall that the earlier application was refused because of concerns under the replacement policy. The Committee were also concerned about the loss of the traditional croft house at the site, and its replacement with a bungalow on a more prominent site some distance from the existing house. The current proposal is for a much better designed replacement house. Policy

23 requires that the house to be replaced is demonstrated to be structurally unsound or incapable of rehabilitation. A report on the suitability of the house for re-development has been submitted. As before the report does not provide evidence that the house is structurally unsound but points out significant costs of re-development that would be well in excess of 120k greater to rehabilitate the building rather than replace it. From the details provided together with an inspection of the site it is also clear that a significant extension would be required for the building as the first floor (as it stands at current floor level) could not be sensibly used as accommodation without raising the roof. The report also points out that a range of remedial measures including underpinning would be required. Essentially, an economic case is made in response to why the building cannot be sensibly rehabilitated. The policy is not explicit on whether an economic case equates to a dwelling being incapable of rehabilitation. However, in all practicality economic costs could be a factor in the consideration of whether a house can be rehabilitated. In addition, the physical changes that may be required to allow an upgrade of the building would be likely to be significant and potentially threatening to the architectural value of the building and its contribution to the local and wider cultural heritage. Regardless of the economic argument a key thrust of the policy is to protect traditional houses from replacement if they are of cultural heritage value, this is achieved here by the retention of the old house as a store as part of the redevelopment of the site. The case is also made that the existing croft house suffers from lack of direct sunlight to benefit from solar gain, the position of the new dwelling improves the degree of solar gain. However, this would not alone justify the replacement of the existing house with one in a sunnier position.

36. Crucially, in relation to the principle of the development this proposal retains the existing house but offers the extinguishment of the use rights of the house in exchange for a new house nearby. The background to Policy 23 Replacement Houses at para 4.67 of the CNP Local Plan holds that any house will normally be demolished as part of the replacement process. However, if the redundant building is to be used as part of the redevelopment scheme, or holds significant cultural heritage merit then it could be retained. In this instance, the building is to be retained as a store and given the view of Aberdeenshire Council Built Heritage Unit the building is considered as a strong example of the vernacular architecture of the area and is not without significant merit. The building is also characteristic of the linear development of the area. A planning condition will effectively extinguish the use rights of the croft house as a dwelling. This solution results in a new dwelling for the applicant while retaining the croft house but not as a dwelling, effectively replacing the use rights of the existing traditional house with the new house.
37. While not objecting to the proposal the Community Council question how the future maintenance of the croft house as a store will be ensured. It would be onerous to impose any stringent long term requirement for the maintenance of the croft house. However, as part of the background to the application some works are proposed to make the croft house wind and watertight to enable its future use as a store. A planning condition requests details of these works and also requests a statement on how the building would be maintained.

Location, siting and design

38. The immediate area of Glascorrie Croft is one characterised by open undulating farmland, broken enclosures and sparse settlement, all within significant woodlands. The buildings, both standing and historical remains, are located along the line of a former drove road running parallel with the B976. The traditional character associated with the building pattern provides for a sensitive relationship with the surrounding countryside, contributing significantly to its setting alongside a popular tourist route. The previous replacement proposal involved a modern kit style bungalow design on what in landscape terms was a prominent site (see figs 6 & 7). Since the Planning Committee refused that application much detailed negotiation has taken place between CNPA Officers and the applicant. This has resulted in a site for the new house which while not immediately adjacent to the old house has a much better relationship with the existing croft house and the other house in the applicant's ownership, is parallel with the existing houses reducing significantly any landscape and visual impact when compared with the previous proposal.
39. As with location and siting, significant design negotiations have been carried out between CNPA Officers and the applicant resulting in a single storey 'H' shaped house (see figs 8 & 9) with two wings of a narrow plan form. One wing will contain accommodation for the applicant, the other to be used for bed and breakfast accommodation. This to an extent reflects the form of a traditional steading and the narrow plan form gables on the existing houses at Glascorrie. The gables also include contemporary glazing sections to increase solar gain. Materials are typical of the area with render, timber and a stone panel to the elevation visible from the South Deeside Road to reflect the materials of the existing buildings at Glascorrie. The proposal is considered to comply with Policy 16 Design Standards for Development and will positively add to the cultural heritage of the area. The Community Council has raised concern about the red roof on the garage. Given the materials (and colours) of buildings viewed from the South Deeside road a more muted colour will be sought by the planning condition requiring samples of materials.

Conclusion

40. Overall the proposal effectively replaces the residential use rights of the old house with those of the new house. This proposal results in a well designed new dwelling house, with visitor accommodation while retaining the old croft house as a store. The proposal now complies with policy and adds a well designed house to the cultural heritage of the National Park.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

41. This revised proposal is well sited and the CNPA Landscape Officer considers that the proposal can complement and potentially enhance the character of the area. There are no particular ecological issues given the old house is to be retained.

Promote Sustainable Use of Natural Resources

42. It is not known whether the materials would be sourced locally; however timber cladding, windows and doors are generally recognised to be sustainable building materials and the dwelling is sited to take advantage of solar gain. Wood fuel stoves with back boilers are to be used for water heating and underfloor heating.

Promote Understanding and Enjoyment of the Area

43. The proposal would provide accommodation for those visiting the area and using the nearby path network.

Promote Sustainable Economic and Social Development of the Area

44. The proposal would provide an additional house of which around half the floorspace would be used for B & B purposes making a small contribution to the economy of the area and supplementing the applicant's farming based activities.

RECOMMENDATION

44. That Members of the Committee support a recommendation to **GRANT** planning permission for Erection of replacement dwellinghouse at Glascorrie, Cambus o' May, Ballater subject to the following:

A. Planning gain contribution;

B. The following planning 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.

2. The existing dwelling and outbuilding indicated on approved plan Ref 06/2011 Drg No 2000 Rev 1 as "former dwelling house to be made wind and water tight and retained as store" shall not be used as a dwellinghouse and only used as a store.

Reason: To ensure that the proposal complies with Policy 23 Replacement Houses of the CNP Local Plan.

3. Prior to the commencement of any development a plan shall be submitted and approved by the CNPA acting as Planning Authority indicating all works to be carried out to make the existing dwelling indicated on Drg No 2000 Rev I wind and watertight, the details shall include a statement on the future maintenance of the building.

Reason: To ensure that any works proposed for the existing dwelling are sympathetic to its existing character

4. The store building indicated by approved DRG No 2000 Rev I shall be retained unless otherwise agreed by the CNPA acting as Planning Authority.

Reason: To ensure that if at all possible the building is retained as part of the historic building pattern of the area.

5. A total of 3 car parking spaces surfaced in hard standing materials shall be provided adjacent to the dwelling and be available prior to the first occupation of the house hereby approved.

Reason: To ensure that adequate parking is available at the site.

6. Prior to the commencement of the development visibility splays measuring 2.4 m by 120m shall be formed on either side of the junction of the access track with the public road. Visibility splays shall be kept free of all permanent obstructions above ground level.

Reason: In the interests of highway safety.

7. A suitable vehicle turning area measuring not less than 7.6 x 7.6 metres must be formed in the site to enable all vehicle movements onto or from the public road to be carried out in forward gear.

Reason: In the interests of highway safety.

8. 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.

9. Prior to the commencement of the development samples of materials for all external finishes for the house, garage (roofs/walls/window frames/rainwater goods) as well as the materials to be used in the construction of the access track shall be submitted to and approved by the CNPA acting as Planning Authority. The development shall then be completed using the approved materials unless otherwise agreed.

Reason: To ensure that any materials are appropriate to the building and its setting.

10. Prior to the commencement of the development hereby approved details of all foul and surface water drainage proposals shall be submitted to and approved by the CNPA acting as Planning Authority. The approved drainage details shall be in place and operational prior to the first occupation of the dwelling hereby approved.

Reason: To ensure adequate drainage infrastructure at the site.

11. No development shall take place prior to a photographic survey being undertaken by the developer, submitted to and approved by the CNPA acting as Planning Authority. All elevations both internal and external together with the setting of the building, and any unusual features shall be photographed and clearly annotated on a plan. Photographs which shall be digital on CD, either jpegs or tiffs, shall be clearly marked with place name for identification, national grid reference and planning reference and deposited in the local sites and monuments record.

Reason: To ensure a historic record of the building its surrounds and in accordance with CNP Local Plan Policy 11 The Local and Wider Cultural Heritage of the Park.

12. Prior to the commencement of the development hereby approved a plan setting out the existing levels and proposed finished floor levels by comparison with the neighbouring house shall be submitted to and approved by the CNPA acting as Planning Authority. Finished floor levels shall be as per the agreed plan.

Reason: To ensure that the development sits well in the landscape, in accordance with Policy 6 Landscape of the CNP Local Plan.

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13 June 2012

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