
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: NEIL STEWART, PLANNING OFFICER
(DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: OUTLINE PLANNING PERMISSION FOR ERECTION OF 6 FLATS AND 4 DWELLINGHOUSES & LISTED BUILDING CONSENT FOR DEMOLITION OF FLAT ROOFED EXTENSION, SITE AT REAR OF GRANT ARMS HOTEL, THE SQUARE, GRANTOWN-ON-SPEY

REFERENCE: 06/304/CP & 06/305/CP

APPLICANT: COLIN LAWSON (BUILDERS) LTD, 11, THE SQUARE, GRANTOWN-ON-SPEY

DATE CALLED-IN: 11 AUGUST 2006

RECOMMENDATION: REFUSE OUTLINE GRANT LISTED BUILDING CONSENT

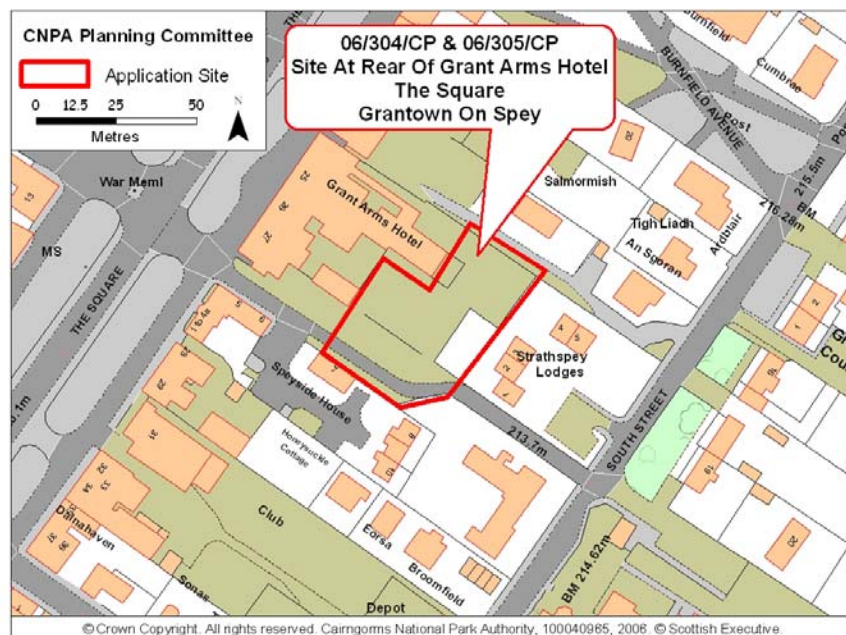


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This report refers to two related planning applications on vacant land lying to the rear of the Grant Arms Hotel which is a Category C(s) Listed Building facing the Square within the Granttown-on-Spey Conservation Area (Fig. 1.).
2. The hotel is a sizeable 3 storey, stone and slate building which has various additions to its rear elevation, including a more modern 3 storey hipped roof wing, with a single storey flat roofed extension. Also within the area to the rear is a detached traditional cottage. This building is not part of the proposed development site but adjoins it. On 18 December 2006, Highland Council issued planning permission for a change of use of this former house to a dental surgery.



Fig. 2. Site viewed from access road on approach from the Square, existing cottage in foreground.

3. The site, which is flat, is roughly an “L” shape in configuration and is bounded by the hotel buildings to the west, and trees and residential buildings to the north and east. To the south it is more open with lower density housing across an access road (private) which provides a link from the Square to South Street. The site is partially visible from the Square between the space between the Grant Arms Hotel and Speyside House (Photos shown at Figs. 2, 3, 4 & 5).



Fig. 3. Site from south west side, modern addition to hotel, (flat roofed extension to be removed).



Fig.4. Site viewed from south side, modern addition to hotel, (flat roofed extension to be removed).

4. The main application is for the erection of a block of six flats (2 bedroomed) to the north side of the site, immediately adjacent to the 3 storey extension wing of the hotel, and the siting of 4 houses (2 x 2 bedroomed and 1 x 1 bedroomed) to the south side of the site. Although sited within a Conservation Area, this application has been submitted in an **outline format**. However, indicative drawings have been submitted showing a potential site layout and designs for the buildings. The indicative layout shows a communal central grassed area with bin storage, enclosed by the two and three quarter storey flatted block on the north side and the one and half storey terrace of 4 houses on the south side. The flatted block is shown with a pitched roof of slate or slate look-alike tiles, and walls of white render and timber cladding. This block is sited a minimum of 6.8m from the north boundary and 2.8m from the east boundary. The terrace of four houses is shown with similar finishing materials but may include stone salvaged from the removal of an existing wall on the site. This terrace is aligned with the existing cottage and is fronted by parking (15 spaces) arranged either side of the access. The layout shows the removal of trees on the site boundaries and within the site but also the retention of the link to South Street but in a pedestrian form only. (Indicative layout and sketch elevations shown at Figs. 6 & 7)



Fig.5. Site from the south side (trees and flat roofed extension to be removed)

5. The second application is for Listed Building Consent for the removal of the existing flat roofed extension adjoining the rear side of the 3 storey addition to the hotel. The removal of this structure is necessary to create space on the site for the proposed flatted block.

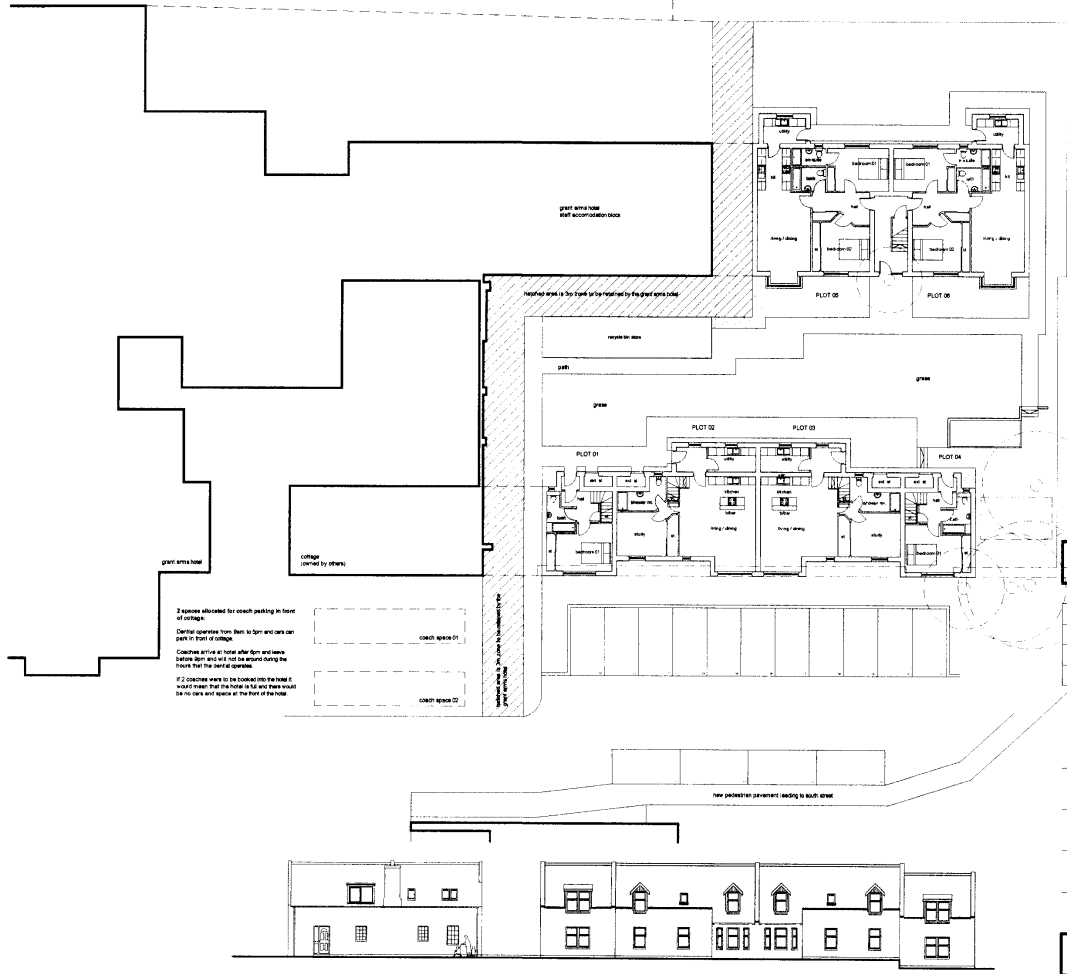


Fig. 6. Indicative Site Layout and Elevation for Terrace of 4 Houses

Fig. 7. Indicative Elevations for Flatted Block



DEVELOPMENT PLAN CONTEXT

Highland Structure Plan 2001

6. **Policy G2 (Design for Sustainability)** requires developments to be assessed on the extent to which they, amongst other things; are compatible with service provision; are accessible by public transport, cycling and walking as well as by car; maximise energy efficiency in terms of location, layout and design; make use of brownfield sites, existing buildings and recycled materials; impact on individual and community residential amenity; demonstrate sensitive siting and high quality design; and contribute to the economic and social development of the community. To accord with the Structure Plan's objectives and strategic themes, policies for **housing development** in Highland aim to steer demand to appropriate locations within existing settlements. **Policy H5 (Affordable Housing)** advises that Section 75s and other mechanisms will be used to secure developer contributions where justified and affordable housing secured as part of a larger development should not be of significantly higher density or lower quality. **Policy H8 (Access Arrangements)** states that development proposals which involve new or improved access to serve more than 4 houses shall be served by a road constructed to adoptive standards. **Policy BC5 (Listed Buildings and Conservation Areas)** seeks to preserve Highland's buildings and groups of buildings of historic or architectural interest. **Policy TC9 (Car Parking)** advises that car parking provision associated with development proposals shall be carried out in accordance with the Council's general maximum standards.

Highland Council Development Plan Policy Guidelines 2003

7. This supplementary policy guidance advises that the Council operates a sequential set of mechanisms to achieve affordable housing provision in each case. On sites of 10 or more houses, an objective target of 25% is required. The first approach is for the developers to agree to transfer an area of serviced land on site, or to build an agreed number, type and mix of affordable housing units as an integrated part of their proposed scheme. The second approach, if the first is not achievable, is for the developer to agree the transfer of serviced land, or build the agreed number of affordable housing units, on another site in the community, that is under their control. If this is not achievable, developers may then agree to make financial contributions.
8. This guidance also advises on standards in relation to the provision of public and private open space in residential developments, minimum distances between windows for privacy, and daylighting/overshadowing.

Badenoch and Strathspey Local Plan 1997

9. **General Policy 2.5.13. (Historic Buildings)** advises that there will be a presumption against development which would adversely affect the character or setting of all listed buildings. In the **Grantown-on-Spey settlement statement**, the principle objectives include, amongst other things, a need to accommodate growth of the town within its landscaped setting, consistent with maintaining local heritage assets; and safeguard the town's built heritage and setting, including its semi-natural woodlands. **Policy 3.3.4. (Footpaths)** requires footpaths and Rights of Way to be safeguarded. **Policy 3.5.1. (Conservation Area)** advises that development, including ancillary buildings, should be of a form and scale compatible with the character of the town and consistent with guidelines, including, amongst other things; finishes (natural stone or harled walls with roofs in slate or similar); design (roofs of 40 degrees, windows and doors of traditional dimensions and proportions, and gabled dormers); orientation/building lines (reinforcing established street frontages, possibly single storey tenement cottages on backland sites, and reinstatement of walls); and open spaces (safeguard important features and vistas).

Grantown-on-Spey Town Centre Backland: Development Brief 1999

10. The Council agreed the above as policy supplementary to the adopted Local Plan. It seeks primarily to: identify remaining opportunities for "infill" development; and rationalise related access and amenity considerations, in the areas to the rear of the High Street and the Square. It states that "*The intermediate backland – lying essentially between the High Street frontage and residential streets to the rear – comprise rear service areas, the remnants of large gardens, allotments/paddocks and communal drying greens, and other open spaces. These uses have been supplanted by development over the years. A significant part of this area remains under used or neglected and could present scope for additional infill. However, many potential sites are difficult to access or occasionally landlocked, and building requires to be consistent with established uses, the grain and character of the town and residential amenity.*" The brief identifies two zones of common uses, character and access limitations/potential. **The site lies within Zone 1 (High Street, Square Frontage and Associated Rear Curtilage).** This zone identifies the area therefore as "*predominantly commercial/mixed town centre uses (including retail, office and residential) – where limited spare capacity in access from the High Street/Square should be associated with improvement, extension and/or conversion of existing buildings/uses.*"

CONSULTATIONS

11. **Highland Council's Area Housing Manager** considers that the Council's affordable housing policy should be applied in this instance, with a minimum of 25% of the development being for affordable housing. There is a high demand for affordable housing in Granttown-on-Spey. The applicant should contact a Registered Social Landlord to discuss the type of provision of affordable housing.
12. **The CNPA's Housing Policy Officer** advises that this would be an ideal site for affordable housing because it is in the town centre and ground floor accommodation for the elderly is always required in this type of location. From the Housing Waiting lists, it is confirmed that there is a high demand for one, two and three bedroomed properties in the Granttown-on-Spey area.
13. **SEPA** notes that foul drainage is proposed to the public sewer – this is acceptable to them. They also note that surface water will drain to soakaways – this is also acceptable to them.
14. **Scottish Water** have no objections but this does not guarantee a connection to their infrastructure. Separate applications should be made for connection in the event of planning permission being granted. Blackpark Water Treatment Works currently has sufficient capacity to service the proposal but there may be issues within the water network. The Granttown-on-Spey Waste Water Treatment Works currently has sufficient capacity but it should be noted that this capacity is limited. Scottish Water cannot reserve capacity. There may be issues though in the waste water network.
15. **The CNPA Outdoor Access Team** state that they are happy that the provision of a new pedestrian pavement to South Street would ensure that access would be protected. The provision of the pavement does present a number of opportunities for a meaningful amenity for the community. The pavement should cater for cyclists and walkers, with a width of at least 1.2m with gradients no greater than 1:12, with dropped kerbs for disabled access. The surface should be sealed with appropriate drainage. Steps, chicanes and gates should not be used.
16. **Highland Council's Principal Development and Strategy Planning Officer** draws attention to the agreed Town Centre Backland Development Brief for Grantwon-on-Spey, its purpose being to address opportunities for infill development in view of the underused/derelict character of a middle tier of lands located in the grid behind the Square/High Street, and concerns about over-development, loss of character etc. The site lies within Zone 1, where in principle, any backland opportunity should be to improve/extend/convert in association with the frontage town centre type use – in this case the hotel. Accordingly, the application site sits at the cusp of the study considerations and in the final assessment it does not accord with the

approved guidelines. The material issues which may help determine the outcome include the suitability of access to/from the Square, including consideration of visibility and pedestrians; the impact of the massing of the proposal on amenity etc; whether the loss of the backland site would affect the functioning of the hotel; and design given the outstanding Conservation Area.

17. **Highland Council's Conservation Architect** advises that the development lies within the curtilage of a listed building and that it should be considered in relation to this and the Town Centre Backland Development Brief. He has always understood that the site is ancillary to the Grant Arms Hotel. The Development Brief encourages the development of derelict or underused land, ensuring however that over-development is avoided and there is no loss of character or amenity resulting from the development. He questions whether the development of the site for six flats and four semi-detached houses, presumably for sale, could be considered to accord with the Development Brief, and whether the scale of the proposed development could be construed as over-development in the context of similar backland development. He particularly refers to the proposed two and three quarter storey block, to which he notes there is no vehicular access. He also questions whether the site could be described as either derelict or underused. He is not certain whether there are any parking issues associated with the Grant Arms Hotel, either currently or in the future and whether the area to the rear of the hotel has the potential to address any pressures for such from the hotel in the future. **In relation to the listed building consent application to demolish the flat roofed extension to the hotel, he considers that there would be no loss to the special architectural or historic qualities of the listed building. He therefore has no objections to this part of the proposal.**

18. **Highland Council's Area Roads Manager** (initial response), believes that some form of housing development is possible at this location but there are concerns with the scale and form of the development being proposed. The indicative proposals would appear to effectively remove the possibility of off street parking provision for the adjacent hotel and no alternative parking facilities, for either cars or coaches associated with the hotel, are offered. It is also of some concern how the development proposed will relate to the use of the cottage building (dental surgery) adjacent to the site. With regard to the detail of the proposal, the indicated road and parking layout is considered unsuitable. No provision has been made within or sufficiently close to the site for the parking and turning of larger service vehicles, and the in-line kerbside parking bays proposed are inappropriate for a cul-de-sac without a dedicated turning facility. **While having no objection to the application to remove the flat roofed extension to the hotel, he believes the new proposals represent over-development of the site. He cannot therefore recommend approval of this application.**

19. Following receipt of a response and a slightly amended indicative layout from the applicants, **Highland Council Roads** have followed up their initial response with further comments. The revised layout differs little in terms of road layout from the original submission and in no way addresses the concerns expressed before. It was agreed at the pre-application stage, that the existing junction arrangement at the locality could be considered for use as a turning head, provided it related well to the access and parking arrangements for the new development, and of course the existing hotel. The layout proposed is such that larger vehicles servicing the new development will be required to travel unacceptable distances in reverse gear – either to and/or from the development – between parked cars. No provision has been made to retain off street car parking for the existing hotel and whilst the business may be focussed mainly on coach parties at present, this clearly may not always be the case. With regard to the level of parking provision required for the new development, there is generally a high level of dependency on car usage in the Highlands and public transport links are often limited. Communal parking at a rate of 1.5 no. spaces per dwelling unit is considered the minimum acceptable provision for the development proposed. An improved pedestrian link between the development site and South Street would be welcomed. In summing up, **Highland Council Roads have no objection in principle to limited residential development at this location. However, they contend that the current proposals represent over development of the site. As such they are unable to recommend approval of the application in its present form. Comments are also made about the other developments mentioned by the applicants in the area and these are covered in the appraisal section of this report.**
20. **Highland Council's Acting Area Planning & Building Standards Manager** has offered comments. An initial response, advised that the development of this site had been the subject of pre-application discussions with the applicant. This involved a number of test layouts. Accordingly, although submitted in outline format, he takes the indicative details submitted as strongly representative of the intended form and layout of development. He feels that in principle, the orientation of the building blocks is satisfactory as it responds to the traditional layout of backland terraced cottages. However, he has reservations about the proportioning and massing of the buildings. The scale of the flatted block does not sit uncomfortably with the retained part of the hotel but may be overbearing when viewed from nearby properties. In particular there may be daylighting and overshadowing issues. The indicative elevational designs of both blocks are not typical of traditional buildings in the area. He also has concerns about the lack of exclusive garden areas, particularly for the houses, and the space between the houses and the flats which will be a maintenance liability. He would much prefer to see as much as possible of the space both front and rear of the houses divided up into dedicated curtilages for the houses. There is undoubtedly more justification for communal management of the flats amenity ground but access to the rear is

circuitous. Outdoor drying facilities should be provided for all the properties.

21. He also makes comments about the fact that the proposal involves terminating the vehicular access through to South Street. This is an existing privately owned road with historic rights of vehicle access and the idea of closure came about during pre-application discussions. It was pointed out that a high quality adoptable access road from the Square might encourage "rat running" leading to additional vehicle traffic emerging onto South Street opposite the Primary School. The applicant is aware that if this closure is recommended and is to be pursued, it will require separate procedures. In addition, **the Acting Area Planning Manager** added that there was, at that time, an outstanding issue in relation to coach parking for the hotel, and how this will be accommodated along with the proposed residential development and the change of use of the cottage to a dental surgery. At that time, he believed that it was fundamental to the success of the proposal and the proper planning of the wider area that the traffic implications of the hotel and proposed dental surgery operations are not ignored.
22. A second consultation was sought from the **Acting Area Planning Manager**, following receipt of the detailed response from the applicant and some amendments to the indicative proposals. His response advises that the indicative design of the terrace of houses has been improved but that little else has changed. The concern about lack of individual garden spaces, and ongoing maintenance of communal spaces, remains. **He also advises on the applicant's arguments that other developments in the area have set precedents. These are covered in the appraisal section of the report below. However, his conclusion is that none of the cases mentioned are directly comparable to the present application, although in terms of relaxed parking standards, the most recent Market Road proposal comes closest.**
23. **The CNPA's Natural Heritage Group** have advised that the hotel building is dominant in the area due to its size, and the rear extension runs at 90 degrees to the main building. The rear extension is highly visible due to its height, colour and orientation. It is prominent from the eastern side of the town because it stands at right angles to the main orientation of other buildings on this side of the Square. The site is visible from the Square due to the gap between the hotel and Speyside House. These two buildings make a definite focal point to the Square and so are particularly important. The hotel is the largest and most imposing building and Speyside House has the most distinctive design. The Square is a very fine example of a designed urban space, which is on a large scale and has great strength of character due to the building style and the similarity of material used throughout. Any development on the proposed site must make a very positive contribution to this relationship in order to maintain this quality and character. There are

several mature trees on the site or close to it including elm, sycamore, cypress and a copper beech. These play a part in the overall tree structure of the area and in particular the visual linkage between the Square and South Street.

24. In relation to the implications of the development process, the **NHG** advise that the proposal would result in the removal of several trees – the cypress and possibly the elms. The risk to the elms is off-set by the likelihood of them suffering Dutch Elm disease which is in the area. The cypress is a tall but not particularly fine specimen but its loss would not be significant. The copper beech is a fine specimen and the best on the site but this should not be impacted by the development – but there is no accurate survey information. This is needed. There may be a significant threat to the sycamores in the south-eastern corner of the site, though again the lack of detailed information makes this difficult to determine. The sycamores are strategically important as they are viewed from the Square and from South Street, and they link the trees on both. Importantly, they make the footpath more attractive and give a strong sense of place to the setting. They should be retained. All trees to be retained on site must be protected from site works in accordance with the British Standards. There is some concern about the indicative design of the terraced block of houses. The block of flats while similar in size to the extension of the hotel will extend the building mass further eastwards, thus taking it close to the boundary and potentially impacting on the outlook and setting of adjacent properties, and visually extending the hotel extension therefore increasing its impact from outside the Square. These would be negative impacts. Landscaping proposals are poor and the overall layout is utilitarian. To conclude, **NHG** advise that the scheme will not maintain the strong character of the area and will create an unacceptable high impact upon the surrounding areas in terms of visual intrusion. The principle of development may be acceptable but improvements to the layout, details of buildings and the spaces around them, are required.
25. Following receipt of the response from the applicants and the slightly amended indicative layout plan, **NHG** have provided further comments, relative to their previous response. The group of four trees in the SE corner of the site are now marked for removal. Of these the greatest concern is for the two taller sycamores. While accepting that they are not particularly fine examples in their own right, they do make the most positive contribution to the area. If these trees were to be removed, and there appears to be no good reason to do so, then replacement planting is very necessary. The copper beech tree to the north boundary is still not marked – the assumption is that it will therefore remain. It is the best tree on the site and well worthy of protection. Off site planting, as suggested by the applicant, to off-set on site tree removal, is inappropriate in this case as there is ample scope for tree planting on the site that will make a significant contribution to the area. Overall there are some improvements to the indicative design of the terraced block of houses but there is no change to the scale of the

flatted block. If the open space is to be communal, while still raising a concern, the design and detailing needs to be improved. There are no changes to the impact the bin storage areas have. The relationship of the buildings to the surrounding area and adjacent buildings has not been resolved because the massing of the proposals has not significantly changed. There have been some improvements, however the public face in particular still has a long way to go. Car park numbers (perhaps reduced?) are fundamental. The private areas are still utilitarian and functional.

REPRESENTATIONS

26. The applications have been advertised as Development Within a Conservation Area and Development Affecting a Listed Building. **No objections have been received.**

27. However, in response to concerns raised, the applicants have submitted two responses which they have asked to be considered as representations. **These are attached to the report. The applicants have also made a request to verbally address the Committee.** In summary, the matters raised include:

- Pre-application discussions have taken place.
- The site has remained unused by the hotel for several decades – previous garages were fire-damaged.
- Aim to produce an environmentally friendly development.
- There is a demand for housing in the area and the provision of 10 units is far from being overdeveloped.
- The terrace of houses are aligned with the existing cottage and are south facing – indicative design takes account of traditional buildings in the area and there is reuse of stone from the wall on the site.
- Wish to create a modern landscaped courtyard which the development can enjoy rather than individual gardens – could be unsightly.
- Vehicle usage should be minimised and the development should not be governed by parking and access standards.
- Flatted block to the rear would not be overly visible, and no objections have been received from neighbouring properties – it is also of a lesser scale than the existing hotel extension block.
- Pre-application agreement was that the existing turning head at the entrance to the site would suffice.
- Application is only an outline therefore details for landscaping, bin storage layout and design etc. are matters of detail.
- Confirmation that the hotel never uses the site and that the site is an eyesore within a Conservation Area.

- Coach parking for the hotel is provided off-site in front of the cottage, in front of the hotel or at the Burnfield public car park – and there is no need for car parking associated with the hotel.
- Combined parking for the cottage (proposed dental surgery) and the hotel can be provided in front of the cottage – workable arrangement because of different times of use during the day – hotel is also closed for 4 months of the year.
- Presume now that since the dental surgery application has been approved, parking issues between the 3 uses in the locality have been resolved but there still seems to be concern.
- Applicant will provide the required amount of affordable housing (houses 1 & 4, and one of the ground floor flats).
- New development will provide an opportunity to improve the pedestrian link to South Street.
- There are several precedents for similar developments in Grantown-on-Spey where reduced parking has been allowed – and more care will be given to design, layout and landscaping in the proposed scheme than some of these others.
- Two and three quarter storey block of flats does not impact on neighbours – no objections have been received – proposal does not constitute overdevelopment.
- If necessary the applicant will look at designing individual gardens.
- Willing to provide replacement tree planting elsewhere.
- Hope that the terms of the Development Brief can be considered in terms of the current status of the site – hotel has confirmed that the sites use for hotel purposes is highly unviable.

APPRAISAL

28. These applications have raised a number of issues, relating to current policy, appropriateness of the amount of development proposed, potential for conflict in relation to parking and access in the area, impact on neighbouring properties, impact on conservation area and the listed building, and affordable housing provision. In addition, there is the issue of precedent to consider.

Listed Building Consent for Demolition of Flat Roofed Extension

29. I propose to deal with this application first. The flat roofed extension is of no architectural quality or historic significance. Indeed, in my view, it is visually detrimental to the character and setting of the listed hotel, and the wider conservation area. Historic Scotland guidance in such matters is that no worthwhile building should be lost to our environment. The issues that need consideration in relation to demolishing listed structures, include importance, condition, and alternative uses. None of these issues raise a problem in this instance. Guidance on demolition within Conservation Areas, also advises that

consent should not generally be given if the building contributes in some way to the character of the area, unless an acceptable redevelopment proposal for the site is in place. In this instance, the flat roofed extension is such that, even without a redevelopment proposal, its removal could not be resisted. Indeed, I feel its removal would be of benefit to the visual character of the Conservation Area. **As such, I have no objections to this application.**

Outline Planning Permission for Erection of 6 No. Flats and 4 No. Dwellinghouses

Land Status/Policy

30. The starting point is the status of the site in land use planning terms. The land is owned by and has been long associated with the hotel. A former coach garage and staff accommodation block sat on the site until, in 1994, planning permission was granted for their removal. At the time, because these structures had been fire damaged and contributed little to the character of the area, there was no opposition to their removal. However, there was a recognition that the site was associated with the hotel because the site was to become "garden area". A condition was imposed which required the landscaping of the site and the construction of a boundary wall following the line of the former building to the south boundary of the site. It was not until after 2000 that works to implement landscaping on the site took place and in 2003, it was confirmed that required tree planting had not been done because consideration was being given, by the owner, to providing off street car parking. Since then, no further landscaping has taken place but no car park applied for or formed. The land is now rough and is not formally maintained as a garden associated with the hotel.
31. In terms of planning policy, the site lies within Zone 1 of Highland Councils Grantown-on-Spey Town Centre Backland Development Brief. This recognises that the land has traditionally been associated with the main use fronting the Square ie. hotel, and that limited access from the Square provides opportunities for development that should be associated with improvement, extension and/or conversion of existing buildings/uses only. **Since the proposal effectively involves the sub-division of the hotel lands, and the introduction of residential uses not associated in any way with the functioning of the hotel, it must be said that the proposal fails to comply, in principle, with the policies and aspirations of the agreed Development Brief for the area.**
32. Nevertheless, it is important to make a realistic assessment of the site, in the context that it also lies within a Conservation Area, within the curtilage of a Listed Building, and that it currently represents a brownfield opportunity where there may be potential to remove an unused area which contributes little to the visual character or historic setting of its surroundings. From the information submitted, it appears

that in the short term, there are no proposals in the pipeline for the development of uses on the site associated with the functioning of the hotel. However, this does not mean that there could be benefits from something associated with the hotel in the future, or indeed that there is a functional requirement for something at present. It is also important to consider the site in the context of the proper planning of the wider area. **In this respect, while having the potential to remove an unused area within the Conservation Area, introducing a new residential use, separate from the hotel and of the scale proposed, not only fails to comply with the Development Brief, but it also introduces other concerns in terms of its impact, and its potential to conflict with other established (hotel) and proposed (dental surgery) uses. It is considered that the main reason for this is the amount and scale of development proposed.**

Overdevelopment, Impact, and Access and Parking

33. The application has been submitted and registered by Highland Council as an outline application. Within a Conservation Area, PAN 71 (Conservation) advises that *“Planning applications in outline will rarely provide the level of detail required to assess whether the proposal will harm the character of a conservation area or not. It is important to avoid outline consents for large residential or commercial developments without any understanding or realistic assessment of whether they can be accommodated sensitively within the setting of the area.”* The applicants have though provided an indicative layout and indicative design elevations for the proposed development. While it is an outline application, and it is not possible to assess in detail the design and final layout of the development, I consider that the information provided is strongly representative of the type, form and layout of development envisaged. It is also necessary to consider this level of detail, even at the outline stage, in order to assess whether the amount and type of development proposed, can be adequately accommodated on the site, taking account of the Conservation Area and Listed Building status, impact on adjacent properties and uses, standard access, servicing and parking standards, tree retention, and provision of open and private space.
34. Concerns have been raised in terms of the amount of development proposed for the site, from various consultees, including Highland Councils Planning and Roads Services. In my view, the existence of the large hotel extension wing to the rear of the hotel and adjacent to the site, provides an imposing, overbearing, and inappropriate scale and design of development for this Conservation Area site, within the grounds of a Listed Building, and in relation to surrounding properties. While limited views from the Square are achievable, it can be seen from other areas. The proposed flatted block is indicated as lower than this extension, but I do not feel it is appropriate to accentuate this overbearing scale or form of development in the location proposed. The flatted block remains of a significant scale and height (12m), in

relation to its neighbours to the north and east. It will be positioned, at its least 6.8m, and at its most 8.8m, from the north boundary where the adjacent building is a one and a half storey residential unit ("Salmornish") with rear garden. The indicative north elevation shows windows serving habitable accommodation which will overlook this boundary. On its east side, the two and three quarter storey gable of the flatted block will sit less than 3m from the mutual boundary with the 2 storey residential properties on this side ("Strathspey Lodges"). These properties are also at a lower level to the proposed site. It is also the case that the hotel extension has windows on its east gable which will be 3m from the blank west gable of the proposed flatted block. Since the proposed building lies in such close proximity to its site boundaries and its adjacent properties, my view is that this block, being of the size and scale indicated, would have an unacceptably high overbearing and impact on the area and the Conservation Area in general.

35. The indicative terraced block of 4 houses, aligning with the existing cottage, does represent, in my view, and in the view of the consultees, a more appropriate scale and form of development for this site, in terms of design. However, the amount, quality and potential use of the space between this block and the flatted block is considered to be less than satisfactory. While proposed as a communal grassed area, being limited in depth and configuration, and being "sandwiched between the two blocks and overlooked by the windows on the south elevation of the hotel extension, it does not provide an area where any degree of privacy, ownership or functionality as a useful open space area, can be achieved (policy guidelines do set out requirements for private space provision, in particular for houses). Indeed, users of the communal area would be very close to windows of both the flats and the houses.
36. In addition, there are some trees on the site which play a part in the overall context of the urban townscape of this part of the Conservation Area. It is accepted that individually, apart perhaps from the copper beech located in the north east corner of the site (which is unlikely to be affected although no details have been provided), the trees are not of any great individual quality. However, the sycamore trees located in the south east corner of the site, are considered to provide a strong visual link between the Square and South Street. Trees are an important feature of the Grantown-on-Spey Conservation Area, and it is important to retain trees wherever possible and particularly where they are considered to provide a contribution to the character of the area. One of the starting off points for considering the amount of development that can be accommodated on this Conservation Area site, should be the existence of trees. However, the scale and amount of development proposed means that these trees and others on the site will be removed. There is also no adequate space for meaningful replacement tree planting. This is considered to be detrimental to the character of the area and the wider Conservation Area, and is caused as a direct result of the amount of development proposed.

37. In relation to access, servicing and parking, Highland Councils Roads Manager cannot support the development. This is due to the amount of development proposed, and the resultant inadequate standards for servicing, general access, parking and turning. The indicative layout shows the provision of 15 spaces. This appears to be the minimum that would be required. However, the configuration of some of the spaces is considered to be inappropriate for a cul-de-sac without a dedicated turning area. The use of the turning area that exists on the access road from the Square on the west side of the site, is considered to be only appropriate if it relates well with the access and parking arrangements for the new development and the adjacent hotel and dental surgery uses. The indicative layout will require larger service vehicles to reverse, either into or out of, the site, between parked cars. There is also no vehicular access to serve the flatted block to the rear. The arrangements for shared car and coach parking in front of the existing adjacent cottage (proposed dental surgery) has been agreed, but the proposed development and its associated access and parking arrangements, combined with the adjacent parking, will limit the potential for safe manoeuvring for all traffic at the entrance to the site. While there may be some supportable arguments for reducing parking at the site (brownfield site near the town centre and impact on townscape within the Conservation Area), policy requires the proposed development to be served by an adoptable road, or at least have a workable and safe arrangement which does not raise issues of road safety or conflict between adjacent uses. Ultimately, the access, servicing and parking concerns result from an overdevelopment of the site.
38. Highland Councils Roads Manager, also remains concerned about the long term lack of off-street parking for the hotel. The proposed site is seen as having the potential to contribute at least some off-street parking for the hotel. The proposed development would remove this possibility altogether. When Highland Councils Badenoch and Strathspey Area Committee considered the application for the dental surgery, they were concerned about the combined impact of the various established and proposed uses on access and parking at the location. As such they did not approve the application without requiring some liaison between the parties and an amended layout. The final agreed layout for the dental surgery parking however does not result in an adequate arrangement for the proposed residential development.

Affordable Housing

39. The development is for 10 residential units. There is therefore a requirement to have at least 25% of the development attributed for affordable purposes. There is a definite need for affordable housing in the Grantown-on-Spey area. The proposal is for smaller units (one and two bed roomed) and this seems appropriate to help serve the demand. The applicants have also indicated a willingness to provide three affordable units and enter into discussions with a Registered Social

Landlord. It would be necessary to enter into a Section 75 Legal Agreement to ensure the provision of three units. No written agreement has been received to this process. However, on the basis of the applicant's submissions thus far, the proposal would be capable of meeting the policy requirements in this respect.

Precedents

40. The applicants have detailed other developments in the area which they see as setting precedents for their proposals. In respect of these, Highland Councils Planning and Roads Services have made comments.

6 Flats, Jubilee House, Burnfield Road

41. This was recommended for refusal by the Roads Authority. However, there were planning reasons given by the Area Committee for supporting the proposal – no previous on site parking for the previous use as a dental surgery – relied on Burnfield car park – no additional numbers in terms of cars between the previous and proposed uses – townscape reasons – proposal for the “affordable market”.

6 Flats, 4 Terraced Houses, Waterford Hotel, The Square

42. There was no off street parking for the previous hotel, bar and function room use – 1.5 spaces per unit have been provided for the houses but nothing for the flats – net gain because there was nothing before – also close to the Burnfield car park.

8 Flats, Market Road

43. Outline permission was for 4 houses but the Area Committee accepted an increase in density to 8 flats because of the costs of significant decontamination on the site – eventually granted permission for 10 parking spaces, despite Roads Authority recommendation for 12 – there is some on street parking on the lightly trafficked Market Road.

Dunolly House, Seafield Avenue/the Square

44. Dunolly House is above the Coop and the land to the rear was all in one ownership – Seafield Court Flats to the rear were approved on the basis of an appeal but no consideration was given to how this would affect the future use of Dunolly House – subsequent application for 6 flats in Dunolly House recommended for refusal by the Roads Authority but granted by the Area Committee on the basis that the flats were unlikely to generate much parking demand and sufficient on street parking was available – subsequent application for 3 additional flats in the attic also recommended for refusal by the Roads Authority – may be acceptable as an exceptional case taking account of the need to

find uses that occupy and maintain in good condition a building which forms a key component of the townscape of the Square.

Conclusion

45. **Taking all the considerations, in my view, there is the potential for some residential development on this site. Within a Conservation Area and within the curtilage of a Listed Building, it is important to find alternatives uses for sites which have become redundant and have the potential to have long term detrimental impacts on the appearance, character and quality of the historic surroundings. However, it is equally important that redevelopment proposals do not in themselves adversely impact the area, take account of adjacent uses and needs, and indeed enhance the quality of the built environment. In this instance, the policy situation promotes reuse of the site but for uses related to the functioning of the main hotel use. While this is understandable, I feel that a development wholly associated with the operation of the hotel is highly unlikely. However, the need for a more comprehensive arrangement for access and parking for the established and proposed uses at the locality, needs to be considered in relation to any development of this particular site, and to accord, even in part, with the aspirations of the Development Brief. In my view, and in the view of consultees, the proposed development represents overdevelopment of the site, with resulting impacts on the character of the Conservation Area, the adjacent Listed Building, and surrounding properties, and inadequate provision of amenity spaces and access, parking and turning facilities. I do not feel that any of the other developments argued by the applicant are so similar to the proposal in circumstances, to merit an approval on the basis of acceptable precedent.**
46. **As such, I cannot support the proposal for the reasons stated below. In my view a much reduced scheme, addressing the number of units proposed, scale and size of buildings, tree retention, adequate provision of amenity space, and including adequate provision of access, parking and turning space for the hotel, the dental surgery and the residential development, could be achievable. On the basis of the submissions though, the recommendation is one of refusal.**

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

47. The outline application for the redevelopment proposal is considered to have an overall negative impact on the natural and cultural heritage of the area. It will involve the removal of trees which are considered to be play an important part of the townscape and there is no space for meaningful on site replacement tree planting. The density, scale and form of development is considered to have harmful affects on the character and setting of the Grantown-on-Spey Conservation Area and the Grant Arms Hotel which is a Listed Building. However, the removal of the flat roofed extension is considered to be positive in terms of this aim.

Promote Sustainable Use of Natural Resources

48. The applicants have stated that it would be their intention to incorporate energy efficient design principles which would be considered in more detail at the detailed or reserved matters stage.

Promote Understanding and Enjoyment of the Area

49. Other than the potential to improve the quality of the existing pedestrian link between the Square and South Street, there are no significant benefits to this aim.

Promote Sustainable Economic and Social Development of the Area

50. The development will provide the opportunity to “regenerate” a site within the town centre which at present contributes little to the area. It also has the potential to provide some much needed affordable housing and residential units of a size and type which could meet the more “affordable” market. However, the scale and form of development proposed is considered to impact on adjacent properties and the quality of its historic surroundings. In this respect, there are some adverse impacts to the quality of the built environment, and the proper long term functioning of adjacent land uses. This is considered to have some negatives in terms of this aim.

RECOMMENDATION

51. That Members of the Committee support a recommendation to:
- a. Refuse Outline Planning Permission for the Erection of 6 Flats and 4 Dwellinghouses, Site at the Rear of the Grant Arms Hotel, The Square, Grantown-on-Spey (06/304/CP), for the following reasons;
 1. The development fails to comply with approved Highland Council policy in the form of the Grantown-on-Spey Town Centre Backland Development Brief (1999), which seeks to identify remaining opportunities for infill development and rationalise related access and amenity considerations. The site lies in an area where the Development Brief recognises its association with the main public frontage use (Grant Arms Hotel) and attaches any backland redevelopment opportunity to the improvement, extension and/or conversion of existing buildings/uses. This proposal, to sub-divide the land associated with the hotel, and create a new separate residential use of the scale proposed, will prevent any future longer term opportunities for development associated with the improvement of the hotel use, in particular, the provision of off-street parking.
 2. Due to the amount, scale and form, of development proposed, which will include the removal of important trees, it is considered that the proposal will create adverse and detrimental impacts on the character and setting of the Grantown-on-Spey Conservation Area and the Grant Arms Hotel which is a Listed Building. As such, the proposal is considered to have negative implications for the first aim of the Cairngorms National Park which is to conserve and enhance the natural and cultural heritage of the area. It is also considered to be contrary to statutory development plan policy as contained in Highland Council Structure Plan Policy BC5 (Listed Buildings and Conservation Areas) and Badenoch and Strathspey Local Plan Policies 2.5.13 (Historic Buildings) and 3.5.1. (Grantown-on-Spey Conservation Area).
 3. Due to the amount, scale and form of development proposed, it is considered that the proposal represents overdevelopment. To permit the development would; create adverse overbearing and overlooking impacts on the residential amenity of adjacent properties; result in the loss of trees which are considered important to the character of the immediate and wider built environment; provide an unsatisfactory and inadequate level and arrangement of public and private amenity and landscaping space; and, taking account of parking for adjacent established (hotel)

and proposed (dental surgery) uses, result in an inadequate and unsatisfactory arrangement for the accessing, servicing, turning and parking of vehicles, particularly larger service vehicles, serving the proposed development.

- b. Grant Listed Building Consent for the Demolition of Flat-Roofed Extension, Site to Rear of the Grant Arms Hotel, The Square, Grantown-on-Spey (06/305/CP), subject to formal notification to Historic Scotland and their formal approval, and subject to the following condition;**
 - 1. The development to which this consent relates must be begun within five years from the date of this permission.**

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31 January 2007
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