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## CAIRNGORMS NATIONAL PARK AUTHORITY

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

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

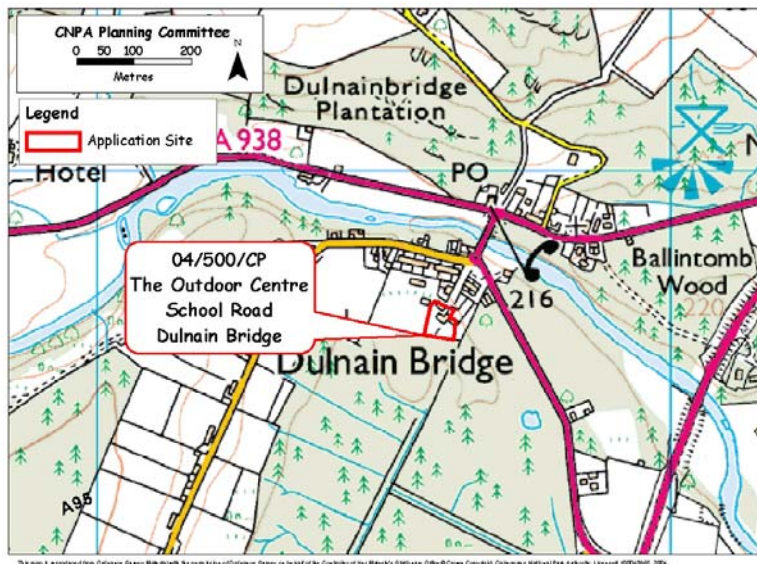
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**DEVELOPMENT PROPOSED:** OUTLINE PLANNING PERMISSION FOR ERECTION OF 3 DWELLINGHOUSES, AND THE CHANGE OF USE OF OUTDOOR CENTRE TO 2 FLATS, AT DULNAIN BRIDGE OUTDOOR CENTRE, SCHOOL ROAD, DULNAIN BRIDGE

**REFERENCE:** 04/500/CP

**APPLICANT:** MRS G. SUNDE, PER McLEOD BUILDING LTD., 78 HIGH STREET, GRANTOWN ON SPEY, PH62 3EL

**DATE CALLED-IN:** 27<sup>TH</sup> OCTOBER, 2004



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. The Outdoor Centre is located off School Road on the south side of Dulnain Bridge, and consists of the former school buildings for the village, which have had large modern extensions built on the north-west side of the original building. The extensions have not been in the style or character of the original traditional building on the site, and are partly flat-roofed. These extensions will be demolished as part of the development. At present, to the rear of the building is a parking area with a grassed landscaped area beyond extending down to woodland. The applicants reside in the adjoining "Old Schoolhouse" on the east side and the surrounding area is generally residential in use. However, the Council owned recreational/amenity area lies to the west side of the site.
2. The application as originally submitted, and accepted by Highland Council in an outline format, was for the construction of 6 houses (in three semi-detached blocks) on the land created by the removal of the extensions and on the parking area to the rear. In addition the creation of 3 flats in the remaining stone walled and slate roofed original building was proposed. The existing adjoining "Old Schoolhouse" house on the east side, would have remained unaltered.
3. However, following concerns raised, amongst other things, by the amount of development proposed on the site, an amended **indicative** proposal for the construction of 3 detached houses in the grounds and the formation of 2 "flats" in the existing building has been submitted. The "flats" will be created on two floors within the confines of the existing walls and roofs, with living accommodation on the ground floor and sleeping accommodation in the attic floor, lit by rooflights. Parking for the flats is to be created to the front of the existing building adjacent to School Road. The application remains an **Outline** proposal.
4. The Outdoor Centre has been a family run business since the late eighties. It provides residential accommodation suitable for a large variety of groups (catered or non-catered). The business can provide the opportunity for visitors to participate in a wide range of activities in the area. The applicants have stated that they are looking at a planned retirement from the business rather than an immediate cessation of trading. They do not see the disposal of the outdoor centre business as a going concern as an option for two reasons. Firstly they do not wish to move from their existing house because an elderly parent resides in a house within the garden area. They could not therefore offer a house with the business. Secondly, even if someone wished to purchase the business without the house, they would be concerned about being in such close proximity to the business where they would have no control of people at the centre.

## DEVELOPMENT PLAN CONTEXT

5. In the **Highland Structure Plan 2001, Policy G2 (Design for Sustainability)** states that developments will 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; make use of brownfield sites, existing buildings and recycled materials; impact on resources such as habitats, species, landscape, scenery etc.; demonstrate sensitive siting and high quality design; and contribute to the economic and social development of the community. Under **Chapter 2.2 (Housing)** there is a general objective to steer demand for housing to appropriate locations within existing settlements. **Policy H8 (Access Arrangements for New and Existing Development)** 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. **Chapter 2.7 (Tourism)** emphasises the importance of tourism to the Highland economy and there is a general strategy to *“establish the Highlands as a world class destination in which visitors receive a superb quality of service, where products exceed their needs and expectations, and, in doing so, maximise the long term economic and social benefits which sustainable tourism can bring.”* In general terms, **Policy T4 (Hostel Accommodation)** recognises the increase in interest in this type of accommodation which often seeks to take advantage of areas of the region attractive for adventurous activities.
6. The site lies within the settlement boundaries of Dulnain Bridge on land which carries no designation (“white land”) in the **Badenoch and Strathspey Local Plan (1997)**. Also within the plan, **Policy 2.2.9. (Tourism and Recreation)** there is general support for these type of activities because they are viewed as making a vital contribution to the economy. The priority is to ensure that broadening the range and quality of facilities and accommodation is balanced with protecting the areas exceptional scenic and heritage resources. **Policy 2.2.10 (Tourism)** provides general encouragement for the development of tourist accommodation and facilities at suitable sites within and immediately adjoining communities. The Plan also indicates that the play park off School Road (to the west of the application site) will be safeguarded (**Policy 4.8.1.**). The woodland area to the rear (south) of the site is designated under **Policy 4.10.1** as “Amenity Woodland” where trees will be safeguarded and on-going management encouraged.

## CONSULTATIONS

7. **Highland Council’s Contaminated Land Officer** has no comments on the proposal.

8. **Scottish Water** have confirmed that a public water supply is available and that a connection can be made to the public sewers. They do however, confirm that surface water will not be permitted to discharge into the public system and that private arrangements must be made for its disposal.
9. **SEPA** requires surface water to be disposed by SUDS mechanisms in line with Planning Advice Note 61, the Building Regulations and CIRIA's "Sustainable Urban Drainage Systems manual for Scotland and Northern Ireland". At our request, the applicants carried out trial pit investigations on the site. The results concluded that the ground is suitable for infiltration SUDS mechanisms. With the application being in an outline format, SEPA are satisfied but request the imposition of a planning condition requiring a full detailed SUDS scheme to be designed in accordance with the agreed outline strategy.
10. The **CNPA's Economic and Social Development Group** have stated that according to their database of accommodation in the Park, there are 22 other outdoor centres/hostels listed, the nearest to this site being at Grantown-on-Spey and Nethy Bridge. The final draft version of the CNP Sustainable Tourism Strategy and Action Plan states that the "*Cairngorms should be inclusive in the visitors it attracts and caters for, but with an emphasis on gaining and delivering value rather than volume*". It also states that "*a general policy to seek increased value from tourism rather than increased volume should not lead to exclusiveness in terms of types of visitor sought*". In addition, "*it is important to seek to maintain a range of types of accommodation and catering which offer good quality and value for money at all price levels.*" As such, they state that, although the closure of the Dulnain Bridge Outdoor Centre will be a loss of a certain type of accommodation, it would appear that this market segment will still be reasonably well catered for, throughout the Park.
11. The **CNPA's Housing Policy Officer** has agreed that due to the numbers of residential units proposed (less than 10) it is not possible to request a percentage of affordable units under Highland Council's Policies.
12. **Highland Council Area Roads and Community Works Manager** commented that the scale of the original development for 9 units appeared to be excessive for the land available. The geometry of the proposed access road did not comply with the requirements of Council guidelines and the indicated parking provision was not satisfactory. They recommended that roadside footpaths should be provided on either side of the access road and along the School Road frontage of the development. A standard turning head should be provided, with no more than 4 houses served beyond that. Given the confined nature of the site and the need to discourage on-street parking within and adjacent to the development, parking provision should comply in full with the Council's guidelines (presently 2.3 spaces per dwelling house

and 1.5 spaces per flat). Approval of the original proposal for 9 units could not therefore be recommended.

13. Following extensive discussions with the applicants and the submission of the revised proposal for 5 residential units, the **Area Roads Manager** has advised that the proposals are now generally acceptable. The revisions indicate footpath provision adjacent to School Road and School Place, parking spaces to the front of the flats, and a turning head at the junction of the public road and the entrance to the development. Access to the rear to serve two of the detached houses will be via a continuation of the road but it will be a private access. Conditions are required on additional footpath provision down the south east side of School Road, visibility splays, parking space, street lighting, refuse bin storage areas, and limit of adoption. The applicants are agreeable to these requirements.

## REPRESENTATIONS

14. A representation has been received from the Highland Cycle Campaign asking that some secure cycle storage be provided as part of the development.

## APPRAISAL

15. The issues for this application are the loss of the outdoor centre, the principle of changing the use of the land and part of the existing building to residential use, and the amount of development the site can accommodate.

### Loss of Outdoor Centre

16. The applicants are retiring from the outdoor centre business. For personal reasons they do not wish to market the business as a going concern and they wish to remain in their adjoining house. The house is not "tied" in terms of occupancy to the business and therefore there are no restrictions which would prevent this occurring. Current planning policy seeks to promote tourism and tourist facilities, in general, as a vital contributor to the economy of the area. The third and fourth aims of the Park also provide a general strategy for promoting visitor facilities which can provide opportunities to take advantage of the area's special qualities. In this sense the loss of the outdoor centre is unfortunate. However, as stated by the CNPA's Economic and Social Development Group, there are numerous other similar businesses throughout the Park (some in reasonable proximity to Dulnain Bridge) which will continue to provide this type of accommodation and service to customers. The draft Sustainable Tourism Strategy outlines an emphasis for quality of facility rather than just volume, and while it is important to try and retain a range of types of accommodation and

catering, it seems that this particular market segment will still be reasonable well catered for throughout the Park. On this basis, resistance to the proposal on the loss of the outdoor centre cannot be sustained in planning terms.

### **Principle of Residential Use**

17. The site lies on “white land” within the settlement envelope of Dulnain Bridge as defined in the Badenoch and Strathspey Local Plan. This means that there are no land use designations or restrictions on the land. With the cessation of the outdoor centre use, the buildings and the land effectively become a “brownfield” site within a settlement where redevelopment for other appropriate uses is generally encouraged in planning policy. The surrounding area is predominantly residential with the access road to the site serving over 15 houses. While I am not aware of any conflict occurring between the existing outdoor centre use and the surrounding residential properties, it seems entirely logical, that a residential re-use of the site would be appropriate and compatible, provided all the usual matters of access, roads, drainage and residential amenity are found to be acceptable.

### **Level and Type of Residential Development**

18. The application is submitted in an outline format, despite the fact that it involves the change of use and conversion of an existing building. The applicants are therefore seeking a decision on the principle of residential use on the site. However, in order to assess the level of residential development that the site may be capable of accommodating, it has been necessary to seek an indication of the layout, level and type of development envisaged. The initial submission indicated a precise number of houses/flats (9 in total) and a proposed layout. Following an assessment of this, and receipt of consultation responses, the level of development proposed was found to be excessive for the amount of land available. There were concerns about lack of garden provision, privacy, and inability to comply with Council standards on access and parking. In short, although an outline proposal, the development represented overdevelopment of the site.
19. The applicants submitted a revised scheme which reduced the number of houses to three and the flats to two. Following discussions with the Area Roads Manager, this has resulted in a potential solution to the roads concerns, subject to the imposition of conditions requiring certain works. This will involve some “fine-tuning” of the layout but this can be dealt with at the Reserved Matters/Detailed stage. The indicative layout of the site still appears “tight” but I feel that all the requirements for access, drainage, parking, garden provision, etc, can be met. The two houses to the rear of the site are quite close to their rear boundaries but they look over either woodland or the public play park amenity area and therefore do not impinge on any existing residential property. The potential for overlooking between the individual

properties can be designed out at the Reserved Matters/Detailed stage.

20. This said, there is an issue about the conversion part of the development. The application indicates that two flats will be created. However, the indicative plans show the properties to be in the form of two semi-detached houses, each on two floors. In my view, if these are to be semi-detached houses they would require some garden provision which is not provided at present. Planning legislation provides a definition of a flat – “*a separate and self-contained set of premises whether or not on the same floor and forming part of a building from some other part of which it is divided **horizontally***”. This is not what is shown on the indicative drawings. My view is that due to the lack of space on the site for additional garden space (other than that shown for the detached houses) only flatted units can be accommodated in the existing building. The drawings are indicative only, but I would suggest that any permission granted is conditioned to ensure that **only two flats** within the existing building are provided in accordance with the established definition of what constitutes a flat.

## Conclusion

21. The application was called-in, primarily because it may have raised issues in relation to the loss of an existing recreation-based business site. There may also have been issues in relation to affordable housing. The application is for less than 10 units and therefore it is not possible to seek a required affordable element under Highland Council's current policies. However, although indicative, the units shown are modest in size (2/3 bedroom maximum). The loss of the business is unfortunate but it is unlikely that this will impact significantly on the provision of this type of facility within the Park. The business is being closed because of the applicants plans for retrial and not because of a perceived lack of viability. I do not see it as a significant precedent for other similar developments, particularly when the principle of residential re-use is viewed as being entirely compatible with planning policy and the surrounding uses in the area.

## IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

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

22. The original school building will be renovated by the removal of extensions which do not relate particularly well in terms of design and materials to the character and appearance of the existing traditional building. The residential conversion should retain the character of the original structure. Being within a settlement, there are no concerns in terms of impacts on natural heritage and trees.

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

23. Apart from a new use being found for part of this former stone and slate building there are no significant implications for this aim at this stage.

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

24. The Outdoor Centre use at this location can be viewed as serving a function which supports this aim. The loss of it therefore will have a generally negative impact in this respect. Nevertheless, there are other locations in the Park where similar facilities exist.

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

25. In one respect this proposal results in the loss of a rural business associated with the leisure and recreation industry in the Park. However, it could be argued that such a business could be better located on a less restricted site, away from other sensitive uses, with the capabilities to expand and develop to meet continuing demands. Dulnain Bridge has been identified in the Badenoch and Strathspey Local Plan for some limited additional housing development, and there has been public investment to increase the capacity of the sewage treatment works for the settlement. The provision of additional housing in small rural settlements where some community facilities and public transport is available follows good sustainability principles and should help sustain the social and economic development of the community.

## **RECOMMENDATION**

26. That Members of the Committee support a recommendation to:

**Grant Outline Planning Permission for the Erection of 3 No. Dwellinghouses and the Change of Use of the Outdoor Centre to 2 No. Flats, at Dulnain Bridge Outdoor Centre, Dulnain Bridge, 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 new buildings and the conversion of the existing building, means of access thereto, parking and cycle storage areas, means of enclosure, clear definitions of site boundaries, 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. That unless otherwise agreed in writing with the Planning Authority, the conversion of the former outdoor centre building shall constitute the formation of 2 no. flatted units only. The units shall be formed within the confines of the existing structure by a horizontal subdivision of the building and shall constitute flats as defined in the Town and Country Planning (General Permitted Development) Scotland Order 1992 (as revised).
3. Prior to the commencement of development, the developer shall submit full working details of the method of on-site disposal of surface water drainage. This shall be in accordance with the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, CIRIA C521 2000, to the satisfaction of the Planning Authority in consultation with the Scottish Environment Protection Agency.
4. That the road layout and parking provisions shall be generally in accordance with the approved drawing no. 982/1/12/7836 and prior to any other works commencing in connection with the proposed development, the following works shall be completed to the satisfaction of the Planning Authority in consultation with Highland Council's Area Roads and Community Works Manager:
  - a. The junction of the proposed access road and School Road shall be constructed to form a standard turning head arrangement in compliance with Highland Council's Road Guidelines for New Developments. Only the turning head so formed and adjacent footways shall be considered for adoption by the Highland Council. Existing road and footway construction shall be upgraded as necessary in order to satisfy adoption requirements.
  - b. A 2 metre wide footway fronting the flatted development in the existing building shall extend along the south-east side of School Road as far as the vehicular access to "Bridgend Cottage", at which point a crossing arrangement shall be formed to provide a pedestrian link to the existing footway along the north west of School Road. The roadside parking bays for the proposed flats in the existing building shall be relocated to the rear of the new footway or to an agreed alternative location.
  - c. The limit of the adoption at the proposed access road shall be clearly defined by dropped kerbs, or similar approved measures, across the full width of the carriageway.
  - d. The proposed private access road beyond the limit of adoption shall be hard surfaced and construction shall generally comply with the requirements of Highland Council's Road Guidelines for New Developments.
  - e. Appropriate road markings shall be established at the junction of the proposed access road and School Road.
  - f. Street lighting shall be provided to the satisfaction of Highland Council's Senior Lighting Engineer.

- g. A visibility splay of 4.5m by 30m shall be provided and maintained on the north-west side of the proposed access road with its junction with School Road and no obstruction of a height greater than 1m shall be formed within the visibility splay.
  - h. Visibility splays of 2.5m by 30m shall be provided and maintained at the junction of any proposed house access with School Place and no obstruction of a height greater than 1m shall be formed within the visibility splays.
  - i. Parking and manoeuvring space for at least 2no. cars shall be provided within the curtilage of each dwellinghouse such that each vehicle may enter and leave the property independently.
  - j. No surface water from the private access road shall be permitted to shed onto the adopted road.
5. That suitable refuse bin collection points shall be provided within close proximity of the adopted road.
6. That adequate provision of internal cycle storage space for the flatted element of the development be provided on site prior to the occupation of any of the flatted units.

### **Determination Background**

27. The application required several important consultations some of which raised significant concerns about the proposal, in particular the level of development proposed for the site. There was also a requirement to provide test pit result information for the required SUDS. The result was a requirement to amend the proposals considerably by reducing the amount of development. A further round of consultations were required and agreement on a solution was only reached in July.

**Neil Stewart**  
**15 September 2005**

***planning@cairngorms.co.uk***