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## CAIRNGORMS NATIONAL PARK AUTHORITY

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

**Prepared by: ROBERT GRANT, PLANNING OFFICER**

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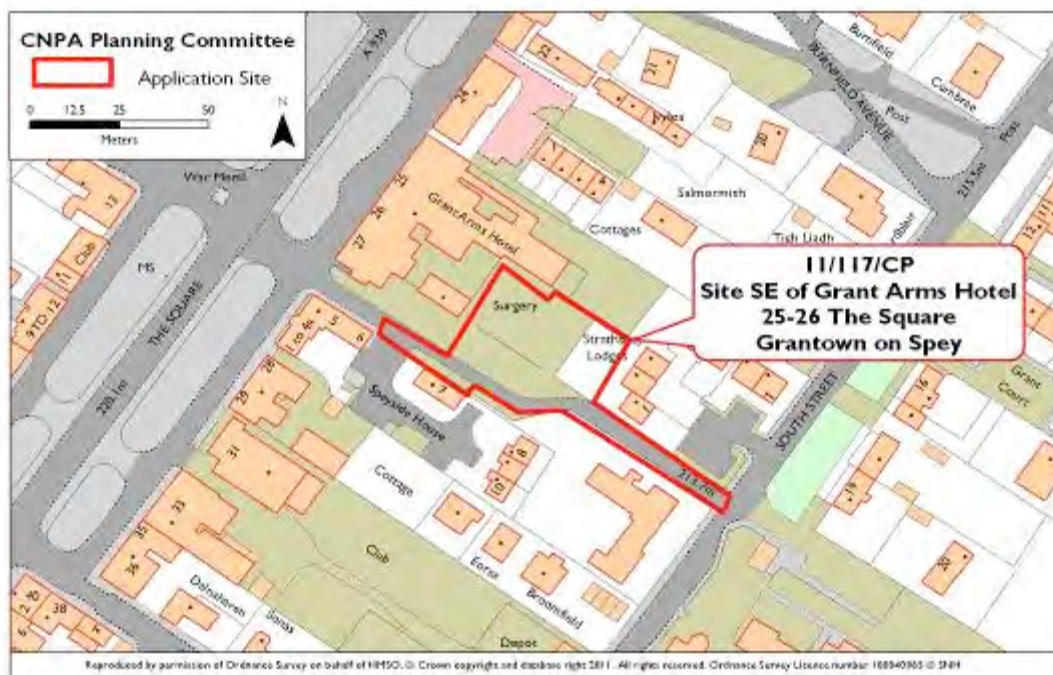
**DEVELOPMENT PROPOSED: APPLICATION FOR MATTERS SPECIFIED IN CONDITIONS (MSC) - ERECTION OF 2 FLATS AND 2 SEMI DETACHED HOUSES (4 IN TOTAL) AT SITE SE OF GRANT ARMS HOTEL, 25 - 26 THE SQUARE, GRANTOWN ON SPEY**

**REFERENCE: 11/117/CP**

**APPLICANT: COLIN LAWSON (BUILDERS) LTD**

**DATE CALLED-IN: 28 APRIL 2011**

**RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS**



**Fig. 1 – Location Plan**

## SITE DESCRIPTION

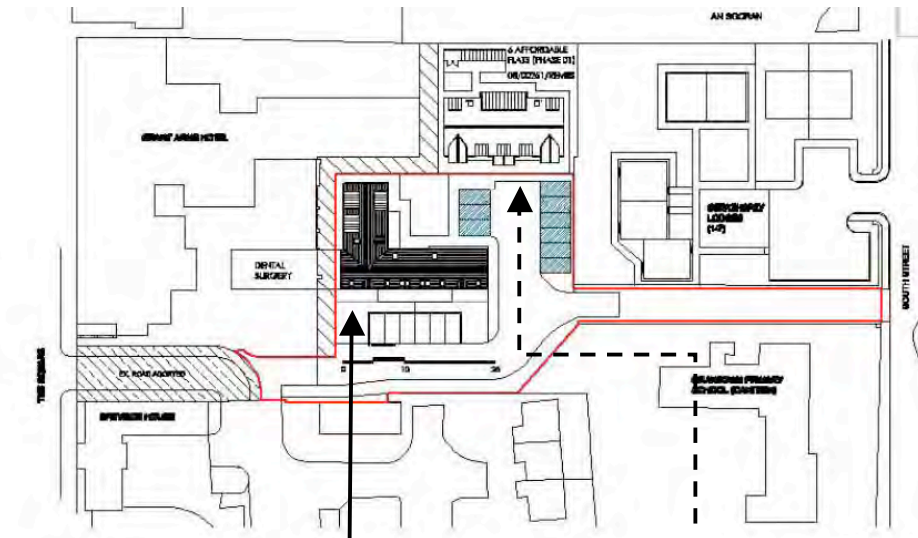
1. The application site lies on the eastern side of The Square, to the rear of the Grant Arms Hotel, a Category C(s) Listed Building, located within the Granttown-on-Spey Conservation Area. It is partially visible from The Square. The site is brownfield land formerly used to park buses visiting the hotel, but is no longer in the ownership of the hotel and now within the curtilage of a construction site. The adjacent area is predominately residential in nature, with a number of 'backland' developments including converted outhouses and more modern housing. The Category A Listed Speyside House, is also located in the vicinity, immediately to the South of the hotel. A traditional single storey building between the site and the hotel is currently used as a dental practice.
2. Planning permission in principle was approved for the erection of 6 flats and 4 dwellinghouses in January 2007 (phase 1 of this, 6 affordable flats, is currently being erected on site under a previous Matters Specified in Conditions (MSC) application – 08/367/CP, granted 19 March 2009). Construction work is well underway on these. For further background please refer to the committee paper available [here:](http://www.cairngorms.co.uk/resource/docs/boardpapers/23022007/CNPA.Paper.1820.Planning%20Committee.Planning.Paper..pdf)  
<http://www.cairngorms.co.uk/resource/docs/boardpapers/23022007/CNPA.Paper.1820.Planning%20Committee.Planning.Paper..pdf>



**Fig. 2 & 3: Site, seen from The Square/ immediate site area**

## PROPOSAL

3. This application seeks 'approval of matters specified in conditions' as part of the planning permission in principle (06/304/CP) previously granted. Permission is sought for the construction of 2 flats (2 bed flat & 1 bed flat respectively) and 2 (3 bed) semi-detached houses in 1 building on the western part of the site – immediately adjacent to the dental surgery (see fig4).



**Fig. 4: Application site, phase 2 (phase 1 being built)**

4. Detailed plans indicating the siting, design and external appearance of the building have been submitted as required by the conditions placed on the planning permission in principle consent. Alongside this, further conditions requiring architecturally sympathetic design, car parking ratios and pedestrian access were also matters to be dealt with via condition within this application.
5. The building proposed would be 1.5 storey's and have an 'L'-shaped configuration with garden ground to the front and rear alongside car parking (6 spaces). It would have a pitched slate roof with wallhead dormer windows and rooflights. Materials would include off white wet dash render and larch cladding. These broadly accord with the indicative drawings submitted as part of the previous applications and the style and design of the 6 affordable flats currently being constructed as phase I. In addition, amended drawings have been submitted which include Air Source Heat Pumps to the gable elevation.



**Fig. 5: Proposed Elevations**

6. The development would be served by public utilities, while other matters such as surface drainage, bin storage and boundary wall treatments have been addressed in previous applications.



**Fig. 6: Streetscape Elevation (showing dental practice and hotel annexe)**



**Fig. 7: Phase I (6 flats currently being built) Elevation**

## DEVELOPMENT PLAN CONTEXT

- Part 2, Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan covering the application site comprises the Highland Structure Plan 2001 and the Cairngorms National Park Local Plan 2010.

### National policy

- Scottish Planning Policy<sup>1</sup> (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It supersedes a variety of previous Scottish Planning Policy documents and National Planning Policy Guidance. Core Principles which the Scottish Government believe should underpin the modernised planning system are outlined at the outset of **SPP** and include:

- The constraints and requirements that planning imposes should be necessary and proportionate;
- The system should .....allow issues of contention and controversy to be identified and tackled quickly and smoothly; and

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<sup>1</sup> February 2010

- There should be a clear focus on quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment.
9. **SPP** emphasises the key part that development management plays in the planning system, highlighting that it should “operate in support of the Government’s central purpose of increasing sustainable economic growth.” Para. 33 focuses on the topic of Sustainable Economic Growth and advises that increasing sustainable economic growth is the overarching purpose of the Scottish Government. It is advised that “the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places.” Planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth.
  10. Under the general heading of Sustainable Development, it is stated that the fundamental principle is that development integrates economic, social and environmental objectives, and that the “aim is to achieve the right development in the right place.”
  11. As a replacement for a variety of previous planning policy documents the new **Scottish Planning Policy** includes ‘subject policies’, of which many are applicable to the proposed development. Topics include Housing and the Historic Environment. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
  12. *Housing*: The **SPP** document states the Scottish Government is committed to increasing the supply of housing. The planning system should enable the development of well-designed, energy-efficient, good quality housing in sustainable locations. The density of new development should be determined in relation to the character of the place and its relative accessibility, with higher densities appropriate at central and accessible locations.
  13. *Historic Environment*: The **SPP** recognises that the historic environment is a key part of Scotland’s cultural heritage. The layout, design, materials and scale of new development should be appropriate to the character and setting of a listed building or a conservation area.
  14. **Scottish Planning Policy** 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.<sup>2</sup> 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 Plan**

### **Cairngorms National Park Plan (2007)**

15. The **Cairngorms National Park Plan** sets out the strategic objectives that provide a long term framework for managing the National Park and working towards a 25 year vision. Under the broad heading of **Conserving and Enhancing the Park**, some of the strategic objectives include ensuring that development in settlements compliments and enhances the character, pattern and local identity of the built and historic environment. Under the theme of **Living and Working in the Park**, the National Park is recognised as being a national asset, while its housing should be more sustainable, energy-efficient and of a higher quality overall. A more proactive provision of directing housing to the main settlements to manage growth sustainably is also set out.

### **Highland Council Structure Plan 2001**

16. **Policy H5 (Affordable Housing)** advises that Section 75 agreements 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.
17. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they meet a range of sustainability criteria.
18. **Policy BC5 Listed Buildings and Conservation Areas** seeks to preserve Highland’s buildings and groups of buildings of historic or architectural interest.
19. **Policy TC9 (Car Parking)** requires car parking provision to be carried out in accordance with the council’s standards.

## **Local Plan Policy**

### **Cairngorms National Park Local Plan (2010)**

20. The Cairngorms National Park Local Plan was formally adopted on 29<sup>th</sup> October 2010. The full text can be found at:  
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
21. The Local Plan contains a range of policies dealing with particular interests or types of development. These provide detailed guidance on the best places for development and the best ways to develop. The policies follow the three key

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<sup>2</sup> Para. 256.

themes of the Park Plan to provide a detailed policy framework for planning decisions:

- Chapter 3 - Conserving and Enhancing the Park;
  - Chapter 4 - Living and Working in the Park;
  - Chapter 5 - Enjoying and Understanding the Park.
22. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with other policies, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime. The following paragraphs list a range of policies that are appropriate to consider in the assessment of the current development proposal.
  23. The application site is located within the Grantown-On-Spey settlement boundary, within an area of white land where a number of development types may be suitable. It is within the Conservation Area.
  24. **Policy 9 Listed Buildings** states that the layout and design of any development should be appropriate to the character and setting of a listed building.
  25. **Policy 10 Conservation Areas** states the development will preserve and enhance the setting and character of the conservation area with an appropriate design, materials and scale and layout.
  26. **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.
  27. **Policy 19 Contributions to affordable housing** the affordable housing policy is intended to ensure the delivery of a wide range of housing options to a wide range of households in the Park. Policy 19 requires that developments of three or more dwellings will be required to incorporate a proportion of the total number of units as affordable. Developments solely for affordable housing will be considered favourably.
  28. **Policy 20 Housing Development within Settlements** states that housing proposals located within settlements that are compatible with existing and adjacent land uses and comprises infilling or small scale development of derelict or underused land will be favourably considered.
  29. **Policy 29 Integrated and Sustainable Transport Network** development proposals that reduce car dependency, promote alternative methods of travel and create path networks will be favourably considered. A Transport Assessment and Green Travel Plan may be required.

## Supplementary Planning Guidance

30. The **Sustainable Design Guide** requires development in the National Park to be well designed, sustainable and wedded to its location in this special place. A Sustainability Statement has been submitted that details:
- All materials to be sourced locally so far as practically possible;
  - The buildings have been orientated and also designed that the main living spaces have larger areas of glazing to maximise passive solar gain;
  - Air Source Heat Pumps will provide heating.

## CONSULTATIONS

31. **Scottish Water** was consulted but did not return comment.
32. **Highland Council TEC Services (Roads)** confirms that they have some concern regarding the loss of off street parking for the hotel but also state that the proposed road layout is acceptable and suggests a number of conditions.
33. **Highland Council Conservation Architect** was consulted but did not return comment.
34. **Highland Council Contaminated Land Officer** reports that contamination may have occurred in the area occupied by Phase 2. Further information has been submitted from the applicant which confirms that no previous uses should lead to contamination.
35. **Highland Council Environmental Health** confirms that there should be no noise sensitivity issues with the Air Source Heat Pumps.
36. **Historic Scotland** confirms that they have no role in the assessment of Cat. C(s) listed buildings.
37. **Grantown and District Community Council** returned no comments.

## REPRESENTATIONS

38. The application was advertised in the Badenoch and Strathspey Herald on 13 April 2011. 1 letter of representation has been received (copy attached). This highlights several grounds for objection including;
- Devaluation of property prices;
  - Residential amenity concerns such as loss of outlook, erosion of privacy and space.

## APPRAISAL

39. 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 development plan and planning guidance is highlighted in paragraphs 8 – 29 of this report.

### **Principle of Development**

40. The principle of development has been established by the previous application for planning permission in principle (06/304/CP). Therefore the principle of development is not in question here, this application does not re-examine this. The planning permission in principle is for 6 flats and 4 houses; however the applicant states that the proposed mix of 2 flats and 2 houses for phase 2 would have better marketability. It is considered that this does not deviate significantly from the permission and offers more diversity to the scheme. The main issue is to determine the matters specified in conditions - whether the siting, design and external appearance of the proposed building is acceptable, compatible with the adjacent listed building and suitable for the conservation area. Compliance with other matters specified in conditions will also be examined.

### **Siting, Design and Layout**

41. In general, the contemporary design and appearance of the proposed building has been carefully considered to respond to its context with a scale and massing similar to the adjacent dental surgery. The building would be laid out by the existing hotel annexe, adjacent to a blank wall and alongside the dental surgery. It would be finished with sensitive natural materials including slate and timber cladding, alongside extensive areas of glazing and off-white render which would marry in with the hotel annexe. It is considered that the proposed siting, design and external appearance of the building is satisfactory and would conserve and enhance the character and amenity of the Grantown-on-Spey-Conservation Area and the setting of the C-Listed Grant Arms Hotel. This would fulfil the requirements of Policies 9 – Listed Buildings and 10 - Conservation Areas respectively. The building would appear as an interesting, contrasting and distinctive design, as required by Policy 16 – Design Standards and one which would reflect the 6 affordable flats currently being built on site.
42. The layout of the car parking, amenity space and landscaping areas are also considered to be suitable, recognising the constrained nature of the site, and the established principle of the development. The comments made by Highland Council TEC services must be taken in the context of the history of the site, with its planning permission in principle already being in place. The parking standard is 1.5 spaces per unit (6 total) and this is specified in Condition 4 of the planning permission in principle. Six parking spaces are shown in front of the building and would be provided in conjunction with 6 others associated with the phase 1 affordable flats. Examining TEC's concerns about loss of parking for the dental surgery and the hotel, it should be recognised that their location is in the town centre, close to services and public transport. The loss of parking should be balanced out with the realisation that car parking exists in front of the dental surgery while on-street spaces are available in The Square or alternatively at a nearby public car park in Burnfield Avenue. Looking at pedestrian access, this is shown as linking through from The Square to South Street with a dedicated through link path that would enhance connections through the centre of Grantown on Spey. It is considered that this complies with conditions to show pedestrian access.

### **Other Issues**

43. Looking now at other matters, affordable housing has previously been provided for within the overall development, in Phase I, by the 6 affordable flats currently under construction; consequently no further requirement is needed. In terms of the objection from a neighbouring resident, this cites concerns over loss of privacy, space and outlook along with property price impacts. The issue of property prices and loss of outlook are not material planning considerations and cannot be addressed in the assessment of this application. In examining other amenity issues including loss of privacy and space, the property in question is noted to be approximately 25 metres away to the south east, across the car park area – this distance along with the orientation of the buildings is considered satisfactory to alleviate any potential issues and overall the proposed building would not have an impact on neighbouring amenity.

### **Conclusion**

44. This application is for 'Approval of Matters Specified in Conditions' and contains and satisfies the specific matters to be approved under the various conditions. The details provided demonstrate that the proposed building would respect its context, the surrounding townscape and the area around it. The contemporary design and appearance would create a fresh, modern housing scheme that would conserve and enhance the character and amenity of Grantown on Spey. Car parking and pedestrian access have also been demonstrated to be satisfactory.

## **IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK**

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

45. The building would enhance the character and amenity of the Grantown on Spey Conservation Area and the setting of the C-Listed Grant Arms. The development would improve the urban townscape in this location.

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

46. The proposed development would use local timber cladding, which promotes the sustainable use of renewable materials. Other energy efficient measures are to be incorporated into the building. The development also makes efficient use of available brownfield land and the location within a settlement also presents opportunities to minimise car travel.

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

47. There are no significant negative impacts associated with the proposed development. The enhancement of the area visually and the formation of pathways would assist in the ability to move in and around the area.

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

48. The proposal would contribute to the significant regeneration of this backland site and the immediate area. Housing would provide additional accommodation in Grantown on Spey and to the National Park as a whole.

## RECOMMENDATION

That Members of the Committee support a recommendation to:

### **Grant approval of matters specified in conditions subject to the following:**

1. The development commence no later than two years from the date of this permission or five years from the date of the planning permission in principle.

**Reason:** To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 or amended by the Planning etc (Scotland) Act 2006.

2. This approval relates solely to the Matters Specified in Conditions referred to in the planning permission in principle reference number 06/304/CP. Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions imposed on that planning permission in principle.

**Reason:** The Matters Specified in Conditions cannot be considered separately from the permission to which they relate and the conditions imposed on that outline planning permission are still applicable.

3. Prior to the commencement of any development, the following details and specifications for finishing materials, and where required, samples, shall be provided for the further written approval of the CNPA acting as Planning Authority:-

- (a) External windows and doors;
- (b) External stonework for the walls;
- (c) Wet dash render for the walls;
- (d) External timber cladding;
- (e) Roofing material;
- (f) All surfacing area's; and
- (g) Boundary treatments

**Reason:** in the interests of visual amenity and to ensure that the materials are appropriate to the character of the area.

4. The development shall be landscaped and maintained in accordance with any approved landscaping scheme as follows:-

- (a) Completion of the landscaping scheme during the first planting season following the completion of the development, or such other date as may be approved in writing with the CNPA acting as Planning Authority.
- (b) The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the Planning Authority, are dying,

being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

**Reason:** To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development.

5. Prior to the commencement of further development, the internal road and parking areas shall be designed and constructed to an adoptable standard satisfying the requirements of Highland Council's Road and Transport Guidelines for New Developments, including the provision of a turning area suitable for larger service vehicles, and street lighting to the satisfaction of the Council's Lighting Engineer. All internal road and parking areas will require to be the subject of a suitable management and maintenance agreement. A roadside footway shall be provided along the roadside frontage of the existing hotel and dental clinic between The Square and the application site. There shall be no vehicular access between the site and South Street. A pedestrian link, designed and constructed to an adoptable standard, shall be provided to link the development to South Street. Drainage measures shall accord with SUDS principles and shall satisfy the respective requirements of SEPA and Scottish Water. Details of the above shall be submitted and approved by the CNPA acting as planning authority, in consultation with Highland Council

**Reason:** To ensure that all works undertaken meets the requirements of the Road's Authority.

6. Communal refuse bin collection points shall be established at suitable locations within the site to the satisfaction of Highland Council. The applicant shall ensure that there is sufficient external storage space for three standard 240 litre wheeled bins per household. The minimum area required is 2m x 1m and the bin area shall be hardstanding, with no steps between the storage area and the collection point (kerbside). If communal bins for these properties are proposed where individual bins are not possible two 1100 litre galvanised bins should be provided per four (or five maximum) households (one for mixed recycle and one for residual waste). Each bin has external dimensions of approx. 1m x 1.3m. An area sufficient to store two 1100 litre bins should be provided for each group of four (or five) households.

**Reason:** To ensure adequate levels of bin storage on site.

7. Communal parking shall be provided at a rate of no less than 1.5 car parking spaces per dwelling unit. A secure cycle storage facility suitable to accommodate at least 2 no. bicycles shall be provided for each flat.

**Reason:** To ensure adequate levels of car parking provision and cycle storage on site.

8. Notwithstanding the drawings hereby approved, a stone boundary shall be constructed along the south west site boundary between the proposed

development and the dental surgery as per a drawing to be submitted and approved by the CNPA acting as planning authority.

**Reason:** To provide a replacement stone wall to maintain and enhance the character and amenity of the area.

**Advice Notes:**

- i. There shall be no vehicular access between the site and South Street. The applicant shall be responsible for the completion of any legal and/or administrative processes necessary to satisfy this requirement
- ii. Prior to any work of excavation or surfacing starting within 2 metres of the public road edge a road opening permit shall have been obtained from the Roads Authority.

**Robert Grant**

**13 June 2011**

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