
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: ERECTION OF DWELLING, GARAGE, OFFICE AND ANCILLARY ACCOMMODATION, LAND AT UVIE FARM, SOUTH WEST OF CRAIG DHU LODGE, LAGGAN, NEWTONMORE (APPROVAL OF RESERVED MATTERS)

REFERENCE: 03/129/CP

APPLICANT: MR. R. TYLDEN-WRIGHT, UVIE FARM, LAGGAN

DATE CALLED-IN: 19 DECEMBER 2003



Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The proposal is for the erection of a new dwellinghouse with adjoining garage, office and ancillary residential accommodation at a site which is located on the south east side of the A86 Newtonmore to Laggan Road, approximately five and a half kilometres south west of Newtonmore (see Fig.1.). The site is contained within the agricultural unit of Uvie Farm which extends to approximately 18 hectares. The land comprises a rocky grassed knoll which is screened from the A86 by natural birch woodland. The area around the proposed house site is approximately level with the A86 but the landform slopes down to the south, east and north as the farmland extends towards to flood plain of the River Spey. The river is approximately 350m from the house site to the south east. Due to the open sloping nature of the landform towards the river plain, the site will be visible when viewed from across the valley and from positions along the Glentrium Road (see Fig.2.). An existing vehicular access off the A86 serves the site which accommodates at present, an agricultural building and a caravan which is used for storage purposes.



Fig. 2 - View of site from MacPherson Monument looking west.

2. The proposed building takes the form of two separate structures linked by a walkway which, due to the slope of the land, is raised above ground level. The main house (two-bedroomed) takes the plan form of a circle, derived from its siting within a natural “bowl” which is formed within the rocky outcrops. All accommodation is housed on one floor except for a central circular glazed tower area which is formed under a pointed “cupola” roof. The diameter of the house is governed by the rocky circle in which it is to be set and extends to a maximum of 15m. The ancillary building takes the form of a rectangle with a pitched roof. It is to accommodate, on two floors, a one-bedroomed residential unit, small office with terrace and a garage. The size of this

building is 6m by 15m and it is to be cut into the natural slope. The proposed finishing materials include for the ancillary building, douglas fir timber boarding for the walls and corrugated steel cladding for the roof. The “cupola” roof to the main house is to be clad in copper, with the rest of the roof structure completed with a sedum roof construction (a natural turf type finish seeded with stonecrop plants). The walls are to be finished with a lime based harl which would be white washed.

3. Outline planning permission exists for a house on this site. It was granted in February 2002 by the Highland Council on the condition that occupancy of the dwelling is restricted to a person employed, or last employed, in the locality in agriculture and his or her dependents. At the time of the outline application, the applicant submitted a report from the Scottish Agricultural College which demonstrated that there was a need for on-site agricultural supervision of more than 1000 hours per year. On this basis the principle of a house was accepted as it complied with planning policy.

DEVELOPMENT PLAN CONTEXT

4. Highland Structure Plan Policy G2 (Design for Sustainability) states that proposed developments will be assessed on the extent to which they, amongst other things, are affected by significant risk from natural hazards, including flooding, impact on resources including habitats, species, landscape, scenery and cultural heritage, and demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments and in making use of appropriate materials. Policy H3 (Housing in the Countryside) states that new houses in the open countryside will not be permitted, unless it can be demonstrated that they are required for the management of the land and related family purposes.
5. Policy 2.1.2.3. (Restricted Countryside Areas) of the Badenoch and Strathspey Local Plan states that there is strong presumption against the development of houses in the restricted countryside, except where a house is essential for the management of land, related family and occupational reasons. Adherence to the principles of good siting and design will be required.

CONSULTATIONS

6. The Highland Council Area Roads and Community Works Manager has stated that, provided the development will be free from the effects of a 1 in 200 year flood event, they have no further comment from an area roads perspective.
7. Highland Council planning officers, under delegated powers, have advised that the principle of a house on this site is established due to the existence of the outline permission. They also state that, while a condition of the outline permission seeks the provision of a traditional house design, they have had pre-application discussions with the applicant which has led to encouragement for an innovative design. The property is well separated from

other development and therefore could accommodate such a design. They conclude that the proposal is certainly innovative but nonetheless acceptable. They therefore recommend approval.

8. Consultations carried out at the time of the outline permission remain relevant. The Scottish Executive Road Network Management and Maintenance Division (Trunk Roads) recommended approval subject to conditions relating to the access onto the A86. SEPA raised no objection on the basis that trial pits had been dug and inspected by Building Control and the ground conditions were found to be satisfactory for the installation of a septic tank and soakaway. Scottish Water had no objections. The water supply is private and boreholes were undertaken at that time. Highland Council's archaeologist required the imposition of a planning condition requiring a programme of archaeological work for the preservation and recording of any archaeological features on the site, including a timetable for investigation.

REPRESENTATIONS

9. No representations have been received. However, attached to the report are copies of supporting statements from the applicant.

APPRAISAL

10. The proposal represents a new house in a Restricted Countryside Area where there is a presumption against this type of development unless there is a proven need case which falls in line with planning policy. In this instance, an agricultural need case was successfully demonstrated when the applicant previously sought permission for the principle of a house on the site. On this basis, an outline planning permission was granted. The existence of the outline planning permission has therefore established the principle of a house here. The technical issues of access, drainage, water supply and archaeology were also addressed at the outline stage. The matter of flooding has been raised by the Areas Roads Manager this time around. However, this was not raised at the time of the outline permission and from my site visit it is apparent that the site is in a position which well away from the river and at a height above the flood plain. The applicant has confirmed in discussions that the site has not flooded. The site is also shown as being outwith the flood plain area defined in the Badenoch and Strathspey Local Plan.
11. The determination of this Reserved Matters application therefore turns on the acceptability of the proposed house design. At the time of the decision to call-in the application, the Committee were shown drawings of the proposed house. Its innovative approach to design, in this countryside location, was something that the Committee felt raised issues of significance in relation to the natural and cultural heritage of the area.
12. There is no doubt that the proposed design represents a different approach to the construction of a house within a countryside area. While it would be the

norm to expect something which reflects the more common approach to house design in this area, planning guidance does not preclude the principle of an innovative approach. National guidance on the siting and design of new housing in the countryside is contained in Planning Advice Note (PAN) 36. It states that its principal objectives are *“to encourage a more sympathetic approach to siting and a more widespread adoption of house design which pays greater regard to variations in landscape and building design within Scotland.”* It goes on to say that this advice should not however be seen *“...as a constraint on architects and designers wishing to pursue innovative and carefully considered contemporary solutions to the design and construction of new housing.”*

13. The applicant has submitted some statements in support of the proposal (copies attached for Members information) and in particular he has emphasised the concepts behind the design solution. To summarise, it is stated that the design displays “appropriateness” to its landscape setting in a countryside location within the wider context of the National Park. The building relates to the landscape, in that the design arises directly from its physical location. The round house element sits tightly within an existing rock circle and the ancillary building lies within a sloping gully between granite outcrops. The design contains local references and themes. The roundhouse and walkway refer to crannogs, the round tower to keeps and castles, the copper roof to distilleries (as seen at Dalwhinnie Distillery) and the ancillary wing to traditional wood and tin bothies. At the same time however, it is stated that the design makes use of innovative structures (the reciprocal frame) pioneered by a Highland Architectural Practice, and assembles its components in a contemporary way. In these ways, the applicant feels that the design sits well in its context but is deliberately contemporary. He feels that the National Park’s cultural heritage is enhanced by becoming dynamic and not static.
14. The applicant has submitted some photo montages which show the house within its landscape context. I have visited the site and viewed it from various positions in the wider area. Due to the birch tree cover, only fleeting glances of the house will be possible from the A86. There is no doubt, however, that it will be visible from the Glentrium Road across the valley to the south east. Nevertheless, this in itself, does not mean that it is unacceptable. The building has a landscape setting when viewed from this side. It sits on a grassy knoll within rocky outcrops, against a backdrop of natural birch woodland and a hillside beyond. It is clear from my site visit that the house has been created to fit into its immediate setting, and indeed its size, scale and configuration has been governed by the physical characteristics and features found on the site. I therefore accept that the components of the building have origins in vernacular buildings found in the Highlands, and that they have been assembled to complement the physicalities of the site. The finishing materials are also appropriate and reflect traditional materials found in the area.
15. To conclude, in line with the view of Highland Council’s planning officers, I am content that this proposal is acceptable in this location. The contemporary nature and the innovativeness of the design, is complemented by the way it has clearly evolved from its landscape setting and its simple references to

traditional building types and materials. This approach is encouraged in PAN 36 and the proposal does not offend current Structure and Local Plan policies. Subject to conditions, I therefore recommend approval.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

16. There are no natural heritage constraints on the site and the location of the development is sufficiently far enough away from the River Spey cSAC. As described above, landscape impacts will be minimal in the wider context. Archaeological features nearby are not directly affected by the works but a condition requiring a programme of investigation and recording was imposed at the outline stage. Conditions imposed in the outline permission remain enforceable. Again as described above, the design of the building has taken references from the cultural built heritage of the area but developed them in a contemporary way. In my view, this has positive implications in terms of this aim.

Promote Sustainable Use of Resources

17. The building is to use some natural materials (such as the sedum roof). Indeed the round roof structure is developed from recycled wooden whisky vats. It can therefore be argued that the proposal has positive implications in terms of promoting sustainable use of resources.

Promote Understanding and Enjoyment of the Area

18. There are no implications, positive or negative, in terms of this aim.

Promote Sustainable Economic Development of the Area's Communities

19. The intention is to build a house on the basis that it is essential for servicing Uvie Farm. However, from information gleaned from the outline application file, it would appear that, apart from the direct agricultural components of the work at this location, there will be other tasks such as managing the woodland and environmental and archaeological monitoring. By permitting a house on this site, there are positive implications in terms of retaining sustainable economic development activity in the area and by maintaining a working population in a community that has suffered a degree of depopulation.

RECOMMENDATION

That Members of the Committee support a recommendation to:

Grant Reserved Matters Permission, subject to the following conditions:-

- i. The development hereby approved shall be commenced prior to 4 February 2007.
- ii. This approval relates solely to the reserved matters referred to in the outline planning permission reference number (01/00238/OUTBS) granted by The Highland Council. Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions imposed on that outline planning permission.
- iii. The ancillary wing accommodating the residential unit, office and garage shall be used as an integral part of the main dwelling and only for purposes incidental to the enjoyment of the occupiers of the main house . It shall not be used as a separate dwelling or business unit and no separate curtilage shall be created.
- iv. That from the date at which this permission is granted, no trees on the site shall be uprooted or felled without the prior written approval of the Planning Authority.
- v. Prior to the commencement of development on site, exact details and specifications (which may require samples) for the following finishing materials, shall be submitted for the further written approval of the Planning Authority:-
 - a. the sedum roof
 - b. the corrugated steel roof cladding and its colour
 - c. the timber wall cladding and its stain colour
 - d. the stain colours for the timber decking and walkway railings and posts
- vi. Prior to the commencement of the wall rendering works, a sample panel, approximately 1 metre square, of the lime harling and its finished colour, shall be prepared on site for the inspection and further written approval of the Planning Authority.
- vii. Prior to the commencement of works on site, exact details of the works proposed for the formation, upgrade, landscaping and finishing of the access tracks and footpaths shall be submitted for the further written approval of the Planning Authority.

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22 March 2004
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