
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: MARY GRIER (SENIOR PLANNING OFFICER, DEVELOPMENT MANAGEMENT)

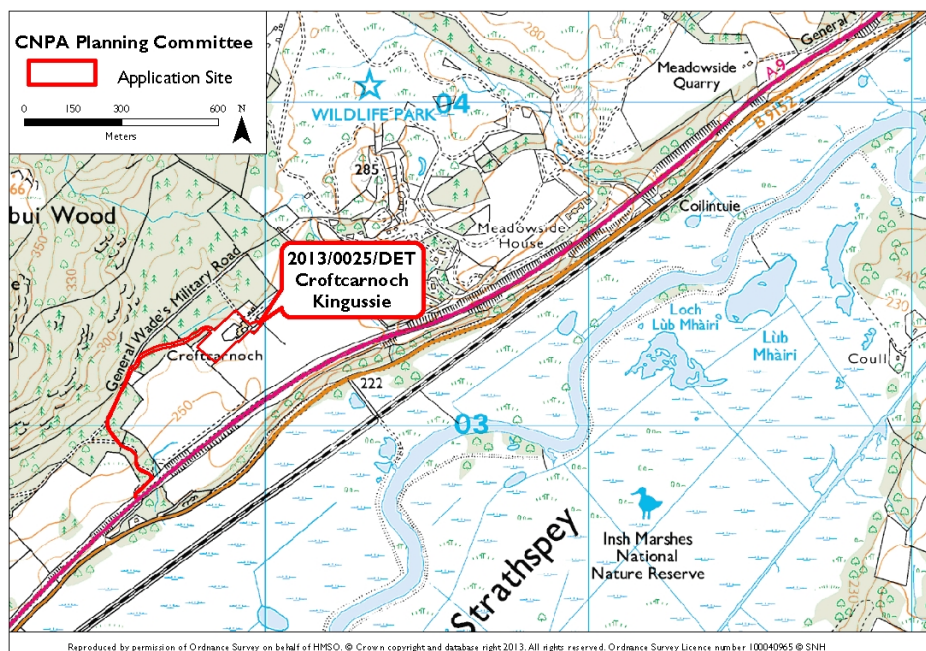
DEVELOPMENT PROPOSED: PLANNING PERMISSION FOR A NEW HOUSE AND REFURBISHED STEADING FIR STORAGE / GARAGE ANCILLARY TO THE HOUSE AT CROFTCARNOCH, KINGUSSIE

REFERENCE: 2013/0025/DET

APPLICANT: MR. & MRS. ALLAN MACPHERSON – FLETCHER C/O DENHOLM PARTNERSHIP LLP

DATE CALLED-IN: 25 JANUARY 2013

RECOMMENDATION : APPROVE WITH CONDITIONS



Grid reference : 803299 279920

Fig. I - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought in this application for a new dwelling house on land at Croftcarnoch, near Kingussie, which is part of Balavil Estate. The proposed site at Croftcarnoch extends to approximately 2 acres. The identified site boundary also encompasses the existing access which leads from the junction with the A9 trunk road. From the junction of the A9 to the site of the proposed house is a length of approximately 1.05 kilometres.
2. The subject site includes a currently disused steading and a one and half storey detached traditional dormer dwelling house, which is currently let by the Estate on a short term assured tenancy. In addition to the proposed new dwelling house, planning permission is also sought in this application for the refurbishment of the steading to provide storage and garage facilities. The land at the front of the site is open grassland, slightly sloping downwards towards the A9 trunk road (which has been developed in a cut through the land), while the land at the rear of the site provides a heavily forested backdrop.

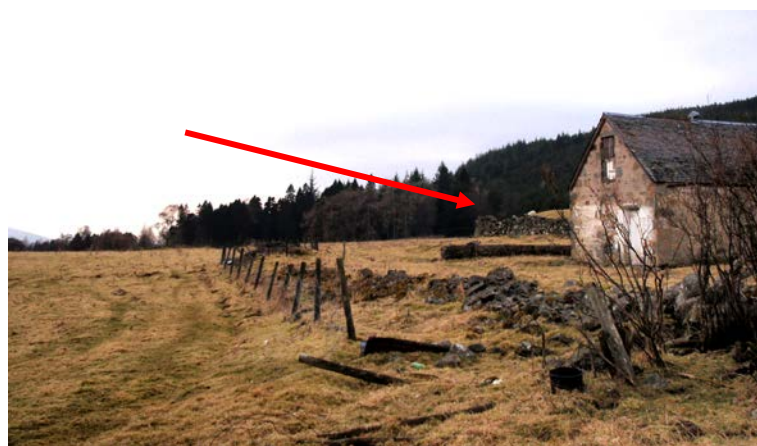


Fig. 2 : Existing steading and adjacent site of proposed dwellinghouse

3. The new dwelling is proposed to be constructed on an area of raised ground a short distance to the south west of the existing steading. It was determined in the course of an archaeological survey which was undertaken in September 2012 following pre-application discussions, that the raised area was a mid 19th century stackyard, which was most likely constructed at the same time as the steading and farmhouse. At that time work would most likely have been undertaken to level off the top of a natural knoll and a substantial stone wall would have then been constructed around it, in order to form an effective barrier to livestock.¹
4. The new dwelling is designed in a U shape, with the main section being a two storey structure, with lower winged elements extending to the side and towards the rear to form the remainder of the U shape, around a courtyard. The predominant external finish is white wet dash render, with locally sourced natural stone proposed on selected elements including the projecting gables of

¹ The archaeological survey concluded that “there are no archaeological features likely to be affected by the proposed development.”

the winged sections on the eastern elevation. Horizontal timber cladding is proposed on a rear projecting one and a half storey element. Slate is proposed on the roof. Windows and doors are detailed as being 'high performance UPVC double glazed' while porch elements and window and door surrounds are to be constructed in reconstituted stone.

5. The main entrance to the new dwelling house would be from the courtyard area (western elevation). Accommodation at ground floor level is proposed to include a reception / drawing room, an open plan kitchen / sitting / dining / breakfast room, a smaller separate kitchen with access to a larder and store, a snug, study, a bedroom with en suite and dressing room facilities, various storage rooms, a boot / gun room, a utility and plant room, and an attached triple vehicle garage. Upper floor accommodation includes 6 bedrooms and associated en suite facilities.



Fig. 3 : Western (courtyard facing) elevation



Fig. 4 : Eastern (A9 facing) elevation

6. As detailed in paragraph 2, the disused U shape steading is proposed to be refurbished to provide additional garaging and storage facilities, as well as a workshop and office space.² The existing structure is traditional in appearance, is relatively intact and is constructed of stone walls under a slate roof. There is also a small section of vertical timber cladding on the gable of the northernmost wing. The refurbishment of the structure involves little alteration to the form of the structure. All existing openings are proposed to be retained. In addition, three new openings are proposed, two of which are on the western (rear) elevation, and the third opening is on the southern elevation. The new openings are sufficiently limited, are in inconspicuous positions, and are of a scale and design which would maintain the character of the traditional steading.



Fig. 5 : Existing U shaped steading

² This latter element would be created in a newly developed mezzanine level in the northern wing of the structure.

Proposal justification

The case for a new dwelling house

7. A Supporting Planning Statement has been submitted with the application in which it is detailed that the proposal aims to provide an additional dwelling house on Balavil Estate. The applicant and the future occupants of the proposed new dwelling house currently reside in Balavil House. The Estate is run as a Sporting Estate, and the applicant has been active in the management of the Estate for over 38 years. The hub of activity is at Balavil House, which presently acts as a family home and provides guest accommodation and management accommodation for the Estate. It is however noted in the submission that the fact that Balavil House also serves as a home is a limiting factor in its future business development. Details have been provided on a variety of options that the Estate are currently considering for potential future uses of the substantial Category B listed building, including suggestions of its potential use as visitor accommodation³, and reference is also made to the possibility of conversion to smaller residential units. Any future changes of use of Balavil House would be the subject of a separate planning application. The relevance of the possibilities outlined in the context of this application are purely to demonstrate that the applicant will be taking a less active role in the future business development of the Estate. Mr. Macpherson Fletcher is essentially retiring from activities and as such requires a new house, at a location separate from Balavil House.

Site selection

8. A number of reasons have been put forward to justify the selection of the proposed site. The site lies to the eastern edge of Balavil Estate and has been specifically selected in order to complete a cluster of buildings in this location, in which the existing farm cottage and the disused steading exist. The site was also selected as it was sufficiently removed from Balavil House, thereby ensuring that the new development would not detract from the preservation and protection of Balavil House as a Category B listed building. Reference is also made in the supporting statement to the landscape rationale – it is acknowledged that Balavil House is prominent and has a designed landscape setting, while the development at Croftcarnoch has been designed to be the opposite. There is no formal landscape design other than the proposed new structure clustering with existing buildings and it is stated that the “new house would be set within the landscape and would not dominate it.”

Design and Sustainability credentials

9. Details have been provided in support of the planning application to demonstrate its design and sustainability credentials. Some of the key points include :
- The use of locally sourced materials;
 - Retention of the existing steading will assist in maintaining the cultural heritage of the area;
 - The proposed design and its architectural features reflect the character of the local area;

³ Hotel, apartments or time share flats are detailed as possibilities.

- The house will meet current building regulations and will be insulated to a very high level;
- The house design has been developed to maximise the benefits from solar gain, daylight and natural ventilation;
- The layout of the house is such that the main living and frequently used accommodation is on the south and south west facing elevations in order to maximise solar gain and reduce the need for additional heating;
- The house layout has been designed with flexibility in mind and can be easily adapted to suit the differing requirements of residents over time, thereby enabling residents to remain in the house in the event that their needs change; and
- The accommodation includes dedicated space for facilities to enable recycling and composting facilities will also be available for the treatment of sustainable materials.

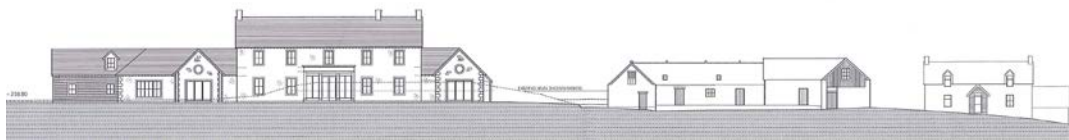


Fig. 6 : Proposed new dwelling, renovated steading and existing cottage



Fig. 7 : Site of proposed new house, with steading and cottage in background

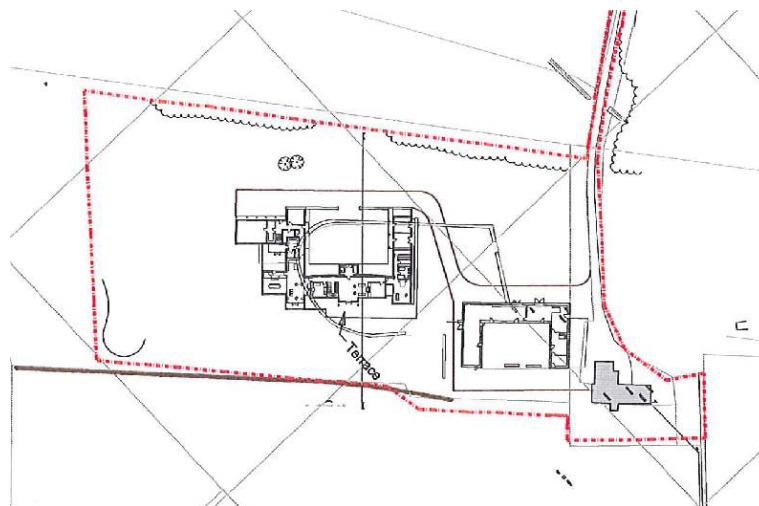


Fig. 8 : Proposed site plan

Previous site history

10. Planning permission was previously granted by Highland Council for the conversion of the steading into two dwelling houses and the change of use of some of the surrounding agricultural land to form garden ground (Highland Council planning ref. no. 08/00174/FULBS refers).

DEVELOPMENT PLAN CONTEXT

National Policy

11. **Scottish Planning Policy⁴ (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 shouldallow issues of contention and controversy to be identified and tackled quickly and smoothly; and
 - 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.
12. **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.
13. 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."
14. 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 economic development, rural development, and landscape and natural heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.

⁴ February 2010

15. Landscape and natural heritage : The **Scottish Planning Policy** document recognises the value and importance of Scotland's landscape and natural heritage. It is accepted that landscape is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. As different landscapes have different capacities to accommodate new development, the siting and design of development should be informed by landscape character. There is also an acknowledgement that the protection of the landscape and natural heritage may sometimes impose constraints on development, but the potential for conflict can be minimised and the potential for enhancement maximised through careful siting and design.
16. Housing : The planning system is required to enable the development of well designed, energy efficient, good quality housing in sustainable locations. In a section entitled 'Location and Design of New Development' it is advised that new housing development should be integrated with public transport and active travel networks rather than encouraging dependence on the car.
17. **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."

Strategic Policies

Cairngorms National Park Partnership Plan 2012 - 2017

18. The Cairngorms National Park Partnership Plan 2012 – 2017 is the management plan for the National Park for the next 5 years. It sets out the vision and overarching strategy for managing the Park and provides a strategic context for the Local Development Plan. Three long term outcomes have been identified to deliver the vision for the Park, to continue the direction set out in the first National Park Plan and to together deliver the four aims of the National Park. The outcomes are :
 - A sustainable economy supporting thriving businesses and communities;
 - A special place for people and nature with natural and cultural heritage enhanced; and
 - People enjoying the park through outstanding visitor and learning experiences.
19. Policies to secure the outcome of 'a special place for people and nature with natural and cultural heritage enhanced' are also of relevance to the current proposal. Policy 2.8 seeks to enhance the design and sense of place in new development and existing settlements. The Plan sets out a number of means by which policy 2.8 can be achieved, including enabling new development which contributes positively to a sense of place; promoting a high standard of sustainable design, energy efficiency, sustainably sourced materials and construction in new development; and supporting the retention and enhancement of the local character.

Structure Plan Policy

Highland Council Structure Plan (2001)

20. **Highland Council Structure Plan** is founded on the principles of sustainable development, which are expressed as –
- Supporting the viability of communities;
 - Developing a prosperous and vibrant local economy; and
 - Safeguarding and enhancing the natural and built environment.
- A variety of detailed policies emanate from the principles.
21. The following provides a brief summary of the policies applicable to a development of this nature. Section 2.2 of the Plan focuses on the subject of housing. It recognises that the “availability of quality housing is fundamental to social and individual well being and to creating and maintaining balanced communities.” The Plan also states that adequate provision of housing is a pre-requisite.
22. **Policy NI – Nature Conservation** advises that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Plan refers to the socio-economic benefits of the nature conservation resource and advises that it should be optimised by a high level and standard of interpretation and understanding wherever possible.
23. The Structure Plan also includes a section on biodiversity, defining it as “natural richness and diversity of nature – the range of habitats and species and the uniqueness of each and every organism.” Biodiversity is not the same as natural heritage, but is one of the key functional components. As a key part of the natural heritage of an area it is important to protect, and where possible enhance biodiversity and to monitor any change.
24. Section 2.4 of the Plan concentrates on the subject of landscape, stating that “no other attribute of Highland arguably defines more the intrinsic character and nature of the area than its landscape.” Similar to national policy guidance, there is a recognition that landscape is not a static feature and that the protection and enhancement of landscape and scenery must be positively addressed. **Policy L4 Landscape Character** states that “the Council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.”
25. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things make use of brownfield sites, existing buildings and recycled materials; are accessible by public transport, cycling and walking as well as car; are compatible with service provision; demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments; and contribute to the economic and social development of the community.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

26. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at :
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
27. 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. 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.
28. *Policy 4 - Protected Species* : development which would have an adverse effect on any European Protected Species will not be permitted unless there are imperative reasons of overriding interest, including public health or public safety; there is no satisfactory alternative solution; and the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. The policy is intended to ensure that the effects of development proposals on protected species are fully considered by the planning authority.
29. *Policy 5 – Biodiversity* : development that would have an adverse effect on habitats and species identified in the Cairngorms Biodiversity Action Plan, UK Biodiversity Action Plan, or by Scottish Ministers through the Scottish Biodiversity List, will only be permitted where
- (a) The developer can demonstrate that the need and justification for the development outweighs the local, national and international contribution of the area of habitat or population of species; and
 - (b) Significant harm or disturbance to the ecological functions, continuity and integrity of the habitats or species populations is avoided, or minimised where harm is unavoidable, and appropriate compensatory and / or management measures are provided and new habitats of commensurate or greater nature conservation value are created as appropriate to the site.
30. *Policy 6 – Landscape* : there will be a presumption against any development that does not complement and enhance the landscape character of the Park, and in particular the setting of the proposed development. Exceptions will only be made where any significant adverse effects on the landscape are clearly outweighed by social or economic benefits of national importance and all of the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction.

31. Policy 8 – Archaeology : The policy presumes in favour of preserving in situ Scheduled Monuments and other identified nationally and regionally important archaeological resources. In addition, all other archaeological resources will also be preserved in situ wherever feasible. The Planning Authority will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications.
32. Policy 16 – Design Standards for Development : this is one of a number of policies which is intended to encourage developers to consider how they can best include the principles of sustainable development in their proposals, and consider the impact on the environment, economy and community. Policy 16 requires that all proposals are accompanied by a design statement which sets out how the requirements of the policy have been met. The design of all development is encouraged to :
- Reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and materials;
 - Use materials and landscaping that will complement the setting of the development;
 - Demonstrate sustainable use of resources; and
 - Be in accordance with the design standards and palette of materials as set out in the Sustainable Design Guide.
33. Policy 18 – Developer Contributions : development which gives rise to a need to increase or improve public services, facilities or infrastructure, or mitigate adverse effects, will normally require the developer to make a fair and reasonable contribution in cash or kind towards the additional costs or requirements.
34. Policy 19 – Contributions to affordable housing : Proposals for one or two open market dwellings will be required to make a contribution towards affordable housing, in the form of a cash payment towards the meeting of housing need in the local area.
35. Policy 22 – Housing developments outside settlements : there are a number of circumstances in which housing development⁵ outside settlements can be facilitated in accordance with the planning policy. Circumstances include :
- (a) Where the accommodation is for a worker in an occupation appropriate to the rural location; or
 - (b) The dwelling is for a retiring farmer or crofter on land managed by them for at least the previous ten years, or for a person retiring from another rural business, where their previous accommodation is required for the new main operator of the farm, croft or rural business; or
 - (c) The development is sited on rural brownfield land.
36. Policy 27 – Conversion and Reuse of Existing Traditional and Vernacular Buildings : development proposals for the conversion of existing traditional and

⁵ In addition to affordable housing.

vernacular buildings will be permitted where a building is redundant from its original use and it can be demonstrated that it is unlikely to have a commercial or economic future in its current form. The proposal is also required to be designed to maintain the style and character of the original building in terms of form, scale, materials and detailing.

Supplementary Planning Guidance

37. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted.

Sustainable Design Guide

38. The guide highlights the fact that the unique nature and special quality of the Cairngorms National Park and the consequent desire to conserve and enhance this distinctive character. The guidance has at its core the traditional approach to design which aims to deliver buildings which provide a resource efficient, comfortable and flexible living environment. The **Sustainable Design Guide** requires the submission of a Sustainable Design Statement with planning applications. It is intended that applicants would use the Sustainable Design Statement to demonstrate how standards set out in the Sustainable Design Checklist will be achieved.
39. One of the key sustainable design principles referred to in the document is that “future development in the Park should be sensitively located, reflect existing development pattern and setting, and respect the natural and cultural heritage of the Park.” Developments are also required to reflect traditional materials and workmanship, and take on board innovation, contemporary design and the emergence of modern methods of construction.

Natural Heritage SPG

40. The guidance document sets out how the natural heritage of the Cairngorms National Park will be taken into account when considering all development proposals. It explains the six key principles that will be used to assess planning applications and also provides an indication of evidence that should be gathered to accompany a planning application. Applicants are expected to provide three separate pieces of information, which includes a description of the natural heritage on the site; an assessment of any effect on the natural heritage; and where adverse effects are found within an assessment, details of mitigation or compensation measures are required to be submitted.

Developer Contributions SPG

41. The guidance is designed to be read in conjunction with Policy 18 of the Local Plan. The guidance sets out the framework for the provision of contributions.

CONSULTATIONS

42. Transport Scotland : There is no objection to the granting of planning permission. The pro forma response indicates that “the Director does not propose to advise against the granting of permission.”

43. Kingussie Community Council : Kingussie Community Council was consulted on the proposal. No response has been received at the time of preparing this report.
44. Kincraig Community Council : The response from Kincraig Community Council expresses support for the planning application. It states that “it is in keeping with the four aims of the National Park and complies with the Cairngorms National Park Local Plan 2010 and the Scottish Planning Policy 2010 for new dwellings in the countryside.”
45. The response from the Community Council expresses concern at the CNPA’s call in reason which in part referred to the proposed development being ‘potentially prominent’ from the A9. The Community Council response notes that the Supporting Planning Statement which was submitted with the application refers to the “gentle curving landform (where the A9 moves into a cutting) means that Croftcarnoch cannot be seen by passing traffic.”
46. Planning Gain : The development proposal has been considered by Planning Gain officials and it is recommended that a development contribution is provided towards the provision of affordable housing.
47. CNPA Ecology : The response from the CNPA Ecology Officer considered the implications of the proposal and notes that the steading which is to be renovated is a traditional stone built construction with a slate roof. Such buildings have the potential to be used by bats⁶ for roosting. It is however noted that the bat survey which was conducted in August 2012 did not find that bats appeared to use the building. It is also noted that the building is accessible to nesting birds, through open doorways and skylights, as well as potentially under the eaves. The Ecology Officer considers that the renovation of the building would be likely to remove existing bird nesting opportunities. It is recommended that renovation work at the steading should only occur outwith the bird breeding season in order to avoid disturbing nesting birds and that nesting and roosting opportunities should be introduced into the built environment of both the house and the renovated steading.
48. The response from the Ecology Officer also refers to the sheep grazed, semi-improved grassland area in which the new dwelling house is proposed. It is commented that the central part of this field is elevated and ringed with a long established drystone dyke, which supports a varied lichen community. It is noted and welcomed that stones from the drystone dyke would be reused to create a new drystone garden wall. Given that such stones support a diversity of the aforementioned lichens, it is recommended that they are sensitively handled, stored and re-laid in order to maintain their conservation value.⁷
49. CNPA Landscape : The Landscape Officer has considered the development proposal in the context of landscape character, visual impact and the effects on Special Landscape Qualities. It is noted that the proposed site is within the Insh

⁶ Bats are a European Protected Species.

⁷ An example of this would be stones being stored and re-laid with lichens facing outwards.

Marshes Landscape Character Area, within which large lodges and prominent farms on the south facing slopes above the A9 trunk road are a key feature. The proposed location of the new building is considered to reflect the pattern of occasional large houses along the strath. The siting of the proposed new dwelling on slightly higher ground and set back a short distance behind the line of the existing steading and farmhouse gives a hierarchy of scales and provides balance within this group of buildings.

50. The Landscape Officer describes the proposed dwelling house as being a new focal feature in the landscape. The courtyard design of the dwelling is welcomed as a means of reducing the visual bulk of the building when viewed from any particular direction. It is noted that development at Croftcarnoch sits on the slopes above the strath and the site will not be readily visible from the A9, which is in a cutting at this point. However, it is likely that there will be glimpsed views of the upper parts of the proposed development from various other areas on the A9, as well as the site being visible from the Highland Wildlife Park, which is located a short distance to the north.
51. It is recognised that the proposed landscaping will take some time to provide an established landscape context for the new building. However, the species proposed are relatively fast growing and the details which have been provided of an intended maintenance regime will also assist this process. It is recommended that the planting could be further enhanced by including a number of larger Scots pine in the planting mix. In overall terms, from a landscape perspective it is considered that this proposal has the potential to have a positive impact.

REPRESENTATIONS

52. No representations have been received in respect of the development proposal.

APPRAISAL

53. There are a variety of issues to consider in assessing the development proposal, including compliance with planning policy and in particular assessing the case for a new dwelling in an area outside a settlement. Natural heritage matters, in the form of landscape and ecology are also key factors in the considerations.

Planning policy

54. The case which has been advanced in support of the proposal for a new dwelling house on this land has been detailed in paragraph 7. A significant level of background information on potential changes in the business direction of Balavil Estate, and Balavil House in particular, has been detailed in the Supporting Planning Statement which accompanied the application. Much of this discusses potential future scenarios, all of which would require planning applications for any changes of use which might be proposed at Balavil House. Despite the fact that the potential proposals for Balavil House pertain to the future, it is clear from the evidence provided that after 38 years of being

involved in the operation and management of Balavil Estate, the applicant is retiring and requires the new dwelling house to retire to. The details are sufficient to demonstrate that the principle of the development is acceptable in the context of the CNP Local Plan Policy 22 (Housing Development outside Settlements), and specifically complies with part B of the policy, which refers to the dwelling being for a “retiring farmer or crofter, on land managed by them for at least the previous ten years, or for a person retiring from another rural business, where their previous accommodation is required for the new main operator of the farm, croft or rural business.” Having accepted this case and consistent with guidance in the Scottish Government’s recent Circular3/2012 (Planning Obligations and Good Neighbour Agreements)⁸ it is not considered appropriate to impose restrictions on the occupancy or use of the proposed new dwelling house.

55. In examining the proposal in the context of other applicable planning policies, the development can be considered to accord with Local Plan Policy 6 (Landscape). The consultation response from the CNPA’s Landscape Officer, as detailed in paragraphs 50 - 52, describes the characteristics of the Insh Marshes Landscape Character Area within which the site is located, with those characteristics including large lodges and prominent farms. The new dwelling will become a new focal feature and the design and scale of the building would be consistent with the existing landscape characteristics of the area. As such the proposal is considered to have the potential to complement and enhance the landscape character of this area of the Park.

Design and Siting

56. The proposed dwelling house is of a substantial size, but has been designed in a way which will reduce the visual bulk of the new building. The main two storey element is at the core of the courtyard design and indeed this is the element which will become the focal feature. The U shaped courtyard design which would be created by the lower level ‘wings’ either side of the main structure echoes the traditional U shape of the adjacent steading. The projection of those wings and the development of the courtyard to the west of the main structure also deliver several benefits, including reducing the visual prominence of the built elements, providing the opportunity to maintain the area to the southeast (A9 facing) of the dwelling in a relatively natural form, and also providing a practical, sheltered main entry point to the new dwelling house.
57. The choice of materials are generally considered to be appropriate to the design and setting of the building. The predominant use of white wet dash render, complemented by the use of locally sourced natural stone on feature elements such as the south eastern gables of the single storey wings, is appropriate. Timber cladding is proposed on the garage wing which would project from southern end of the courtyard and in this context is acceptable. Although physically linked to the rest of the structure, the main purpose of

⁸ Para. 51 of the Circular states that “where the authority is satisfied that an adequate case has been made, it should not be necessary to use a planning obligation as a formal mechanism to restrict occupancy or use.”

that wing (to provide triple garaging) is essentially ancillary and its set back towards the rear of the courtyard identifies it almost as a separate component, similar to an outbuilding, on which one might expect a timber clad finish. The only point of concern in relation to the identified finishes is the proposal to use UPVC windows and doors. In the interests of sustainability and in order to enhance the overall appearance of the building through the use of traditional materials, timber windows and doors may be a more appropriate choice than UPVC.

Conclusion

58. Having considered the principle of a new dwelling house on the subject site, the design and siting of the new structure and the refurbishment proposals for the adjacent steading, the development is considered appropriate and acceptable. The development has the potential to assimilate well into the landscape, with the proposed siting reflecting the characteristics of the area which include lodges and prominent farms.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

59. The proposed development would result in the introduction of a relatively large new dwelling into the rural setting. It has however been designed to ensure that it assimilates with existing structures in the vicinity, takes advantage of the natural landform and benefits from the woodland backdrop. As such it is not likely to give rise to adverse landscape impacts.
60. The refurbishment of the steading and the limited alterations to the design is beneficial from the point of view of conserving and enhancing the cultural heritage of the area. The works may however result in the loss of some nesting opportunities for birds. Ensuring that works are undertaken outwith the bird breeding season and introducing bird nesting opportunities into the steading refurbishment and into the new dwelling would offset any potential loss. The potential also exists to introduce bat roosting opportunities into the structures.

Promote Sustainable Use of Natural Resources

61. In addition to utilising the disused steading as part of the overall development proposal, the proposals also include the use of locally sourced stone (and some of the landscaping works include the use of stone immediately available on the site). There is also a commitment to use locally sourced timber where possible.
62. In addition, the new dwelling house has been designed (both in terms of external appearance and internal floorplan) and oriented to maximise solar gain and to reduce the amount of additional heating required.

Promote Understanding and Enjoyment of the Area

63. The proposal would introduce a relatively large new dwelling house into the rural landscape, and this new feature would have the potential to be visible

from higher ground to the east. However, the overall scale of the new build and its relationship with the existing structures in the vicinity is acceptable and would not impact upon the general public's enjoyment of the landscape and the special qualities of the area.

Promote Sustainable Economic and Social Development of the Area

64. The new dwelling would provide accommodation for the applicant, who is retiring from an active role in the operation and management of Balavil Estate. There are a number of potential future development opportunities pertaining specifically to Balavil House which have a stronger prospect of being explored once the applicant has vacated the property. This could in the longer term be of benefit to the economic development of the area.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT planning permission for a new house and refurbished steading for storage / garage ancillary to the house, on land at Croftcarnoch, Kingussie, subject to the following :

- (a) **the completion of a Section 75 Planning Obligation to secure the payment of developer contributions towards affordable housing OR the payment of the required developer contributions in advance of the release of the decision notice;**

AND

- (b) **subject to the following conditions :**

1. The development to which this permission relates must be begun within three years from the date of this permission.

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

2. Prior to the commencement of above ground construction works, samples of roofing and all external wall materials (natural stone, wet dash render and timber cladding) shall be submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority. All agreed materials shall be utilised in the construction thereafter.

Reason: To ensure that the detailed finishing materials are appropriate for the building and its setting.

3. No development shall be undertaken during the recognised bird breeding period, between April and mid July inclusive, unless otherwise agreed in writing with the Cairngorms National Park Authority acting as Planning Authority.

Reason : In order to protect nesting birds and in the interests of conserving and enhancing the natural heritage of the area.

4. All windows and doors shall be solid timber. Prior to the commencement of development a sample window frame and details of all external window and door colours / stains shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority. All agreed materials shall be utilised in the construction thereafter.

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

5. Prior to the commencement of development, a photographic record shall be made of the existing steading and shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority. No site clearance work shall take place until confirmation in writing has been received from the CNPA as Planning Authority, that the record made has been lodged and is satisfactory.

Reason : To protect the historic interest of the site.

4. Prior to the commencement of the development revised elevation drawings of the dwelling house and the steading shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority to show the incorporation of bird nesting and bat roosting opportunities in the proposed design.

Reason: In the interests of enhancing the natural heritage of the area.

6. Prior to the commencement of development, a revised landscaping plan shall be submitted for the written approval of the Cairngorms National Park Authority acting as Planning Authority. The landscaping plan shall include a larger number of Scots pine in the planting mix. The landscaping shall be implemented and maintained in accordance with the approved plan. The plan shall include details of finished levels, and within areas of tree and shrub planting shall show the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted. The landscaping details shall ensure:-
 - (a) Completion of the scheme during the planting season next following the completion of the development, or such other date as may be agreed 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 CNPA acting as Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted; and
 - (c) Include measures for the retention and future maintenance of a substantial amount of the woodland area immediately to the west of the house site.

Reason: In the interests of protecting the visual amenity of the area and in order to enhance the natural heritage of the area.

7. All public services for the development, including electrical, cable television and telephone cables, shall be located underground throughout the site.

Reason: In the interests of minimising the visual impact of the development.

Advice notes :

- (a) Advice and products on how to incorporate bat and bird nesting opportunities into the built environment is available from a variety of sources, including
- www.rspb.org.uk/advice/helpingbirds/nestboxes/index.aspx;
 - www.concernforswifts.com;
 - www.swift-conservation.org;
 - www.bats.org.uk;
 - www.habibat.co.uk;
 - www.barnowltrust.org.uk
- (b) Care should be taken in the handling, storing and re-laying of stones from the drystone dyke, in order to maintain their conservation value. For example, stones should be stored and re-laid with the lichens facing outwards.

Mary Grier

planning@cairngorms.co.uk

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The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.