

## CAIRNGORMS NATIONAL PARK AUTHORITY

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

**Prepared by:** ROBERT GRANT, PLANNING OFFICER  
(DEVELOPMENT MANAGEMENT)

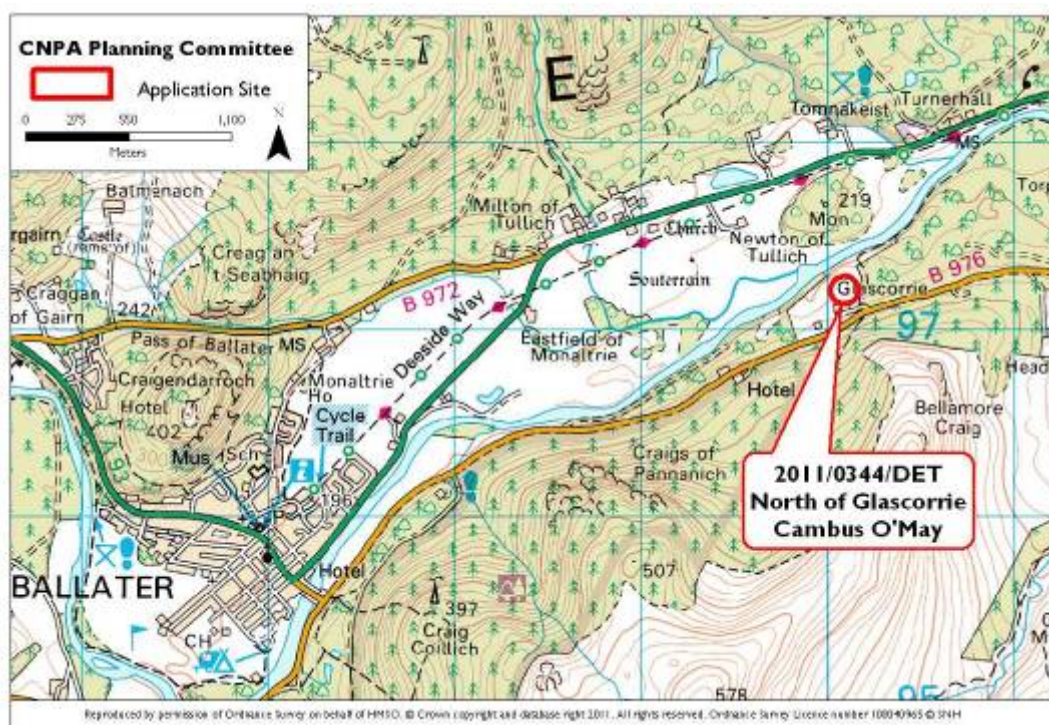
**DEVELOPMENT PROPOSED:** ERECTION OF REPLACEMENT DWELLINGHOUSE AT GLASCORRIE, CAMBUS O' MAY BALLATER

**REFERENCE:** 2011/0344/DET

**APPLICANT:** MR N. WILLIAMS C/O INSPIRED DESIGN & DEVELOPMENT LTD

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

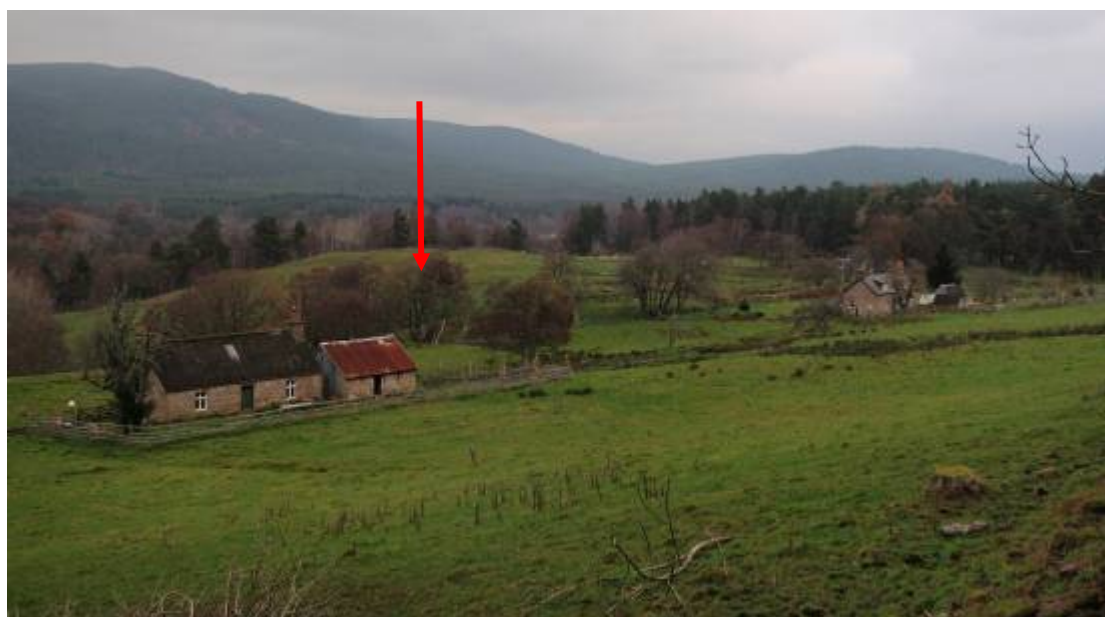
**RECOMMENDATION:** REFUSE



**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. The application site comprises an area of rough grassland at Glascorrie Croft some 4km east of Ballater, by the B976 South Deeside Road. Two dwellings (see fig.2) are located within the designated smallholding, including a modernised 1.5 storey detached house alongside a more traditional 19<sup>th</sup> century croft house and outbuilding (note both houses are owned by the applicant, however only the latter of which is related to this application). The croft extends to 10.56 hectares and comprises rough grazing, on sloping and undulating land above the River Dee.



**Fig. 2 – Site from South Deeside Road showing traditional croft house (foreground) to be replaced, with new house site indicated (red arrow)**

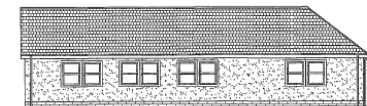
2. A section of Core Path UDE59 Dalmochie to Dinnet runs around the periphery of the holding above the River Dee. The subject site is quite visible, particularly along the B976 approaches to Ballater or alternatively on the A93 where the area of open grazing markedly contrasts with surrounding woodlands.
3. This application seeks planning permission to replace the existing traditional but vacant croft house (see fig. 3, 4 & 5) with a new single storey dwellinghouse 250m away to the northeast (see fig. 6&7). The applicant cites the existing building, which has lain empty for over 30 years (apart from being occasionally utilised as a bothy for scout camps) as no longer in a habitable condition and structurally 'uneconomical' to retain and upgrade. For the avoidance of doubt the croft house would be demolished as part of this proposal.
4. The proposed replacement house would be a 4 bedroomed bungalow, (22.0m long x 18.0m wide x 4.8m high – 225sqm) with a L-shaped configuration featuring an integral double garage built into the gable elevation. It would be finished with a part-hipped slate roof, wet harling and white painted timber windows and doors. A new access would be formed off the existing vehicle track serving the croft and garden ground created alongside parking for up to 3 cars. Foul and surface water drainage would be via private septic tank and soakaways.



**Fig. 3, 4 & 5 – Various perspectives of the existing house and outbuilding**



Proposed East Facing Elevation



Proposed North Facing Elevation



Proposed South Facing Elevation



Proposed South Facing Elevation



**Fig. 6 & 7 – Proposed replacement house elevations and siting**

## BACKGROUND

5. The applicant's agent has provided background information including a Structural Survey (dated March 2011) which concludes that the house falls short of current standards... and is not adequate for residential use, and the costs associated with retention and upgrading to current standards would be very high.

6. Some further information was submitted at the request of the CNPA. This confirms that the current house and outbuilding are only used as a store and kennels while they are both badly degraded and in need of underpinning and extensive repairs. Comparative costs between options for refurbishment and extension of the existing building and its replacement were also set out – **SEE APPENDIX I: EXTRACT OF COSTS ANALYSIS**. Further information has also been submitted to highlight that the current house site is often within the shade of the adjacent slopes of Craig Coilleach which are heavily forested.

## DEVELOPMENT PLAN CONTEXT

7. 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 Aberdeen & Aberdeenshire Structure Plan (NEST) 2001 and the Cairngorms National Park Local Plan 2010. The National Park Plan is also a material consideration.

### National policy

8. **Scottish Planning Policy 2010** is the statement of the Scottish Government's policy for the land use planning system, supporting the central purpose of increasing sustainable economic growth. All new development should respond to the specific local character of the location, fit into the landscape and seek to achieve high design and environmental standards.
9. As a replacement for a variety of previous planning policy documents the new **SPP** includes 'subject policies', of which many are applicable to the proposed development. Topics include Rural Development and Landscape and Natural Heritage. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
10. *Rural Development*: States that opportunity to build individually designed houses and to provide limited new housing along with converted rehabilitated buildings should be supported where possible. All new development should respond to the specific local character of the location, fit in the landscape and seek to achieve high design and environmental standards.
11. *Landscape and Natural Heritage*: Planning authorities are encouraged to take a broader approach to landscape and natural heritage than just conserving designated or protected areas and species. It is recognised in the SPP that the landscape in the countryside and in urban areas 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 local landscape character.
12. **SPP** 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>1</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 Policy

### Cairngorms National Park Plan (2007)

13. **The Strategic Objectives for Landscape, Built and Historic Environment include;** ensuring that development complements and enhances the landscape character of the Park; and new developments within settlements and surrounding areas complement and enhance the character, pattern and local identity of the built and historic environment.

### Aberdeen & Aberdeenshire Structure Plan (NEST) Structure Plan 2001

14. **Policy 11 General Housing Considerations** requires that developments are well sited and properly designed to fit their surroundings.
15. **Policy 12 House Building in the Countryside** allows for house building when it is associated with the rehabilitation of an existing house and the development is of the highest quality in terms of siting, scale, design and materials.
16. **Policy 21 Design** seeks a constant improvement in the general standards of design.

## Local Plan Policy

### Cairngorms National Park Local Plan (2010)

17. The CNP Local Plan is now the Local Plan used in the determination of planning applications in the National Park.
18. **Policy 6 Landscape** states a presumption against any development that does not complement and enhance the landscape character of the Park.
19. **Policy 11 The Local and Wider Cultural Heritage of the Park** development should protect, conserve and enhance the cultural heritage of the area.
20. **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.
21. **Policy 23 Replacement Houses** the principle of replacement houses is acceptable providing it can be demonstrated that the house is (a) structurally unsound or

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<sup>1</sup> Para. 256.

incapable of rehabilitation, (b) not listed, (c) located on the existing footprint (unless a suitable alternative site was more likely to minimise any environmental effects of the development, and (d) has been vacant for at least 10 years.

22. **Policy 27 Conversion and Reuse of existing traditional and vernacular buildings** allows for the sympathetic and sensitive reuse of buildings.

### **Supplementary Planning Guidance**

23. The **Sustainable Design Guide** requires development in the National Park to be well designed, sustainable and wedded to its location in this special place. It requires the design of all development to minimise the effect of the development on climate change; reflect and reinforce the local vernacular and local distinctiveness, whilst encouraging innovation in design and use of materials; and demonstrate sustainable use of resources. It requires a Sustainability Statement to be submitted. This statement demonstrates that energy efficiency, passive solar gain and a ground source heat pump would be used. Timber and other materials would be sourced locally and felled trees from the site have already been cut by a mobile mill for use in the construction.
24. **Conversion and Reuse of existing traditional and vernacular buildings SPG** allows for the sympathetic and innovative reuse of buildings including residential buildings that conserves and enhances them.

### **CONSULTATIONS**

25. **Ballater and Vicinity Community Council** has no objection to the application.
26. **Aberdeenshire Council Roads** has no objections and requires conditions for visibility splays, car parking provision and bin stores.
27. **Aberdeenshire Council Built Heritage Unit** has no objections but disagrees with the assertion 'that the building is by no means unique in the area,' and highlights that overall the numbers of surviving examples cannot be very significant. They further state that the croft house is an example of a strong vernacular style associated with Deeside and the National Park and therefore demolition would result in the further erosion of this unique architectural vernacular.
28. **SNH** has no objections. It is noted that a bat survey was carried out and no indications of recent bat activity were found. It is unlikely that the demolition of the existing croft house would have an impact on bats.
29. **The CNPA Landscape Advisor** objects to the application as the proposed house would fail to complement and enhance the landscape character as it does not reflect the traditional settlement pattern, would sit prominently in a location on an exposed high point above the river and be a building not typical of the local area. The Landscape Officer concludes that the development, including the house and the access track, is likely to have a significant impact on the landscape character of the immediate area.

## REPRESENTATIONS

30. The application was advertised in the Deeside Piper on 28 November 2011. No representations have been received.

## APPRAISAL

31. 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 main considerations are the suitability of the proposed development in terms of fulfilling the replacement house policy requirements, its location, siting and design, and the impact of the development on the character and visual amenity of the immediate area and the wider National Park.

### **Principle of Development**

32. The site is located in a countryside area some way outside Ballater, at Glascorrie Croft alongside the B976. The proposal has been submitted on the basis that it is for a replacement house for the unoccupied croft house. The criteria to fulfil this, is set out in Policy 23 Replacement Houses which states that the principle of replacement houses is acceptable providing it can be demonstrated that the house has been vacant for at least 10 years, is structurally unsound or incapable of rehabilitation and located on the existing footprint (unless a suitable alternative site is more likely to minimise any environmental effects of the development).
33. The existing croft house is located in a strong linear pattern of buildings, alongside another house which is also owned by the applicant, and reflects the vernacular architecture of the area. Assessing the accompanying background information it is evident that the building, despite being unoccupied, is structurally sound and capable of rehabilitation – respective costs of alterations and extension versus new build costs have been outlined (see appendix I – extract of costs) and are on the face of it, broadly comparable<sup>2</sup>, admittedly with differing levels of accommodation. In policy terms, costs are not a material planning consideration and should not be used as a determinant in this application and as a basis for allowing a replacement house. Nonetheless in practical terms, it seems that the quoted costs associated with rehabilitating the croft house are on the face of it high but it demonstrates that it is feasible and viable to redevelop the existing building. The applicant contends that the costs associated with rehabilitating the croft house are onerous and not worthwhile given the overshadowed location. Looking at the requirements of the policy, it can be demonstrated that the house has been vacant for approaching thirty years (part d), and is not listed (part b); these two elements are not in contention. However, it is considered that the proposal fails to meet the requirements of parts a) capability of rehabilitation, and c) located on the original footprint unless environmental benefits can be achieved on an alternative adjacent site.

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<sup>2</sup> Costs for renovation and extension of croft to 142sqm are indicated at amounting to approx. £437,500, while constructing a new build bungalow are suggested at £317,400 for 225sqm.

34. In assessing the current proposal against the replacement house policy, the applicant has failed to adequately demonstrate that it complies with all of the requirements. It appears that it is feasible to rehabilitate the existing building; however this option seems to have been discounted without sufficient consideration or appreciation of the cultural value of the building. It is recognised that the existing property is limited in size and it is accepted that it would be unrealistic to attempt to provide residential accommodation capable of meeting modern living standards solely within the confines of the existing structure. In many instances within the National Park, appropriately designed alterations and extensions have been permitted in order to provide adequate levels of living accommodation. The potential for a similar approach at Glascorrie does not appear to have been explored in any great detail and has been discounted, despite the fact that it is an approach which would not only have the potential to meet with applicable planning policy, but would also have the benefit of safeguarding the form, character and scale of the original structure, and thereby also assist in conserving the cultural heritage of the area. It should also be noted that the applicant's other dwelling, which is comparable to the croft house in character, age and size, has previously been modernised and extended, in a manner which currently allows it to be used as a domestic dwelling.
35. In seeking a 'replacement' dwelling in an alternative location, the applicant cites that reduced levels of overshadowing and sunlight ensure the proposed distant location (250m away into an open field) is more suitable, however in this, the application fails to provide sufficient justification to demonstrate that this new location and its perceived environmental benefits outweighs departing from the traditional linear settlement pattern at Glascorrie by utilising an obtrusive, exposed and prominent site. No substantive information has been provided to demonstrate that daylighting and overshadowing levels to the existing dwelling have a significant effect on residential amenity. In addition, discussions with adjoining landowners also points out that an extensive thinning and felling programme is scheduled for areas of neighbouring woodland (thinning to the south particularly on the slopes of Craig Coilleach). This has been highlighted to the applicant as providing the distinct possibility that levels of overshadowing would be reduced. It should also be highlighted that the loss of the embodied energy contained within the existing croft house would be irredeemably lost if it were to be demolished and could count against any perceived environmental benefits of a new house.

### **Cultural Heritage**

36. The current proposal is for a new dwelling house, which would essentially result in the loss of a building which is part of the cultural identity of the area. This approach appears to completely disregard any likely potential or benefits offered by sympathetically utilising the original croft house, including where necessary a sensitively designed extension. In proposing the replacement of the house, the applicant recognises that the policy requires the existing one to be demolished, however this approach would result in the unacceptable loss of an attractive and well-preserved traditional croft house in exchange for an 'off the shelf,' suburban bungalow. This would go firmly against Policy 11 - The Local and Wider Cultural Heritage of the Park which requires that development should protect, conserve and enhance the cultural heritage of the area. It is considered that the croft house is far from derelict and could, providing a willingness to do so, be readily rehabilitated to provide a sympathetic and sensitive modern dwelling that helps define the character of the National Park.



### **Location, siting and design**

37. The immediate area of Glascorrie Croft is one characterised by open undulating farmland, broken enclosures and sparse settlement, all within significant woodlands. The buildings, both standing and historical remains, are located along the line of a former drove road running parallel with the B976. The traditional character associated with the building pattern provides for a sensitive relationship with the surrounding countryside, contributing significantly to its setting alongside a popular tourist route. As set out by the CNPA's Landscape Officer, owing in part to adherence to the area's traditional settlement pattern, there remains a strong visual integrity to the area, ensuring a distinctive and local landscape and any development away from this pattern would likely give rise to a significant impact on the landscape character. It is considered that the proposed development is poorly sited and would be contrary to Policy 6 - Landscape which states a presumption against any development that does not complement and enhance the landscape character of the Park.
38. It is considered that allowing a house in this location would establish a poor precedent that would make further proposals difficult to resist, leading to sporadic, isolated and visually prominent houses in rural areas.
39. It is considered that the existing house has significant merit in terms of cultural heritage and reflects the vernacular architecture of this part of the National Park. In terms of the proposed replacement house, this would appear as an inappropriate, poor-quality and suburban bungalow, in essence a standard 'off the shelf' kit design, which could be located in any site and would not acknowledge the status of the National Park. It should be recognised that this site is located in a popular tourist area, within the Cairngorms National Park, and that standards of design should be of the highest quality. The design fails to acknowledge the existing traditional cottage and fails to reflect local distinctiveness. The Aberdeen & Aberdeenshire Structure Plan 2001 contains several policies (Policy 11 - General Housing Considerations, Policy 12 - House Building in the Countryside and Policy 21 - Design) which require that developments are of the highest quality and standards of design; are well sited and properly designed to fit their surroundings. With this alongside Policy 16 - Design Standards of the CNP Local Plan, which requires that proposals for all new development should reinforce and enhance the character of the National Park, it is considered that the proposal falls short of the key tests for standards of development.
40. Following on from a number of discussions with CNPA officers detailing concerns about compliance with the requirements of Policy 23 - Replacement Houses, and also significant landscape and design issues, the applicant's agent has elected not to consider alternatives to the submitted proposals. Options to retain and augment the existing croft house were suggested as outlined elsewhere in this appraisal section. In reaching this recommendation, CNPA officers have carefully considered the condition of the current croft house and its cultural heritage merits, and the proposed design and landscape impact of the replacement house.

### **Conclusion**

41. In conclusion, the proposal for a replacement house is unacceptable in planning policy terms in that it fails to meet the essential criteria (not demonstrating that it is

structurally unsound or incapable of rehabilitation or on the existing footprint) and would result in the demolition of a croft house of significance in terms of local cultural heritage. On the basis of planning policy and the aims of the Cairngorms National Park this results in a clear recommendation of refusal

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

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

42. The proposal would have a significant impact on the landscape setting, character and visual amenity of the immediate area. It is submitted that the proposal would have negative implications for this aim. This is with respect to the landscape impact of the proposed house and the loss of the existing vernacular building. The proposal would not therefore contribute towards the conservation of the cultural and natural heritage of the area.

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

43. It is not known whether the materials would be sourced locally; however timber cladding, windows and doors are generally recognised to be sustainable building materials.

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

44. The visual appearance of the replacement house would result in a poor connection between the local vernacular and traditional house design, which given the site is visible from key tourist approaches to Ballater should be expected to enhance the understanding and enjoyment of the area.

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

44. The proposal would provide additional housing. However, this should be provided in a planned manner in accordance with development plan policies rather than being approved in an ad hoc manner on the basis of individual applications.

## **RECOMMENDATION**

- 45. That Members of the Committee support a recommendation to REFUSE planning permission for Erection of replacement dwellinghouse at Glascorrie, Cambus o' May Ballater for the following reasons:**

1. The proposed development is contrary to Policy 23 - Replacement Houses as contained in the Cairngorms National Park Local Plan 2010 as it fails to demonstrate that the existing dwellinghouse is (a) structurally unsound or incapable of rehabilitation and (b) it has not been satisfactorily demonstrated that the environmental benefits of the proposed alternative location away from the existing footprint of the building outweigh its respective landscape and visual impact.

2. The proposed development is contrary to Cairngorms National Park Local Plan 2010 Policy 6 - Landscape and 11 - The Local and Wider Cultural Heritage of the Park in that it would result in the loss of a traditional croft house located in a strong linear pattern of buildings and one that reflects the vernacular character of the area. The proposed new dwelling by reason of its overall design, location and siting does not represent a re-building of this traditional structure and would be in a prominent and exposed landscape location. The proposed development would fail to conserve or enhance the cultural heritage of the area and would not therefore be consistent with the first aim of the Cairngorms National Park. The proposed development would also be contrary to the strategic objectives of the Cairngorms National Park Plan, which requires in relation to the built environment that new development enhances “the character, pattern and local identity of the built and historic environment.”
3. The proposed development fails to reflect local distinctiveness, be of the highest quality and standards of design expected of the National Park; be well sited and properly designed to fit its surroundings as per the requirements of Policy 11 - General Housing Considerations, Policy 12 - House Building in the Countryside and Policy 21 - Design of the Aberdeen & Aberdeenshire Structure Plan 2001 and Policy 16 - Design Standards of the CNP Local Plan 2010.
4. If approved, the proposed development would establish a poor precedent for an unjustified development of this nature and would encourage the inappropriate replacement of vernacular buildings, all to the detriment of the character and visual amenity of the National Park,

**Robert Grant**

**20 January 2011**

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