
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: NEIL STEWART (PLANNER, DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: ERECTION OF COMMUNITY RADIO STUDIO AND CAR PARK, LAND EAST OF BOWLING GREEN CAR PARK, DALFABER DRIVE, AVIEMORE (OUTLINE PLANNING PERMISSION)

REFERENCE: 04/518/CP

APPLICANT: SPEYSIDE COMMUNITY RADIO, PER HENDERSON POLLOCK, CRAIG-NAGOWER AVENUE, AVIEMORE, PH221RW

DATE CALLED-IN: 5 November 2004



Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This application is for the erection of a new building to provide studios and offices for Speyside Community Radio. The site is adjacent on its east, to the existing Bowling Club grounds and its associated car park on Dalfaber drive, Aviemore. The land is currently rough open ground with some scrub planting which forms part of a "green wedge" which extends eastwards along Dalfaber Drive towards the railway line. The land is in the ownership of Highland Council. Housing exists on the southern boundary of the application site and across the road to the north.
2. The proposal is submitted in outline format and therefore only indicative details have been submitted. It was originally submitted for a 17 metre wide site, approximately 37 metres deep, and with an access at an angle off the road access into the Bowling Club's access road. However, following discussions with the applicants a smaller site has been proposed, with access taken directly off the existing Bowling Club car park. The **indicative plan** shows a building of approximately 13m x 9m in footprint size which faces the existing car park with a small additional car parking area on the north side, and some indicative landscaping.
3. Speysound Community Radio, which was fully established in 1994 and is operated on a voluntary basis, broadcasts each weekday evening and at weekends. They initially broadcast from the Aviemore centre but following the acquisition of the site by Aviemore Highland Resort, they were required to relocate to temporary accommodation on land at Dalfaber Industrial Estate. They have planning permission to operate from these temporary premises until 22 October 2007 but they have no security of site tenure. This application therefore seeks permission to secure a permanent home for the long term development of the Community Radio Station in the Badenoch and Strathspey area.

DEVELOPMENT PLAN CONTEXT

4. In the **Highland Structure Plan 2001 Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they, amongst other things, contribute to the economic and social development of the community, and demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environments. **Policy G4 (Community Benefit and Commitment)** expects developments to benefit the local community and contribute to the wellbeing of the Highlands.
5. The application site is within an area allocated in the **Badenoch and Strathspey Local Plan 1997** for amenity woodland and covered by **Policy 6.5.1. (Amenity Woodland and Trees)**. This area, which extends eastwards towards the railway line, is seen as having the

opportunity for the creation of one of the “prominent east-west shelter belts” mentioned in the written statement policy, to create a wider landscape framework for Aviemore. The aims of this are to create extensive and robust improvements in the structure and amenity of the settlement, and better integration with the surrounding environment.

CONSULTATIONS

6. **The Area Roads and Community Works Manager** has advised that the centreline of the access road to the site shall be set back at least 10 metres from the nearside edge of the public road (Dalfaber Drive). At the junction with Dalfaber Drive there will need to be visibility splays of 90 metres in either direction from 2.5 metres back from the edge of the Drive. Adequate parking and manoeuvring space is also required. Following the submission of the amended indicative layout, the Area Roads Manager has confirmed that he has no objections, subject to the agreement of the bowling club to the arrangements and the imposition of the conditions.
7. **SNH** have no objection to the proposal. They state that the site is currently vacant scrub land with broom as the predominant vegetation. They confirm that the site does not lie within any designated area and that the natural heritage value is low. While recommending that any birch trees on the site be retained, they do not consider that the proposal will significantly affect the natural heritage of the area or significantly reduce the area zoned for amenity woodland.
8. The **CNPA Natural Resources Group** have stated that there are no significant natural heritage issues and that the key issues are ones relating to green space within towns and the precedent this development may have for developing on green space which can provide a natural habitat within an urban environment.
9. The **CNPA’s Outdoor Access Officer**, has advised that she is not aware that there are any emerging plans to develop the site for recreational purposes. The site itself is covered in dense rough vegetation which does not encourage people onto the site and there is little evidence of well trodden paths. The site is sandwiched between the back of houses on Burnside Avenue and Dalfaber Drive and therefore it would appear not to offer an attractive amenity for informal walking. As such, she advises that development of the site would impact little in the way of existing informal recreation. In stating this, she also advises that, although taking out little of the available amenity land, it could be argued that once the precedent has been set to allow development, there could be the possibility of reducing the amount of zoned recreational/amenity land further.

10. **Highland Council's Planning Officer's**, have advised, under delegated powers, that the adjacent bowling club development was approved, partly in the area designated as amenity woodland and partly within an area designated as recreational/open space in the Local Plan. The former District Council promoted it as an "opportunity" development when it was giving funding support for various sports clubs and organisations in the area. For the current application, they state that the clear community benefits and merits of a permanent site for Speysound Radio, have to be balanced against, whether or not this site is the most appropriate location, and good layout and design. To sum up they feel that, the benefit of the proposed site, although intruding into the amenity woodland policy area, is the potential to allow sharing of the existing bowling club car park. If additional parking is absolutely necessary, it therefore should be by means of an extension to the existing car park rather than a completely separate car park. The building should be located as far south and west within the proposed site as is feasible having regard to the actual boundaries of Highland Council ownership.
11. **SEPA** are satisfied with the foul drainage proposal for the development to be connected to the public sewer. For the surface water drainage, they request that Sustainable Urban Drainage Systems are used and that outline proposals are agreed with all relevant parties. The applicant has indicated that they would use SUDS and that this is likely to be done through soakaways. SEPA have confirmed that due to the small scale of the development and the low potential risk of pollution from surface water run-off, they consider that this matter can now be dealt with by the imposition of a planning condition.
12. **Highland Council's Area Housing Manager**, has stated that the area of land where the site is situated is part of a large title purchased by the former Inverness County Council and the housing located adjacent on the south side was completed in 1976. The amenity woodland area shown in the Local Plan has never been formally landscaped and has not been maintained to any degree by the Council. There are no proposals to remove the amenity woodland area and offer it for development and as yet they have not received any formal request from Speysound Community Radio to sell or lease the land. It would be for Members of the Council to decide whether this would be acceptable or not if they are approached.

REPRESENTATIONS

13. The application was advertised as a development "Not in Accordance with the Development Plan" on 4 November 2004. No representations have been received from third parties.

14. The applicants have submitted a written representation which provides information on the background to the application and states the need for the proposed new building. A copy of this letter is attached to the report.

APPRAISAL

15. The main issues for this proposal are the principle of the development on an area of ground zoned for landscaping/amenity woodland and the precedent it may set; and the necessary infrastructure needs of the development.
16. The land was identified in the Local Plan for special treatment to create an area of amenity woodland that would be part of an overall planting plan for Aviemore as it expanded to create new housing, recreation and business areas. The planting has never been carried out as envisaged, nor maintained and the land is now rough ground with the occasional tree, and areas of broom and gorse.
17. The existing bowling green, clubhouse and car park development, already partly encroaches into this broad amenity woodland strip along Dalfaber Drive, but it is largely within an area zoned in the Local Plan for recreation/open space. The proposed site of the radio studios is entirely within the amenity woodland designation and therefore is contrary to Policy 6.5.1. (Amenity Woodland and Trees). As such, the applicants were asked to provide justification for choosing this site and provide information on what other sites, had been considered.
18. The applicants have stated that they have considered a number of options. They were unsuccessful in securing premises at the AHR site and they have looked at two first floor properties in Grampian Road. These commercial properties came at a high cost and did not provide scope for parking and access for disabled members and visitors. The tourist offices which have recently been vacated were also offered but only for a temporary period. In addition, they have considered privately owned land further along Dalfaber Drive but again, being developable land, it would come at a cost. It is also zoned in the Local Plan for "Public Buildings". The applicants have also stated that there are technical requirements for the location of the studio. For signal receipt and transmission, they need sight of the top of Cairngorm where their transmitter is located.
19. The applicants have therefore specific locational and access needs, which cannot be accommodated on a wide range of sites. Other sites have been assessed but to date this appears to be the only available site that meets their special needs for communications and accessibility.

20. Whilst it is a significant step to go against the Local Plan designation for the site, I feel that the nature of the proposal, which is a very worthwhile community service, provides a special case which carries significant weight when considered against the terms of the development plan. There have also been no objections to the proposal and the reduced site now proposed, lessens the extent of encroachment into the designated area. It is also the case that, with the sharing of the access onto Dalfaber Drive, and the extended car park with the bowling club, the proposal would fit neatly into the existing development context. The orientation of the building, facing into the car park and towards the bowling clubhouse, in combination with appropriate landscaping, will help “round off” the development area here. I therefore do not feel that the scale and nature of the development prevents supporting the proposal in principle nor will it create an unacceptable precedent for further development eastwards through the amenity woodland designation. Any further development eastwards would require to form a new access onto Dalfaber Drive and thus create a new and different type and form of development, not related to existing development. This may then set an undesirable precedent.
21. The requirements of the Area Roads Manager and SEPA can be accommodated to allow the development to proceed without any significant impacts on the surroundings or adjacent developments and there are no other matters of concern from other consultees that are not dealt with above.
22. In conclusion, while representing a departure from the terms of the Policy 6.5.1. in the Local Plan, the implications are not viewed as significant. Indeed, the benefits of supporting the principle of a permanent building for Speysound Community Radio carry significant weight in this instance.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

23. This site is close to a recent expansion area of Aviemore, where it had been proposed to create a new amenity woodland area as part of a structured planting plan for the locality. This has never taken place. The development would reduce the natural area which could be formed here but not to any significant extent. There is no particular value to the current on site natural resource.

Promote Sustainable Use of Natural Resources

24. The application is for outline permission, and there are therefore no details as yet.

Promote Understanding and Enjoyment of the Area

25. The Community Radio Station helps to inform the wider community about local issues and its further development and consolidation has the potential to promote this objective through its work. There are no formal or informal footpaths affected by the development.

Promote Sustainable Economic and Social Development of the Area

26. Again, the development and consolidation of the Community Radio Station would help pursue this objective in the work that it does over the wider community.

RECOMMENDATION

27. That Members of the Committee support a recommendation to: **Grant Outline Planning Permission for the Erection of a Community Radio Studio and Car Park, at Land to the East of the Bowling Green Car Park, Dalfaber Drive, Aviemore**, subject to the following conditions:-
1. A formal planning application and detailed plans indicating all matters relating to the siting, design and external appearance of all buildings, means of access thereto, means of enclosure, parking provision, and landscaping and surface water drainage proposals shall be submitted for the prior approval of the Planning Authority within 3 years of the date of this consent and the development must be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all the foregoing Reserved Matters.
 2. That unless otherwise agreed with the Planning Authority, the radio studio building hereby approved, shall be orientated to face towards the existing bowling club car park.
 3. That unless otherwise agreed with the Planning Authority, in consultation with the Area Roads and Community Works Manager, the development hereby approved shall be accessed from the existing vehicular access to the bowling green and the car park required to serve the development, shall be formed by an extension to the existing bowling club car park.
 4. The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by the Planning Authority before development commences. The scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of the development and shall indicate the siting, numbers, species and heights (at the time of planting) of all

trees, shrubs and hedges to be planted and to the extent of any areas of earthmounding, and 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 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 three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
5. Surface water drainage from the development hereby approved, shall be treated and disposed of by the incorporation of Sustainable Urban Drainage Systems, in accordance with the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland (CIRIA 521, 2000) and Planning Advice Note 61 (Sustainable Urban Drainage Systems). Full working details of the design and method of the surface water drainage arrangements shall be submitted with any forthcoming application for Approval of Reserved Matters. Thereafter, the agreed scheme shall be implemented prior to the occupation of the development hereby approved, all to the satisfaction of the Planning Authority and the Scottish Environment Protection Agency.
6. Prior to the commencement of any other works on site, the following works shall be carried out to the satisfaction of the Planning Authority, in consultation with the Area Roads and Community Works Manager:-
- a) The centreline of the access to the site shall be set back at least 10 metres from the nearside edge of the public road. This access shall be hard surfaced.
 - b) Visibility splays of not less than 2.5metres by 90metres shall be provided in both directions at the junction of the existing access with the existing public road and thereafter maintained free from any obstructions exceeding a height of 1metre above the adjacent road channel level.
7. Prior to the commencement of the use of the development hereby approved, adequate parking and manoeuvring space commensurate with the number of staff and visitors likely to use the facility shall be provided within the curtilage of the site.

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