
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT PROPOSED: PLANNING PERMISSION FOR ERECTION OF THREE HOLIDAY HOMES

REFERENCE: 2012/0249/DET

APPLICANT: LAUREL GRANT LTD

DATE CALLED-IN: 3 AUGUST 2012

RECOMMENDATION : APPROVAL SUBJECT TO CONDITIONS

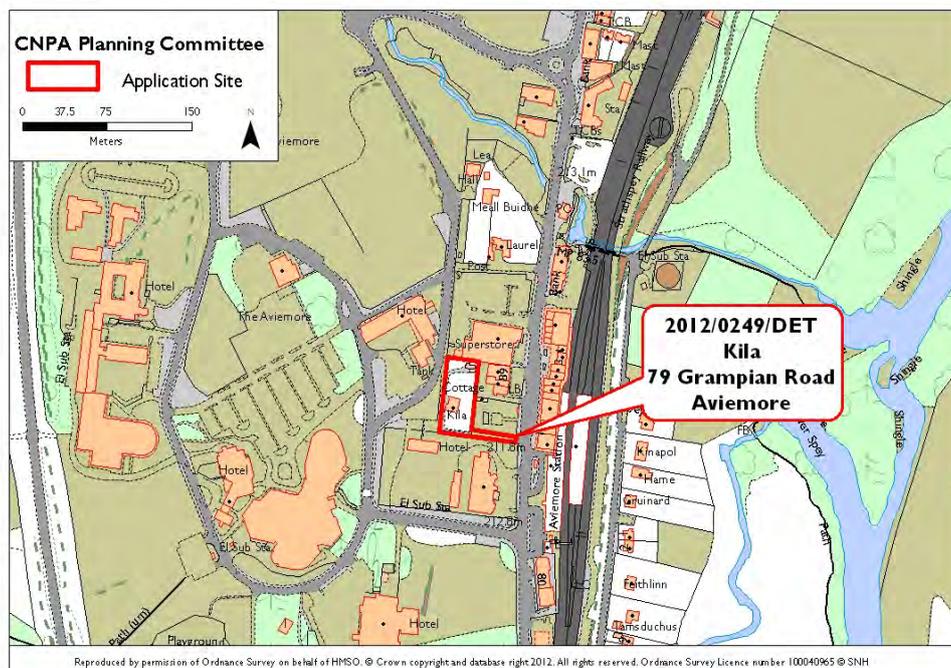


Fig. 1 Location plan

SITE DESCRIPTION AND PROPOSAL

1. Full planning permission is sought for the erection of three holiday homes at the rear (east) of Kila which is a detached hipped roof property used as a base for a car/van hire business.
2. This site is located in the central part of Aviemore, to the side (north) of Kila and the rear of existing commercial properties at Grampian Road, Aviemore. To the north of the site is the existing Tesco supermarket, to the west is the Aviemore Highland Resort and south east lies the village green. The site itself is relatively secluded being located to the rear of the abovementioned commercial and recreational land uses, but within ready reach of the facilities and amenities of the town centre. Figure 2 below shows the location of the site within Aviemore.

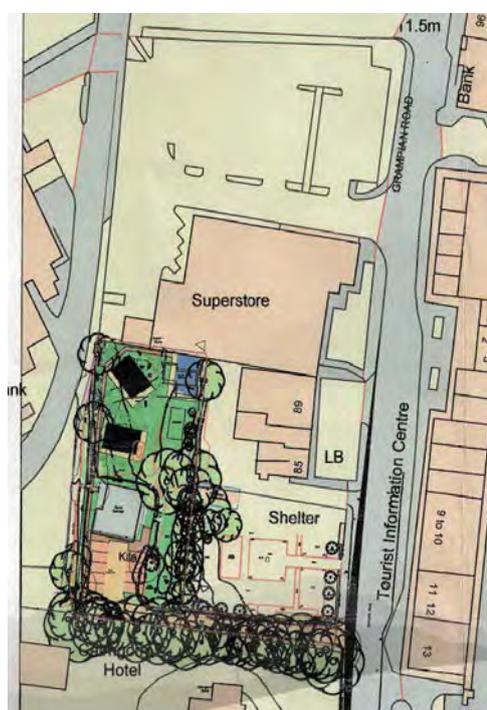


Figure 2 Location plan

3. The site is presently garden area associated with Kila and contains a number of mature trees around the boundaries. There are a number of outbuildings on the site which will be removed to facilitate the development.
4. It is proposed to use the existing access of Grampian Road which serves Kila (formerly called Clunes Cottage) to service the site and to form an improved parking area to the south of Kila to serve all properties. This existing access will be upgraded in accordance with the requirements of roads officers. A pedestrian pathway is proposed leading around the back (west) of Kila to the site. There is already a pathway along here, at the foot of the embankment adjacent to the Aviemore Highland Resort fencing. Connection to public water supplies and drainage is proposed with surface water disposed off within the site.

- There are existing mature trees on site and the agent has submitted tree survey information which seeks to demonstrate that there will not be any undue impact upon the trees on site which are proposed for retention, and identifying trees to be removed. The units will be set in a semi circle on the site as shown on figure 3 below.

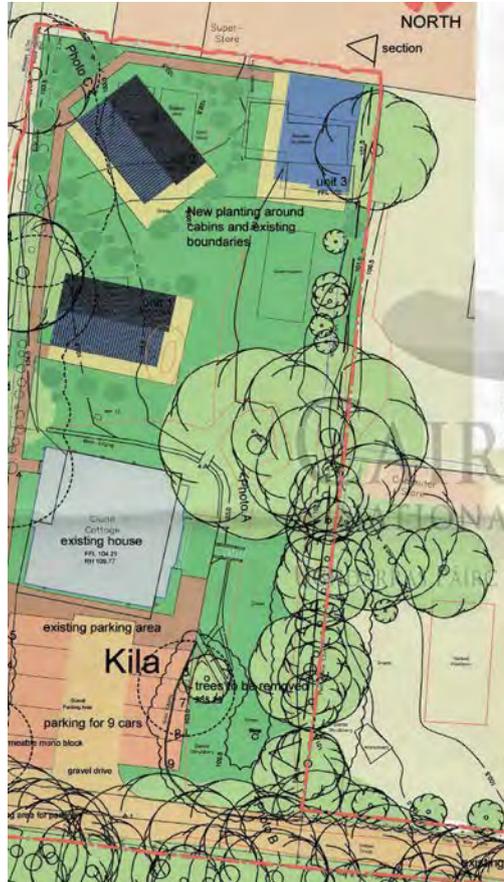


Figure 3 Site layout

- The proposed holiday homes are of fairly standard chalet design with timber clad walls, pitched slated roofs and wooden windows and doors throughout. They are all two bedroom properties set in a curve on the site looking towards each other as shown on figure 3 above. The buildings are small, measuring some 8 metres by 6 metres with external decking area. Figure 4 below shows the proposed design and site sections have also been submitted to show how the units will sit on this gently sloping site.



Figure 4 Proposed elevations

7. A supporting design statement has been submitted which explains that four units were originally looked at, but following consideration it was decided that the site could more comfortably accommodate three units only.
8. In terms of planning history, there have been a number of previous applications in and around this site, but there are no live consents on the application site at present. The planning history of the area can be summarised as follows.
9. In 2007 an outline application was approved by the Cairngorms National Park Authority (CNPA) to demolish Kila, adjacent to the application site, and erect affordable housing on the cleared site (Reference 06/441/CP) A subsequent application for approval of reserved matters (now known as matters specified in conditions) consent was submitted in 2007 (Reference 07/397/CP) for the erection of six residential units. This application was eventually refused in 2009 on the basis of insufficient information being submitted to determine it (relating to bat survey for Kila, tree survey and access details) and also failure to demonstrate how the housing would remain affordable.
10. Further applications in the vicinity were considered for commercial development but there have been no other recent applications on the site itself.
11. Pre application advice was provided earlier this year relating to the potential for holiday accommodation on this site. At this time CNPA officers advised there was potential for some holiday accommodation on the site subject to various design and siting issues being addressed.

DEVELOPMENT PLAN CONTEXT

National policy

12. **Scottish Planning Policy (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It sets out that 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 and has the basic aim “to achieve the right development in the right place.”

13. As a replacement for a variety of previous planning policy documents the new Scottish Planning Policy includes ‘subject policies’. The key ones in relation to the proposed development are policies relating to economic development which highlight the importance of tourism to the economy and the need to make provision for high quality tourism facilities.

Strategic Policies

Cairngorms National Park Plan (2012)

14. The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. It sets out the strategic direction and priorities for the Park.

Three long term outcomes for the Park are set out as follows:

- 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.

15. These outcomes address the interaction of the three main characteristics of the National Park these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. A series of work programmes to help deliver the outcomes is set out in the Plan

Local Plan Policy

Cairngorms National Park Local Plan (2010)

16. 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>
17. The Local Plan contains a range of policies dealing with particular interests or types of development. New development requires to be assessed in relation to all policies contained in the Plan. In this case the key polices are as follows :
18. Policy 16: Design Standards for new development applies which sets out the design standards to be met with new development and is supported by supplementary planning guidance in the form of the sustainable design guide
19. Policy 33 – Tourism Related Development which supports development which has a beneficial impact upon the local economy through enhancement of the

range and quality of tourism attractions including accommodation providing that the development will not have an adverse impact upon the landscape, built and historic environment nor upon biodiversity etc unless these impacts are outweighed by the benefits of the development.

20. Policy 6 – Landscape which sets out that there will be a presumption against any development that does not complement and enhance the landscape character of the Park. Where development does not complement and enhance the landscape character, any significant adverse effects must be clearly outweighed by social and economic benefits of national importance and all adverse effects must be minimised and mitigated.
21. Policy 5 – Biodiversity which seeks to ensure that new development does not have an adverse effect on species or habitats identified in the biodiversity plans.

Supplementary Planning Guidance

22. 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. Key for the current proposals is the sustainable design guide which sets out guidance on design and siting.

CONSULTATIONS

23. **Highland Council's Forestry Officer** was consulted in view of the number of trees on this site. He advised that a detailed tree survey plan should be provided to show how the development could proceed without damage to trees. He also sought further information to demonstrate that pedestrian links could be formed without damaging trees to the rear (west) of the site which lie outwith the site and are covered by a tree preservation order and that the upgrading of the access road would not disturb mature trees alongside the Cairngorm Hotel which lies to the south of the access track. Finally he sought clarification that construction could take place without damage to existing mature trees on site which lie in way of the obvious routes into the site. All of this information was required in order that the Forestry Officer could fully consider the potential impacts upon trees. The applicants provided additional information which sought to address these points and the Forestry Officer was duly re consulted. He has advised that this information has demonstrated that the position of the buildings is generally acceptable and advised that his remaining concerns can be addressed by planning conditions requiring submission of detailed plans.
24. **Highland Council Roads Officers** had no objections subject to various improvements being made to the standard of access onto the public road (Grampian Road) by way of visibility splays, radii improvement, surfacing of first 6 metres and parking provision within the site, together with suitable pedestrian/cycle links to amenities. It was further noted that suitable arrangements should be made for waste management provision. On submission of revised plans from the applicants the Roads Officers have confirmed the details appear acceptable.
25. **CNPA Access Officer** has no comments.

26. **CNPA Ecology Officer** has no comments.
27. **Aviemore and Vicinity Community Council** wished to comment as consultee . They advise that they neither object to nor support the proposal. They have commented that holiday homes are considered a reasonable use for the site, but that the design is of a low standard and consider that only slate should be used for the roofs. They consider there is insufficient parking for the proposal given the existing use of Kila as a car hire business. They have requested to address the Committee in order to provide a better understanding of the proposal and its environs. Their comments are attached as **Appendix I**.
28. **Aberdeenshire Council's Planning Gain Team** confirmed that due to the small scale of this proposal developer contributions would not be sought.

REPRESENTATIONS

29. The application has been advertised and two representations have been received which are attached as **Appendix 2**. One representation offers support for the proposals, and the other objects on the basis that the village does not need more holiday accommodation. Concern is also raised that the access works would disturb the village green which is an attractive area.

APPRAISAL

Principle

30. The principle of holiday accommodation is, in general terms, supported by Local Plan Policy (Policy 33)subject to siting design and servicing being satisfactory. In this particular case a site has been chosen which lies within the central part of Aviemore, close to services and amenities and also close to public transport links. In general terms this is considered to be a location which fits well with objectives on sustainability and reducing transport movements. It also has potential to support local services and the economy by enabling visitors to the area to stay close to services which it is anticipated they would then use.

Siting

31. In terms of the specific siting of the development, it is located in an area of mixed uses, which it fits well with. Proximity to hotels, shops and train station are all positive elements to the proposal. The layout of the proposal itself is limited in terms of outlook from the units, which are located in an almost backland location. The units have however been laid out so they look onto a central open area and if a suitable level of landscaping, together with retention of key trees, is employed this should help ensure an acceptable level of amenity. In addition there are no particular overlooking issues and for the type of holiday use envisaged this level of amenity is considered to be appropriate.

32. The location is visually discrete, being a backland one, and does not impinge upon the quality or setting of the village green in terms of the new holiday homes themselves.

Servicing

33. The site can be satisfactorily serviced and accessed subject to imposition of appropriate planning conditions regarding waste management arrangements and access improvements. In this regard it is considered that the requirement by roads officers for the provision of a hammerhead arrangement at the end of the access , (beside the parking area)is unduly onerous and would result in two parking spaces having to be repositioned closer to the village green. It is therefore recommended that this aspect be amended in the final layout plan.

Design

34. The design of the proposed units is functional and simple. This is considered to be appropriate for the location, with the choice of wooden finishes considered appropriate for a wooded setting such as this. The applicants have advised they either timber cladding walls or log cabin design is acceptable to them. In this regard it is considered that locally sourced timber cladding , matched with slate roof and wooden windows and doors throughout would be suitable finishes for these small units and would be appropriate in this particular location.

Environmental Implications

35. The main environmental impact is the impacts upon existing trees. Existing trees along the boundaries with the Cairngorm Hotel should not be affected by the development nor should the trees on the Aviemore Highland Resort land, as the existing embankment along this western boundary is being retained. Some trees will require to be removed to accommodate the development but overall this is not considered to have any undue impacts upon the area, providing other trees considered to be important to the setting of the area are retained and protected. Appropriate conditions will be required to ensure this is the case.
36. The upgrading of the access track will have an initial environmental impact due to the need to remove some existing hedging which beside the village green and this will require to be replanted. Again appropriate conditions can be imposed. A revised site plan to show the parking arrangements as highlighted earlier can also address these points.
37. Finally, the actual construction works will have to be carried out carefully to ensure there is no disturbance to an existing large tree to the east of Kila and again conditions are recommended to this end.

Representations received

38. In relation to the points raised by the Community Council, it is considered that the proposed finishes are appropriate to the particular location (and the applicants have proposed slate roofs as suggested by the Community

Council) whilst parking to meet the standards of our technical consultees is being provided

39. As noted in paragraph 29, a concern was raised regarding the need for holiday accommodation. As highlighted earlier Local Plan policies support tourism accommodation and a location within a settlement is considered to be a sustainable solution. The writer's concerns in this regard are not shared. In respect of concerns regarding impacts upon the village green, it is not considered this development will have any particular impact as noted earlier in the report.

Conclusion

40. The proposed development is considered to comply with local plan policies and will provide tourism facilities in a central, sustainable location in Aviemore which is generally welcomed. The siting and design is considered satisfactory for the location and approval is recommended subject to appropriate planning conditions.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

41. As the site is considered to be a suitable one for development, located in a backland location within an existing settlement, and of suitable design, it is considered that it supports this aim. The loss of trees, whilst regrettable is not considered to represent a significant loss of natural heritage in this case with potential for better management of existing trees likely to be realised together with replanting.

Promote Sustainable Use of Natural Resources

42. Providing suitable materials and finishes are used for the development, as proposed, it should readily support this aim.

Promote Understanding and Enjoyment of the Area

43. This proposal to provide additional holiday accommodation within a popular holiday destination would help support this aim of the park by providing additional holiday facilities for visitors to the park. This would support their enjoyment of the area.

Promote Sustainable Economic and Social Development of the Area

44. This site is well located in relation to the services and amenities of Aviemore and would enable residents to enjoy easy access to these facilities. This would support the local economy and provide accommodation designed for holiday needs, which may reduce pressure on other housing within the park and thus support social development too. The local economy may also benefit from the construction of the units whilst the use by the residents of local services also has considerable potential to benefit the local economy.

RECOMMENDATION

45. That Members of the Committee support a recommendation to GRANT FULL Planning permission for the ERECTION OF THREE HOLIDAY HOMES subject to

- (a) **Submission of revised site plan to show replanting of any hedging which is required to be removed as a result of road widening works, and a revised parking layout with all parking spaces provided beside the existing parking area , and located sufficiently far from existing trees.**
- and
- (b) **the following planning conditions**

- 1. The development to which this permission relates must be begun within 3 years from the date of this permission.

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

- 2. The holiday homes hereby approved shall not be occupied as permanent residential accommodation, and shall be used for holiday letting purposes only (i.e. no use by a tenant, lessee, owner or occupier as their principle dwellinghouse, with no single period of occupation exceeding two months)

Reason – to ensure the development complies with planning polices for tourism and housing development.

- 3. No work shall commence on site until details of the arrangements for the disposal of surface water from the development have been submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority. These arrangements shall thereafter be implemented in accordance with the approved details before any unit is occupied.

Reason –to ensure that satisfactory arrangements are made for surface water disposal on site in accordance with Local Plan Policies

- 4. No work shall commence on site until a detailed landscape plan has been submitted to, and approved by the Cairngorms National Park as Planning Authority. This landscape plan shall specify the position of all trees to be retained, those to be removed and the quantity, position, size, species and protection measures (tree shelters, stakes & ties) of all trees/ shrubs to be planted together with an indication of how they integrate with the proposal in the long term. The plan shall also show retention of the banking along the western boundary of the site and the proposals for replanting of hedging at the access junction point. A maintenance programme must be submitted for

approval specifying weed control; adjustment/ replacement of shelters, stakes & ties; formative pruning; and replacement of failures. The approved landscape scheme shall thereafter be implemented in the first planting season following completion of the last unit on site other than the replanting of hedging at the junction point which shall be carried out in the first planting season following upgrading of the access point. All planting to be retained in perpetuity and any failures are to be replaced within the next planting season (unless otherwise agreed by the Cairngorms National Park as Planning Authority)

Reason – in the interests of environmental amenity and biodiversity in accordance with planning policies

5. No work shall commence on site until an Arboricultural Method Statement (AMS) has been submitted to, and approved by, the CNPA acting as Planning Authority. This statement details the means of protecting the retained trees on the site during construction. This will include details of agreed tree felling and tree surgery; the means of removal and disposal of tree stumps; the means of site construction access; the installation of protective fencing; the means of construction of the units and the confirmed location and means of excavation of all service runs, including mains.

Reason – in the interests of environmental amenity and biodiversity in accordance with planning policies

6. No trees, other than those specifically agreed for removal under the terms of condition 4, shall be uprooted, lopped, topped, felled or damaged without prior written consent from the Planning Authority.

Reason – in the interests of environmental amenity and biodiversity in accordance with planning policies

7. Unless otherwise agreed with the Cairngorms National Park as Planning Authority, the finishes of the development hereby approved shall be as follows :
 - Larch clad walls
 - Slate roofs
 - Timbers doors and windows
 - Black downpipes and rainwater goods.

Reason - in order to ensure the new development fits in well with the surrounding area, in accordance with Local Plan Policies

8. All parking areas and footpaths to be provided with a permeable surface

Reason: in order to ensure the new development fits in well with the surrounding area, in accordance with Local Plan Policies

9. Before the occupation of any of the units hereby approved the access and parking shall be formed in accordance with the approved plans.

Reason : in the interests of road safety

10. Unless otherwise agreed with the Cairngorms National Park Authority acting as Planning Authority, and notwithstanding the provisions of the Town and Country (General Permitted Development) (Scotland) Order 2011 , there shall be no boundary enclosures erected to define individual curtilages , instead the site shall remain open.

Reason – in the interests of the amenity of the development and in accordance with Local Plan Policies

11. The development hereby approved shall be constructed in accordance with the approved plans and sections

Reason – in order to ensure the new development fits in well with the surrounding area in accordance with Local Plan Policies

12. No work shall commence on the construction of the units hereby approved until details of the arrangements for the storage, segregation and collection of waste have been submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority. These waste management arrangements shall thereafter be implemented in accordance with the approved details before any unit is occupied.

Reason –to ensure that satisfactory arrangements are made for waste management in accordance with Local Plan Policies

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28 November 2012

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.