
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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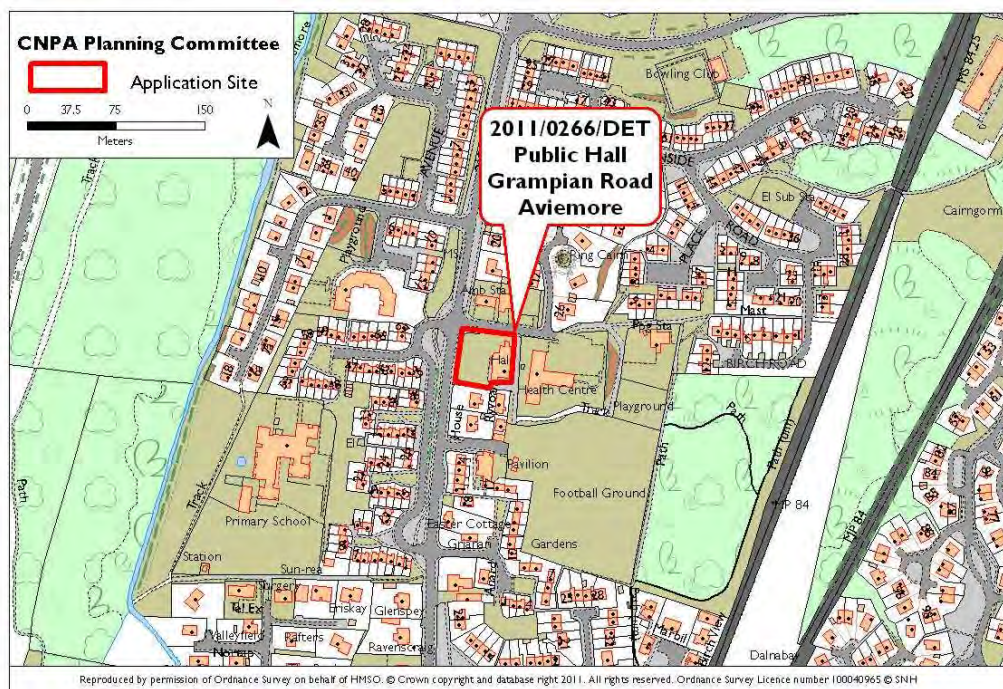
DEVELOPMENT PROPOSED: DEMOLITION OF COMMUNITY HALL AND ERECTION OF 20 AFFORDABLE HOUSES AT AVIEMORE PUBLIC HALL, GRAMPIAN ROAD, AVIEMORE

REFERENCE: 2011/0266/DET

APPLICANT: MR. LINDSAY ALLAN, KEPPIE DESIGN, DOCHGARROCH, INVERNESS

DATE CALLED-IN: 19 AUGUST 2011

RECOMMENDATION : APPROVE WITH CONDITIONS



Grid reference : 289633 813392 (easting northing)

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. Planning permission is sought in this application for the demolition of Aviemore community hall and the erection of 20 affordable dwelling units on the site which is located at the junction of Grampian Road and Muirton in Aviemore. The site area is approximately 0.2016 hectares.¹ The existing hall is located at the rear of the site, with a large car parking area towards the front. The site is flat and level and is generally rectangular in shape. A variety of existing buildings exists in the area surrounding the site, including Aviemore Health Centre which is located to the rear, as well as the fire station and ambulance base located to the north, (on the opposite side of Muirton). Detached residential properties exist to the south of the site on Grampian Road.



Fig. 2 : Existing public hall

2. The new building is proposed to occupy a position towards the front of the site, with car parking provision and most of the communal garden area located to the rear of the building. Bin storage, cycle stands and drying areas are also proposed to the rear of the building. Smaller areas of incidental open space are proposed along the frontage of the building, as well as a larger garden area to the front of southernmost wing of the building. The existing stone wall on the Grampian Road frontage of the site would be demolished and reconstructed along a new boundary line adjacent to the public footpath.
3. The proposed new structure is an L shape footprint, with the largest section of the building being on Grampian Road, with the smaller section of the L shape on Muirton. The Grampian Road frontage includes a full height three storey central section, with a pronounced gable effect. A gradually dropping roofline emanates from the 3 storey section, reducing on the southern side to a 2 ½ storey element and then a two storey element. A similar design technique is employed on the northern side of the 3 storey section, with the building dropping down to 2 ½ storey and continuing at this height as it turns the corner to Muirton. The design also incorporates a staggered building line, which is of assistance in breaking up the mass of the building.

¹ 2016 square metres

4. A variety of amendments have been made to the design since its original submission, as demonstrated by Figures 3 and 4 below. In particular, the dominance of full height three storey elements across much of the Grampian Road frontage has been addressed by the omission of two of the 'gable' features and their replacement with a simplified roofline which continues to accommodate housing units over three floors but within a more appropriate 2 ½ storey design. Significant changes have also been made to the fenestration, to address the over symmetrical appearance and lack of vertical emphasis in the original proposal. The Grampian Road and Muirton frontages also incorporate a number of direct openings, whereas the original proposal which only included access to the rear of the building, with the resultant lack of active frontage onto the street.



Fig. 3 : originally proposed front elevation (Grampian Road)



Fig. 4 : currently proposed (freehand) front elevation, Grampian Road

5. A white wet dash roughcast render is the predominant finish proposed on the new building, with a colour render to be used on selected elements of the proposal. Fyfestone tumbled block is proposed as a base course finish on some elements of the structure. Windows and external doors would be timber, while fascia, eaves and soffit would be uPVC in a timber effect. Dark grey tiles are proposed as the roof finish. The pitched roof entrance porches proposed in the rear elevation of the building would be clad with timber linings, stained to match the coloured render.
6. The communal garden area is centrally positioned to the rear of the new building and includes proposals for a raised planter and bench seating. The open space would be surrounded by a network of paths leading from the entry points to the building to the car parking, drying area, cycle stands and bin storage area. A lockblock finish is proposed on the access road and car parking spaces, of which a total of 22 are proposed, including two disabled access bays. Vehicular access to the site is proposed off Muirton, in a more easterly position than the current access, thereby providing increased separation between the site access and the junction of Muirton and Grampian

Road. Provision has also been made for a service bay adjacent to the proposed site entrance, in order to facilitate refuse vehicles etc. without necessitating large vehicles manoeuvring in and out of the site.



Fig. 5 : Proposed site layout

7. The new building would accommodate a mix of one and two bedroom flats, the composition of which is shown in Table I below.

Floor	1 bedroom (49m ²)	Small 2 bedroom (63 - 66m ²)	Larger 2 bedroom (75m ²)	Total
Ground	2	3	2	7
First	1	4	2	7
Second	4	0	2	6
Total	7	7	6	20

Table I : Flatted units

8. All 20 of the units are proposed as affordable. Supporting information recently submitted by the agent in response to CNPA queries on the method of delivery (and retention in perpetuity) of the affordable housing indicated that the developers "sole intention is to first target an RSL as the main developer and affordable homes provider." Reference has however been made to the current economic climate and the fact that there is limited prospect of this happening within the next two years. As an alternative the developer suggests opening discussions with Highland Council. In the event of neither of those avenues being successful, the developer is willing to engage in discussions with the CNPA to deliver the affordable housing by "other novel means." The recent submission from the agent has requested that consideration be given to

the use of a condition in any consent granted “whereby no work would start on site until an agreed method of delivery of affordable housing is discussed and agreed with the CNPA.”

Supporting information

9. A Design and Sustainability Statement has been submitted in support of the proposal. Details have been provided to illustrate the rationale for the development proposal. Reference is made to the proposed site being a prominent, corner position and it is suggested that it is an urban ‘node’ and an important public axes in four directions. The redevelopment of the site is described as giving the opportunity for a viable new use and an urban landmark at the site. The development approach incorporates a larger building / higher plot ratio than existing neighbouring development. The prominent size and positioning of the building towards the front of the site derive from efforts to “punctuate the urban form, signal the ‘place,’ define the four-way routes / connections and create an urban landmark and focal point.”
10. The style of the proposed building is described as an “architectural composition reflecting a mix of traditional and modern characteristics. Reference is made to the shallow roofscape containing dormer windows in the north and east elevations, while vertical division is achieved using “alternate planes and materials” that enable the building to read as several individual, but integrated, component parts. Limited but different window types are also attributed to giving further vertical emphasis, while “modelling to the street is achieved by selected front access (pedestrian) doors and porch canopies.
11. On the subject of materials, it is stated that a limited pallet of materials has deliberately been used, consisting of facing block, coloured renders and concrete roofing tiles. The design of the building will as far as possible use materials that are either BRE Green Guide A rated and can be locally sourced. The supporting information pertaining to the subject of energy efficiency / renewable energy undertakes to liaise with a Mechanical and Electrical Engineer / Low Carbon Consultant to ensure that the design solution will comply with Section 6 of the Technical Standards. The external envelope of the building will be insulated to a high standard and reference is made to a number of options being considered, including Supawall² or the use of sprayed foam insulation such as Icynene. The supporting information does however advise that “the solutions ultimately selected to deliver a sustainable, energy efficient building must also be commercially viable.”
12. In terms of transport and issues of accessibility to facilities, it is highlighted that the proposed development site is located a short walk from Aviemore village centre and its various facilities, with Aviemore also being well served by bus and train. In addition, the proximity of the site to the existing Health Centre and the new Aviemore primary school is also referred to.

² A closed timber frame panel system.

DEVELOPMENT PLAN CONTEXT

National policy

13. **Scottish Planning Policy³ (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.
14. **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.
15. 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.”
16. 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.
17. Housing : SPP outlines the Scottish Government's commitment to increasing the supply of new houses. It also encourages the planning system to enable the development of well designed, energy efficient, good quality housing in sustainable locations. Under the heading of ‘Location and Design of New Development’ it is advised that new housing developments should be integrated with public transport and active travel networks, such as footpaths and cycle routes, rather than encouraging dependence on the car. The efficient

³ February 2010

use of land and buildings should be promoted, through directing development towards sites within existing settlements in order to make effective use of existing infrastructure and service capacity and to reduce energy consumption. It also advocates the redevelopment of brownfield sites in preference to the development of greenfield sites.

18. Para. 83 of **Scottish Planning Policy** advises that the density of new development should be determined in relation to the character of the place and its relative accessibility. SPP also recognises that through good design it is possible to achieve higher density living environments without overcrowding and the loss of amenity.
19. Paragraphs 86 – 88 of **Scottish Planning Policy** addresses the topic of 'Affordable Housing' and outlines that such housing may be in a variety of forms including social rented accommodation, mid market rented accommodation, shared ownership, and shared equity. It is also stated that "as far as possible the tenure of housing should not be discernible from its design, quality or appearance.
20. 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.
21. **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 Plan (2007)

22. The Cairngorms National Park Plan sets out the vision for the park for the next 25 years. The plan sets out the strategic aims that provide the long term framework for managing the National Park and working towards the 25 year vision. Under the heading of 'conserving and enhancing the special qualities' strategic objectives for landscape, built and historic environment include maintaining and enhancing the distinctive landscapes across the Park, ensuring that development complements and enhances the landscape character of the Park, and ensuring that new development in settlements and surrounding areas and the management of public spaces complements and enhances the character, pattern and local identity of the built and historic environment.

23. Under the heading of 'Living and Working in the Park' the Plan advises that sustainable development means that the resources and special qualities of the national park are used and enjoyed by current generations in such a way that future generations can continue to use and enjoy them. Section 5.2.4 of the Plan focuses on housing and highlights the need to ensure greater access to affordable and good quality housing in order to help create and maintain sustainable communities. The Plan advises that the quality and design of all new housing should meet high standards of water and energy efficiency and sustainable design and be consistent with or enhance the special qualities of the Park through careful design and siting.
24. The National Park Plan includes a number of strategic objectives in relation to housing, including
- Increasing the accessibility of rented and owned housing to meet the needs of communities throughout the Park;
 - Promote effective co-ordination and co-operation between all public and private organisations involved in housing provision in the Park and communities living there; and
 - Improve the physical quality, energy efficiency and sustainable design of housing.

Structure Plan Policy

Highland Council Structure Plan (2001)

25. **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.
26. 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.”
27. **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)

28. 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>
29. 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. The policies follow the three key themes of the Park Plan to provide a detailed policy framework for planning decisions:
- Chapter 3 - Conserving and Enhancing the Park;
 - Chapter 4 - Living and Working in the Park;
 - Chapter 5 - Enjoying and Understanding the Park.
30. 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.
31. 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. Developers will be required to undertake any necessary surveys for species at their own cost and to the satisfaction of Scottish Natural Heritage and the planning authority.
32. 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.
33. Policy 16 – Design Standards for New 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.

34. Policy 19 – Contributions to affordable housing : The affordable housing policy is intended to ensure the delivery of a wide range of housing options to a wide range of households in the Park. Policy 19 requires that developments of three or more dwellings will be required to incorporate a proportion of the total number of units as affordable. Developments solely for affordable housing will be considered favourably.
35. Policy 20 – Housing developments within settlements: The policy advises that new housing should be contained within the identified settlement boundaries. Housing proposals within the settlement boundaries will be considered favourably where the development (a) occurs within an allocated site identified within the proposals' maps; or (b) is compatible with existing and adjacent land uses, and comprises infilling, conversion, small scale development, the use of derelict or underused land or the redevelopment of land. All housing proposals are required to reinforce and enhance the character of the settlement, and accommodate appropriate amenity space, and parking and access arrangements within the development.
36. In text supporting Policy 20 a range of expectations are referred to. The development of housing in settlements is expected to reinforce and enhance the character of the settlement; should not have any adverse impact on the features of the natural or cultural heritage importance within the settlement; should not result in the loss of amenity of surrounding land uses; and development should provide a range of house sizes to reflect the needs of the community of the Park. Para. 4.54 of the Plan states that the principle of achieving a sustainable balance of houses sizes will apply to both affordable housing and open market housing.
37. The Local Plan identifies Aviemore as a strategic settlement within the settlement hierarchy. It is identified as the main settlement within the National Park and is recognised as playing a strategic role in the wider region. The subject site is within the settlement boundary and is 'white land' which means that no specific land use allocation has been assigned to it. As a result a variety of uses are open to consideration.

Supplementary Planning Guidance

38. 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

39. 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.
40. 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.

Developer Contributions SPG

41. The SPG on **Developer Contributions** sets out the framework for the provision of contributions per development. It sets out various payment mechanisms and states that the applicant may opt to remit the full amount due prior to the issuing of the planning permission. This course of action is widely used where the cost of putting in place a legal agreement is disproportionate to the planning gain contribution required.

Affordable Housing SPG

42. The Affordable Housing SPG provides additional information relating to the contributions to Affordable Housing as outlined in Policy 19 (Contributions to affordable housing) of the Local Plan. In relation to the development of sites solely for affordable housing, section 5.0 refers to such proposals being favourably considered, whether by registered social landlords or by alternative measures.

CONSULTATIONS

43. **Scottish Natural Heritage** (SNH) noted that the existing public hall on the site is proposed for demolition. No details of the construction of the building have been provided. As it was considered that it may potentially have features which would provide suitable conditions for bats it was recommended that the building be surveyed for the presence of bats.
44. A report was subsequently provided by the applicants in October 2011, based on an initial exterior buildings bat survey. The report noted that the building has medium potential to support roosting bats, although no evidence was found to indicate that bats have roosted at the property in the past. The report concluded that a minimum of two further surveys should be undertaken – “one dawn swarming and one dusk emergence survey within the same 24 hour period, carried out during the optimal period for manual bat detector surveys i.e. between May and August (inclusive).”

45. **SNH** subsequently commented on the Bat Survey Report and noted that the dawn and dusk surveys recommended in it would provide information on planning for any mitigation and would also be necessary to inform any license application which might be made to demolish a bat roost. This matter, including in particular the timing of the required survey work, has been considered in detail. **SNH** has advised on the acceptability of using a condition (in the event of the granting of planning permission) to ensure that the demolition of the public hall would not take place until the required surveys has been undertaken and all necessary measures complied with, including mitigation measures and applying for a license where necessary. Reference is also made to the possibility of incorporating bat friendly features, such as bat bricks in the walls and bat slates in the roof, into the design.
46. **Aviemore and Vicinity Community Council** expresses support for the development proposal, describing the design as “good and in keeping with other developments on Grampian Road.” However, in commenting on the originally proposed design reference was made to the three storeys and it was suggested that the building should not tower over surrounding properties.
47. The **Community Council** also raised a number of points in relation to traffic and access issues and on site car parking provision. It is suggested that the development would give rise to increases in traffic at the junction of Muirton and Grampian Road, with reference also being made to the new primary school generating significantly increased use of this junction. Concern is raised about the potential increases in traffic on Muirton and the risk of emergency services being delayed in responding. The number of car parking spaces proposed on the site (22) is described as insufficient and “will result in off-site parking in surrounding streets and the Medical Centre car park.”
48. Highland Council’s **TEC Services** considered access and car parking issues. The initial response received noted the development location near the health centre, new community school, ambulance station and fire station and in that context expressed concern about the limited parking provision to serve the proposed development. **TEC Services** recommended that the minimum car parking spaces provided should be at a rate of 1.5 per unit. Concern was also raised about limited geometry and manoeuvrability for service vehicles, which would preclude service vehicles from being able to readily enter and leave the proposed site independently in forward gear. **TEC Services** also advised of the need to achieve and maintain required visibility splays, the requirement to provide a dropped kerb footway crossing at the vehicular access point, and the required provision of cycle storage facilities and suitable refuse provision.
49. The applicant subsequently provided an amended site layout plan in November 2011, the details of which are included in Figure 5 of this report. The site layout plan incorporates a proposal for the provision of a service bay adjacent to the junction of the access and Muirton, in order to eradicate the need for service vehicles to enter the site. Bin storage areas are also shown in close proximity to the service bay and a cycle storage area is also identified on the site.

50. **TEC Services** was re-consulted and the recently received response continues to express concern at the shortfall in car parking. It is suggested that the scale of the development does not appear to allow for this provision and TEC Services are “unable to recommend approval of the current application unless and until the applicant can demonstrate that the recommended parking is provided within the curtilage of the new development.” It is suggested that there is a possibility that a reduction in available parking on the site may increase the risk of overspill parking.
51. The consultation response from **TEC Services** suggests a number of amendments to the site layout in order to create the additional car parking provision. Suggested amendments include
- Reducing the width of the access road to 5.5 metres;
 - Moving the building approximately 0.4 metres west and maintaining the required visibility splay;
 - Relocating the bin store area and cycle stands to elsewhere on the site; and
 - The provision of five additional car parking spaces in place of the currently proposed bin and cycle storage and the addition of 1 further space adjacent to bay no. 1 as denoted on the site layout plan.
- The revisions would result in a total of 28 parking spaces and it is indicated that, although still a reduction on the required amount of 30, the proposal could be supported by TEC Services.
52. In the event that the car parking provision is provided in accordance with the above suggestions, a number of other conditions are also recommended to be included in the event of the granting of planning permission. Conditions include the achievement of required visibility splays at the junction of Muirton and Grampian Road, that the property shall be free from the effects of a 1 in 200 years flood event, a requirement that drainage measures accord with SUDS principles, and the provision of a dropped kerb footway crossing at the point of vehicular access to the site. Reference is also made to the proposals for the realignment of the front boundary wall along Grampian Road and the impact that this may have on the existing bus stop and recessed access. Consequently it is recommended that the southbound bus stop and provision for a new shelter be retained within part of the existing recess.
53. The proposal was assessed by an archaeologist in Highland Council’s **Historic Environment Team** and it has been confirmed that there are no sensitive historic environmental issues.
54. Highland Council’s **Contaminated Land** section considered the planning application and advised that they have no comment to make.
55. The development proposal has also been considered by **Planning Gain** officials. Reference is made to the fact that the new community facilities will be part financed by the Community sale of the subject site. The fact that the proposed development would deliver 100% affordable housing was also

recognised and it was concluded on the basis of all of those factors that the requirement for planning gain contributions should be waived.

56. In a consultation response received from **Inclusive Cairngorm** reference is made to the proposed repositioning of the front boundary wall on Grampian Road and the impact that this may have on planned improvements to the bus stop adjacent to the site. Planned improvement works at the bus stop are due to be undertaken as part of a pilot project being run in conjunction with the Transport Scotland Roads for All Forum.⁴ The accessibility of the bus stop and the provision of a new shelter is an important element of the pilot project, particularly as it will be used by a wide range of people once the new community school is completed. **Inclusive Cairngorm** request that consideration be given to maintaining the existing recess when the front boundary wall is realigned.
57. The CNPA's **Landscape Officer** commented on the importance of the views to the mountains within the settlement of Aviemore, as highlighted in the Housing Capacity Study for Aviemore, and in the draft Aviemore Design Framework. It was suggested that the developer be required to demonstrate that the building does not impinge on these views by way of submitting before and after images.

REPRESENTATIONS

58. Two representations have been received in respect of the development proposal. Aviemore Medical Practice made comment on the subjects of traffic congestion and car parking. It is noted that the access to the proposed development is via Muirton which is the main traffic access for the new community school as well as existing facilities including the ambulance station, the fire station and health centre. Concern is raised about congestion which could impact on the response times of emergency services using the junction at Muirton and Grampian Road. On the subject of parking, it is suggested that the development could house up to 59 people, while there is provision for 22 car parking spaces and it is suggested that there will not be ample parking for all residents and that overflow may be bourn by the medical centre car park.
59. The second representation, from Mr. Ian Chadburn of Grampian Road, Aviemore, refers to the proposed development extending past the building line established by Ord Ban and Glencanisp.⁵ Mr. Chadburn queries if the proposal could be stepped back to bring it in line with the existing properties.

APPRAISAL

60. The proposed site occupies a prominent position on the main route through Aviemore. The key factors to consider in this application include the nature of the development proposal and its compliance with planning policy and the aims

⁴ The forum was formed in 2006 following the publication of Transport Scotland's Disability Equality Strategy. Action 6B of the Strategy relates to a pilot project for accessible public transport.

⁵ Traditional detached dwelling houses located to the south of the proposed site.

of the National Park, design issues, car parking and traffic implications, and the contribution of the development to the provision of affordable housing in the area.

Principle of development

61. The development is proposed on what is essentially a brownfield site in Aviemore. The building currently in place on the site is typical of a village hall of yesteryear and makes little contribution to the aesthetic enhancement of the site. The exterior of the building displays strong evidence of wear and tear and the decision by the community to put the site up for sale is an indication of acceptance that the existing structure is near to the end of its lifespan. Community facilities currently provided in the hall will shortly be provided within the new primary school development close to the site. As such, it is appropriate to now consider alternative uses for the subject site.
62. As an area of 'white land' within the settlement area, the site does not have a particular assigned land use and a variety of uses are therefore open to consideration, subject to compatibility with existing uses in the surrounding area. As such the proposed introduction of a residential use at the site is appropriate and is compatible with existing residential use to the immediate south and to the west of the site.

Planning policy

63. At national level and through Structure Plan and Local Plan policies, the provision of well designed, good quality housing in sustainable locations is encouraged, with particular emphasis placed on directing development towards sites within existing settlements. It is a principle which is also strongly advocated in the Cairngorms National Park Plan, where the need to ensure greater access to affordable and good quality housing is highlighted (section 5.2.4). The principle of residential development on this site is therefore consistent with all of the foregoing.
64. In examining the proposal in further detail in relation to Local Plan policy in particular, Policy 16 – Design Standards for Development is of particular relevance. The policy requires developments to reflect and reinforce the traditional pattern and character of the surrounding area and reinforce the local vernacular and local distinctiveness. In the case of the proposed site, development in the surrounding area is of an extremely diverse nature, including community buildings such as the hall on the site, other public facilities such as the ambulance base and fire station opposite on Muirton, two detached traditional Victorian villas immediately to the south of the site, and a range of semi detached and terraced housing dating from the mid 20th century, located to the west, on the opposite side of Grampian Road. As such it would be difficult to introduce a building into the site which strictly adhered to the particular requirement of Policy 16 to "reflect and reinforce the pattern and character of the surroundings."
65. The proposed building should therefore be considered in the context of the wider surroundings of Aviemore. The proposed development would undoubtedly introduce a larger building into the site, and one which would be

relatively prominently located towards the front, rather than the current position of the public hall at the rear. The proposal to accommodate 20 units within the new structure is also recognised as introducing a higher density development into this area. While the development differs in many respects from what currently exists on the site and in the immediate surrounds, the site is capable of accommodating the higher density and the proposal could be considered an example of efficiently maximising the use of land within the settlement. There is also a precedent for the introduction of a higher density residential development concept (The Glen) a short distance to the south of the site, adjacent to lower density residential and other mixed uses.

Site layout

66. In accepting the general principle of higher density development on the site, consideration must also be given to the actual level of development proposed and the capacity of the site to accommodate the actual building, the number of residential units proposed within it and to accommodate an acceptable standard of on site amenity and infrastructure, in the form of communal open space, car parking provision and other facilities such as bin storage, drying areas and cycle storage. As referred to in earlier sections of this report, a number of amendments were made to the proposal in the course of this application, including significant design changes and also amendments to the site layout. The amended site layout makes provision for a garden area at the rear of the building, including direct footpath access from the lawned and landscaped area to the various entry points in the rear of the building. The stepping back of the southernmost wing of the new building has also facilitated the provision of a larger area of open space in the front (south western) area of the site. This serves the dual purpose of providing open space for residents with entry point to the front of the building, and is also a useful feature in minimising the impression of the scale of the building, as well as providing enhancement opportunities in the front area of the site. As already detailed the amended design also incorporates a drying area, cycle stands and bin storage facilities. The latter is proposed to be positioned in the northern area of the site, adjacent to the vehicular access point and the recessed service bay which is proposed at the site entrance.
67. The other key aspect of the site layout is car parking provision. A total of 22 spaces are proposed and as detailed in paragraphs 47 - 50, this is below the standard car parking provision requested by **TEC Services** (1.5 spaces per unit, equating to 30 spaces). A number of suggestions have been put forward by TEC Services in an effort to address the car parking deficit, one of which is the repositioning of the building approximately 0.4 metres further west i.e. closer to the Grampian Road frontage of the site. In conjunction with the possible repositioning of the cycle stands and the bin storage and a reduction in the road width to 5.5 metres, **TEC Services** envisage that 6 further parking bays could be created, to create a total of 28 spaces.
68. Having considered the suggested amendments, there are two significant issues which present practical difficulties. The repositioning of the building further west, even by 0.4 metres, would jeopardise the concept of setting back the building from the front boundary. The benefits of the proposed set back

include minimising the dominance of the new building in the streetscape, providing an opportunity for appropriate landscaping in order to assist in assimilating the built structure into its setting, allowing for the reconstruction of the stone boundary wall which is a key feature of the site, and offering a degree of privacy to prospective residents of ground floor units in particular. The set back as currently proposed is already limited in some areas, particularly at the northern end of the site and the repositioning of the building further west would result in the north western corner of the new building having only a negligible degree of separation from the boundary wall at the junction of Muirton and Grampian Road, and would reduce the open space provision at the front of all of the proposed ground floor, as well as limiting the potential to appropriately landscape the area. The increased proximity to the proposed reconstructed boundary wall could also impact on the natural light available to serve those particular units. The second suggestion of repositioning the bin storage to an alternative position within the site would also raise issues, as it would result in the bin storage being remote from the service bay and would effectively negate the purpose of the service bay to accommodate refuse vehicles without necessitating entry and exit manoeuvres at the site.

69. The potential acceptance of reduced parking standards, against the advice of **TEC Services**, is an issue which has been extensively considered. In addition to the impracticalities of accepting the site layout amendments suggested by **TEC Services**, there are a number of other factors to be borne in mind in relation to the level of car parking proposed on the site. The site is within the settlement of Aviemore and in a location from which relatively easy, non vehicular, access is possible to the majority of facilities and services in the settlement. For example, the health centre and existing primary school are in close proximity, and the new primary school and associated facilities will be closer still. Retail outlets and other commercial facilities are within a few minutes walk / cycle of the site. Longer distance travel can also be facilitated by ease of access to public transport, including south and north bound bus stops adjacent to the site, and the railway station within walking distance. The acceptance of a reduced standard of parking for a development within a central location such as this is also consistent with efforts to encourage more sustainable transport practises and encourage less reliance on private vehicles. The currently proposed level of car parking provision would provide 1 space per dwelling unit, as well as two potential visitor spaces. Given that 7 of the 20 units would contain one bedroom, while the remainder would be two bedroom units of relatively limited size, it could be assumed that the average level of car ownership is unlikely to exceed one vehicle per unit.
70. The potential impact of the development on the position of the existing southbound bus stop and the space available in the vicinity of the bus stop to accommodate improvements, including a new bus shelter, has been raised in the consultation responses from **TEC Services** and **Inclusive Cairngorm**. The retention of the bus stop in its current position, including the retention of the existing recessed area, would result in the bus stop being positioned in extremely close proximity to some of the ground floor accommodation. As an alternative, it is suggested that the bus stop be repositioned a short distance

further south along the frontage of the site, adjacent to a larger area of open space (arising from the proposed set back of the southernmost element of the new building). This would allow for the reconstruction of the wall to facilitate the recessed area required to accommodate the bus stop improvements and the planned installation of a new shelter.

Design

71. Reference has been made in foregoing sections of this report (and as shown in Figures 3 and 4) to the design changes which have occurred in the course of this application, in response to CNPA concerns. The amendments, including changes to the roof line, the incorporation of the upper floor accommodation within 2 ½ storey elements rather than within the original full height three storeys over much of the Grampian Road frontage, the omission of excessive gable effects, amendments to the fenestration, the gradual stepping down of rooflines and the staggering of the building line, have all contributed positively to improving the design. The building which has now been proposed is appropriately described in the 'Design and Sustainability Statement' as a composition that reflects a "mix of traditional and modern characteristics." The introduction of a number of entry points in the front elevation of the building, together with the staggered building line, are effective in creating the impression of a series of attached buildings, rather than the earlier effect of introducing a somewhat overpowering flatted complex. The design changes have essentially created an optical illusion in breaking up the mass of the building and creating the impression of a scale which is more in keeping with the village surrounding whilst continuing to accommodate the same floor space and number of units as originally proposed. The mix of materials is appropriate, although further discussion will be required on the precise specification for the roof material to ascertain if an acceptable tile is available or if consideration should be given to slate. The design changes which have occurred render it possible to conclude that the development accords with the main principles of Local Plan **Policy 16- Design Standards for Development**, in particular due to the introduction of elements which reinforce the local vernacular and local distinctiveness, and the use of materials and landscaping which complement the setting of the development. The development also has the potential to significantly enhance the site from its present condition and as such accords with **Policy 6 – Landscape**.

Affordable Housing

72. The formal description of the development refers to the provision of affordable housing, with all 20 units proposed as 'affordable'. The CNPA has sought to establish during the assessment of this application the intended mechanism of the delivery (and maintenance in perpetuity) of the housing as affordable. Paragraph 8 of the report refers to the information which has recently been provided in response to the queries. It has been sufficiently demonstrated that the applicant / developer is committed to the delivery of the development as a 100% affordable housing project, although due to the current economic climate there is a lack of certainty on when or if a Registered Social Landlord (RSL's) make be in a position to commit to the site. A number of alternatives are also suggested for consideration as a means of delivering the units as affordable. CNP's Supplementary Planning Guidance on

'Affordable Housing' allows consideration to be given to the engagement of RSL's or "alternative means" to deliver affordable housing. Having considered all of the foregoing aspects, it is considered reasonable to accede to the agents request to consider the use of a condition in the event of the granting of planning permission, whereby no work would be permitted to start on site until an agreed method of delivery has been agreed with the CNPA acting as Planning Authority.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

73. The subject site is essentially a brownfield site within the Aviemore settlement area and in its current state has limited natural or cultural heritage value. The development proposal involves the demolition of the existing public hall on the site. The potential of that building to accommodate bats, a European Protected species, has been considered and sufficient measures can be put in place to ensure the protection of the species, as well as there being the potential to introduce a number of bat friendly features in the new building.
74. The design amendments, together with the implementation of an appropriate scheme of landscaping throughout the site, have the potential to enhance the site from its present state. The development could contribute positively to the enhancement of the streetscape of this area.

Promote Sustainable Use of Natural Resources

75. Reference has been made in the Design Statement to the use of materials which are BRE Green Guide A rated and can be locally sourced.

Promote Understanding and Enjoyment of the Area

76. The proposed development has the potential to enhance the site from its present condition and as such may contribute towards the general public's enjoyment of the area.

Promote Sustainable Economic and Social Development of the Area

77. The proposed development would deliver 20 affordable housing units. The units are of various sizes and bedroom numbers and have the potential to accommodate a variety of demographics. The construction activity associated with the development also has the potential to create employment.

RECOMMENDATION

That Members of the Committee support a recommendation GRANT permission for the demolition of the community hall and the erection of 20 affordable homes at Aviemore Public Hall, Grampian Road, Aviemore, 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.

2. The development hereby approved, shall comprise, in perpetuity, 20 affordable housing units, as defined in Scottish Planning Policy (2010) and in the Cairngorms National Park 'Affordable Housing' Supplementary Planning Guidance (section 3.0). No development shall commence on site until either (a) evidence of a contract between all relevant parties for the provision of and future maintenance of the development as affordable housing has been submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority or (b) an alternative method of delivery and future maintenance of the development as affordable housing has been submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority.

Reason: To ensure the delivery of the development as affordable housing and in the interests of promoting the economic and social development of the area.

3. The demolition of the public hall shall not occur until a bat survey has been undertaken and all necessary mitigation measures (including where necessary applying for an appropriate license) have been agreed in writing with the Cairngorms National Park Authority acting as Planning Authority, in consultation with Scottish Natural Heritage. The bat survey shall be undertaken in accordance with the recommendations set out in 'Report of Initial Building Survey for Bats', dated 6 October 2011.

Reason : In order to ensure adequate protection of European Protected Species and in the interests of conserving the natural heritage of the area.

4. Prior to the commencement of the development, exact details and specifications (samples may be required), shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority and all agreed specifications shall be incorporated thereafter:
 - a) Samples of white and colour render and decorative blockwork;
 - b) Finishing colour/stain of timber linings;
 - c) Timber windows and external door colours / stains;
 - d) Roof finishes;
 - e) All surfacing proposed on car parking bays, paths and any other areas of hard surfacing throughout the site;

- f) Details of proposed boundary treatments on the southern and eastern site boundaries;
- g) Details of boundary treatments surrounding the identified bin storage area; and
- h) Details of cycle storage apparatus.

Reason: In order to give separate consideration to these matters in respect of the design, quality and character of the development and in order to retain the visual amenity of the area.

5. Prior to the commencement of development, an amended site plan shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in consultation with Highland Council TEC Services, to show
- (a) the existing southbound bus stop repositioned approximately 16 metres to the south of the existing position (as identified on Site Plan, drawing no. PL(90) 001 Rev A); and
 - (b) the proposed reconstructed boundary wall recessed at the location referred to in (a) to accommodate adequate space for the relocated bus stop and its associated infrastructure.

Reason : In order to ensure that adequate provision is made at this location for the existing bus stop and any improvements undertaken thereafter.

6. Prior to the commencement of the development revised elevation drawings shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority to show the incorporation of bat roosting opportunities in the proposed design.

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

7. Prior to the commencement of development, a photographic record shall be compiled of the public hall and shall thereafter 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 Cairngorms National Park Authority, in consultation with Highland Council, that the record made has been lodged and is satisfactory.

Reason : In the interests of maintaining a record of the cultural heritage of the area.

8. Prior to the commencement of development, a landscaping plan shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority. The landscaping plan shall include proposals for the planting of local origin, native tree species (including details of the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges. The proposals shall include the provision of planting on the eastern and southern site boundaries.

The landscaping and maintenance programme shall thereafter be implemented and maintained in accordance with the approved plan. The plan 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.

Reason : In the interests of visual amenity and in the interests of conserving and enhancing the natural heritage of the area.

9. A suitable management and maintenance agreement shall be established in respect of communal areas, and roads and footpaths that are not adopted by Highland Council. Details of and evidence of the maintenance agreement shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, prior to the commencement of development.

Reason: To ensure the long term management and maintenance of any elements within the development that are not to be adopted by a statutory body.

10. Prior to the commencement of development, details of drainage measures, which shall accord with SUDS principles, shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in consultation with Highland Council TEC Services and SEPA. The details shall include appropriate design and check certification and supporting details to demonstrate the suitability of any drainage measures proposed. The agreed drainage measures shall thereafter be implemented.

Reason : In the interests of orderly development and public safety.

11. The development shall accord with the following roads related conditions –
 - (a) Nothing shall be established within the development to adversely affect visibility splays at Muirton Junction with Grampian Road, nor at the point of vehicular access to the site.
 - (b) Visibility splays shall be provided and maintained on each side of the Muirton junction with Grampian Road and shall be clear of obstruction. These splays are the triangles of ground bounded by the first 4.5 metres along the centreline of the access (the x dimension) and the nearside edge of the public road (the y dimension) measured a minimum of 90 metres in each direction from the intersection of the Muirton junction with Grampian Road.
 - (c) Visibility splays shall also be provided and maintained on each side of the site access at its junction with the public road and shall be clear of obstruction. These splays are the triangles of ground bounded by the first

2.4 metres along the centreline of the access (the x dimension) and the nearside edge of the public road (the y dimension) measured a minimum of 40 metres in each direction from the intersection of the access with the public road. This will require the boundary wall to be set back out with the visibility splays mentioned above;

- (d) A dropped kerb footway crossing shall be provided at the point of vehicular access to the site and the existing footway shall be reconstructed. All works shall be undertaken to the satisfaction of the Cairngorms National Park Authority acting as Planning Authority, in consultation with Highland Council as Roads Authority;
- (e) No water shall discharge onto the public road and the developer shall be responsible for the provision of any measures necessary to prevent road water entering the site, the details of which shall be submitted for the written agreement of the Cairngorms National Park Authority acting as Planning Authority, in consultation with Highland Council as Roads Authority, prior to the commencement of development.

Reason : In the interests of traffic safety and public safety.

12. The property shall be free from the effects of a 1 in 200 years flood event.

Reason : In the interests of public safety.

13. 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 the visual amenity of the area.

Advice notes :

- (a) The applicants are encouraged to liaise with Highland Council's Public Transport Officer / TEC Services regarding potential improvements that may be required at the southbound and northbound bus stops adjacent to the site.
- (b) Prior to any work of excavation or occupation within the public road boundary, a suitable permit or permits shall be obtained from Highland Council as Roads Authority.

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1 December 2011

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.