

## CAIRNGORMS NATIONAL PARK AUTHORITY

---

### DEVELOPMENT PROPOSED:

Erection of 22 self-catering apartments, shops, hotel and underground parking at Land 80m south-west Of Mountain Café, Grampian Road, Aviemore

---

**REFERENCE:** 2023/0007/DET

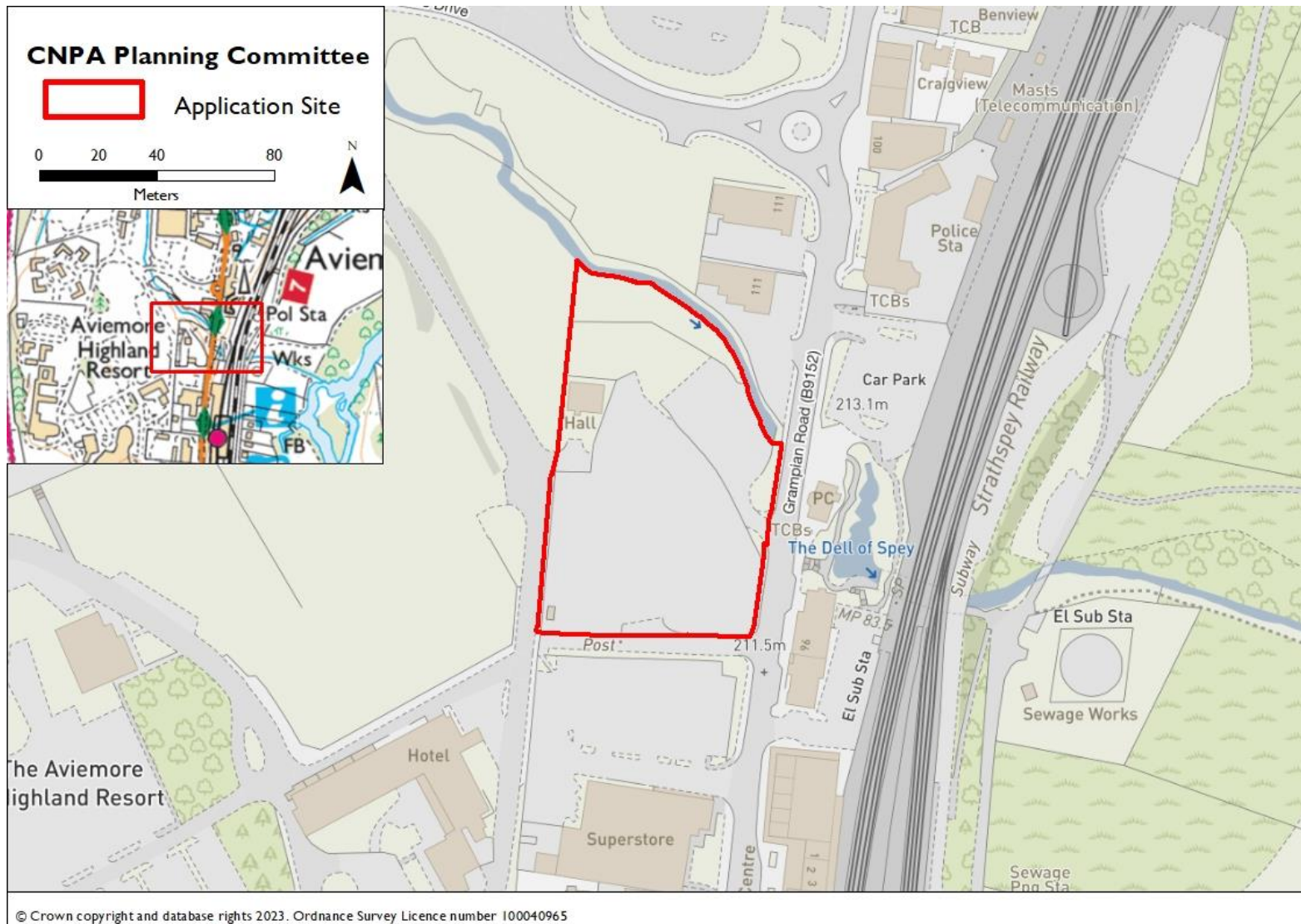
**APPLICANT:** Upland Developments Ltd

**DATE CALLED-IN:** 9 January 2023

**RECOMMENDATION:** Approve subject to conditions

**CASE OFFICER:** Alan Atkins - Planning Officer

---



## **SITE DESCRIPTION, PROPOSAL AND HISTORY**

### **Site Description**

1. The application site is located within the centre of Aviemore and lies on the west side of Grampian Road (the B9152), the main thoroughfare through the village. It is a brownfield site covering an area of approximately 0.807 hectares. There were previously individual buildings including two residential properties (a Victorian villa known as Laurel Bank and a more contemporary bungalow Meall Buidhe), a former BT exchange building and a scout hall located on the site. To the north of the site is an area that was used as a small fairground for younger children. The buildings have been demolished and the site has now been cleared. A number of trees have also been removed from the site.
  
2. A pedestrian footway runs along the southern boundary of the site with the Tesco supermarket car park lying beyond. The rear boundary (western boundary) of the site is bounded by a private access road which serves the Aviemore Highland resort. The site gradually falls from this boundary towards its frontage which runs along Grampian Road. There is a steep fall in the middle of the site where it levels and adjoins the Milton Burn to the northern boundary. A steep embankment lies beyond with the car park for an outdoor equipment shop and a pizzeria lying beyond that on a higher ground level.

### **Proposal**

3. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RNYO4YSI0CP00>

<b>Title</b>	<b>Drawing Number</b>	<b>Date on Plan*</b>	<b>Date Received</b>
Location Plan	AVI-NOR-ZZ-XX-DR-A-0-0001	22/02/2020	06/01/2023
Site Layout Plan	AVI-NOR-ZZ-XX-DR-A-0002	22/02/2020	06/01/2023
Site Level Plan	191083-903	13/08/2020	06/01/2023

**CAIRNGORMS NATIONAL PARK AUTHORITY**  
**Planning Committee Item 7 10/03/2023**

Elevation Plan (west and north elevations of self-catering apartments)	AVI-NOR-ZZ-XX-DR-A-0011		06/01/2023
Elevations Plan (east and south elevations of self – catering apartments)	AVI-NOR-ZZ-XX-DR-A-0012		06/01/2023
Elevations Plan (hotel)	AVI-NOR-ZZ-XX-DR-A-0031		06/01/2023
Elevations Sheet 1 (hotel)	AVI-NOR-ZZ-XX-DR-A-0030		06/01/2023
Floor Plans (self – catering apartments)	AVI-NOR-ZZ-XX-DR-A-0010		06/01/2023
General Floor Plan and Sections	191083-000-CAM-DR-C-001		06/01/2023
General Plan, Basement Level (Hotel)	AVI-NOR-ZZ-XX-DR-A-0020		06/01/2023
Ground Floor Plan (Hotel)	AVI-NOR-ZZ-XX-DR-A-0021		06/01/2023
First Floor Plan (Hotel)	AVI-NOR-ZZ-XX-DR-A-0022		06/01/2023
Second Floor Plan (Hotel)	AVI-NOR-ZZ-XX-DR-A-0023		06/01.2023
Third Floor Plan (Hotel)	AVI-NOR-ZZ-XX-DR-A-0024		06/01/2023
Roof Plan	AVI-NOR-ZZ-XX-DR-A-0025		06/01/2023
Topographical Plan	CTCH-J3429-003		06/01/2023
Landscaping Plan	UDL100.21 LM-01		06/01/2023
Landscaping Proposal Plan	UDL100.21 SL-02		06/01/2023

Landscaping Plan	UDLI00.21 SL-02		06/01/2023
Visualisation Sheet 1	AVI-NOR- ZZ-XX- DR-A-0040		06/01/2023
Visualisation Sheet 2	AVI-NOR- ZZ-XX- DR-A-0041		06/01/2023
Section Plan	A191083- 906	04/08/2021	06/01/2023
Section Plan	191083-907	05/04/2022	06/01/2023
Drainage Layout Plan	191083- 905REV12	13/0/2020	06/01/2023
General Plan – Roads Layout Plan	191033-904	13/08/2020	06/01/2023
<b>Supporting Information</b>			
Arboricultural Method Statement	100186020	27/05/2021	06/01/2023
Design Statement	100186024		06/01/2023
Flood Risk Assessment	100186032		06/01/2023
Flood Risk Assessment	100186034		06/01/2023
Soft Landscaping Works	100186053	24/11/2022	06/01/2023
Tree Schedule	100186058		06/01/2023
Swept Path Analysis	91083-000- CAM-DR-C	13/08/2020	06/01/2023
CEMP	100186405	01/11/2022	06/01/2023
Drainage Impact Assessment	100186025	01/11/2022	06.01.2023
Transport Assessment	100187257	01/01/2023	01/02/2023
Tree Protection Plan	1249-TPP	27/05/2021	06/01/2023
Otter Survey		01/06/2021	06/01/2023

\*Where no specific day of month has been provided on the plan, the system defaults to the 1<sup>st</sup> of the month.

4. The application seeks consent for a mixed - use development of 22 self-catering holiday apartments with retail units at ground floor level and an 83 bedroom hotel with associated accesses and parking.
  
5. The apartment block will have an 'L' shaped configuration, running along the south and western boundaries. The building will have a simple design with a stepped form to address the change in levels over the site and design features to define the different storeys. It will have a pitched roof clad in grey concrete roof tiles and will be finished in timber effect and metal cladding panels and off-white render. 6 retail units will be provided at ground floor level, 5 within the block running along the southern boundary and a larger one along the western boundary. The first floor will provide 12 self - catering units with 10 units on the second floor. The apartments will provide twenty, 2 bed/4 person and two,

3 bed/6 person units. Access will be via the public space to the front of the development.

6. The hotel will be located to the north of the site, with basement carparking which has been incorporated in response to the topography of this part of the site. The hotel offers 83 bedrooms with ancillary accommodation, including a bar and a separate dining room/restaurant. Four double bedrooms with en-suites within the hotel will be dedicated to staff accommodation. A simple, functional design has also been adopted. A semi-circular, single story glazed element with a terrace is proposed to the elevation fronting Grampian Road providing additional seating for the dining area. The external finishes will be timber effect cladding, off white render and grey concrete roof tiles to the pitched roof.
7. The remaining central part of the site will form a 'courtyard' space which will provide car parking and servicing. A smaller, more formal public realm space will be formed to the front of the courtyard to the east of the site, fronting Grampian Road and the space to the front of the apartment block's gable, also fronting Grampian Road, and will provide an opportunity for further public realm space. This will be landscaped and will include seating and cycle parking provision.
8. The development will necessitate the removal of approximately three trees. However, the majority of trees on site, which are principally located along the edge of the Milton Burn, will be retained. Further planting is proposed throughout the site with detailed landscape proposals having been provided.
9. The existing access off Grampian Road (the B9152) will be used for vehicle access to the site, taking the form of a single bell mouth enhanced priority junction. The junction and access road will be designed to adoptable standards and promoted for adoption by the Council with minimum visibility splays of 2.4 metres x 60 metres. Given the mix of uses the access road will also be designed to industrial standards. The existing pedestrian footpath that runs along the southern edge of the site will be upgraded and a path will be formed on the eastern boundary to allow for enhanced pedestrian movements between the village and the Highland Resort.
10. There are two separate car parking areas proposed which will provide a total of 87 car parking spaces. One lies to the north of the site within the basement of the hotel building providing a total of 43 spaces and where there will be 2 accessible spaces located. The other one is to the south and will provide a total of 44 standard spaces, 4 disabled spaces and 5 electric vehicle charging spaces to support the self-catering units and retail element of the development.
11. The site will be serviced by existing Scottish Water sewers although diversions will be required to accommodate the development. Surface water will be dealt with through the use of infiltration devices used in accordance with the CIRIA publication 'SuDS Design Manual'. These will include attenuation trenches at lower ground levels and for roof water areas and porous paving for the higher ground levels.

12. Plans and visualisations of the proposal are attached as **Appendix 1**.

## History

13. Application 2021/0105/DET, for the erection of 23 self-catering apartments, shops, hotel and underground parking, planning permission was refused on 24/06/2022. Earlier consents for the redevelopment of the site expired a decade ago. Application 04/211/OUTBS granted January 2006 for Development of Retail and Community Use with Associated Parking and 09/011/CP that extended the duration of planning permission of that consent for three years from May 2009.

## Habitats Regulations Assessment

14. An Habitats Regulations Appraisal [HRA] has been undertaken to consider the effects of the proposals upon the conservation objectives of the Natura Sites as listed within the document attached at **Appendix 2**.
15. In terms of the Kinveachy Forest SPA, all conservation objectives can be met. The proposed development, however, has the potential to prevent the conservation objectives being met for the River Spey SAC. This would occur due to the very high risk of sediment release entering the Milton Burn that flows directly into the River Spey during construction work. This would affect the water quality relied upon by qualifying species and potentially smother habitats supporting the qualifying species and their food, therefore affecting distribution and population levels. The applicants have submitted a Construction Environmental Management Plan (CEMP) incorporating an outline Construction Method Statement (CMS). This would address the risk of sediment release through appropriate pollution prevention and control measures such that pollution risk could be minimised. The CEMP also includes species protection measures that would minimise the risk of disturbance to otter. The CEMP and CMS must be secured by condition should planning permission be granted.
16. This application is a resubmission of the application that was refused in June 2022. The current proposals are of a reduced scale and massing and as such there is a slight reduction in capacity from 23 to 22 self-catering apartments. The amended design will have no significant changes regarding impact on the designated sites. A review of the HRA for Kinveachy Forest SPA (and other capercaillie woodlands) and River Spey SAC has considered that the current assessment (above) remains valid.

## DEVELOPMENT PLAN CONTEXT

### Policies

<b>National Policy</b>	National Planning Framework 4 (NPF4) Scotland 2045	
POLICY 1	Tackling the Climate and Nature Crises	<b>X</b>
POLICY 3	Biodiversity	<b>X</b>
POLICY 9	Brownfield, Vacant and Derelict Land, and Empty Buildings	<b>X</b>
POLICY 13	Sustainable Transport	<b>X</b>
POLICY 14	Design, Quality and Place	<b>X</b>
POLICY 22	Flood Risk and Water Management	<b>X</b>
POLICY 26	Business and Industry	<b>X</b>
POLICY 27	City, Town, Local and Commercial Centres	<b>X</b>
POLICY 28	Retail	<b>X</b>
POLICY 30	Tourism	<b>X</b>

<b>Strategic Policy</b>	Cairngorms National Park Partnership Plan 2022 - 2027	
<b>Local Plan Policy</b>	Cairngorms National Park Local Development Plan (2021) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	<b>X</b>
POLICY 3	DESIGN AND PLACEMAKING	<b>X</b>
POLICY 4	NATURAL HERITAGE	<b>X</b>
POLICY 5	LANDSCAPE	<b>X</b>
POLICY 6	THE SITING AND DESIGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	OPEN SPACE, SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	
POLICY 10	RESOURCES	<b>X</b>
POLICY 11	DEVELOPER OBLIGATIONS	

17. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:

<https://cairngorms.co.uk/wp-content/uploads/2021/03/CNPA-LDP-2021-web.pdf>

### Planning Guidance

18. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.



Policy 1	Housing Supplementary Guidance	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	<b>X</b>
Policy 3	Design and Placemaking Non Statutory Guidance	<b>X</b>
Policy 4	Natural Heritage Supplementary Guidance	<b>X</b>
Policy 5	Landscape Non-Statutory Guidance	<b>X</b>
Policy 7	Renewable Energy Supplementary Guidance	
Policy 8	Open Space, Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	
Policy 10	Resources Non-Statutory Guidance	<b>X</b>
Policy 11	Developer Obligations Supplementary Guidance	

## CONSULTATIONS

19. A summary of the main issues raised by consultees now follows:
20. **SEPA** have objected to the proposals in terms of flood risk as the proposed development and land raising falls within the functional floodplain and is therefore likely to place buildings and people at flood risk contrary to national policy. The scheme should be amended to ensure all built development and land raising is located outwith the flood risk area. They advise that if the application is to be recommended for approval contrary to their objection on flood risk, then reference must be made to the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 which provides criteria for referral to Scottish Ministers of such cases. The current proposals are also contrary to Policy 10 of the Cairngorms Local Development Plan in that there will be significant earthworks adjacent to the Aviemore Burn and that this will encroach into the required 6 metre wide buffer. A condition is recommended that this buffer is protected by fencing to avoid potential encroachment.
21. **Scottish Water** has no objection to the proposals, but suggest the applicant completes a Pre-Development Enquiry (PDE) form ensuring the development can be serviced. There is currently capacity in the Aviemore Water Treatment Works to service the proposed development. The proposed development is within the Aviemore Waste Water Treatment Works catchment area but suggest the applicant completes a Pre-Development Enquiry (PDE) form ensuring the development can be serviced.
22. Scottish Water records indicate that there is live infrastructure in the proximity of the development site that may impact on existing Scottish Water assets. The applicant must identify any potential conflicts with Scottish Water assets and contact the Asset Impact Team via the customer portal, for an approval of the proposals. Any conflict with assets identified will be subject to restrictions on proximity of construction. Written permission must be obtained before any works are started within the area of any Scottish Water Assets.

23. **Transport Scotland** have stated that they do not propose to advise against the granting of planning permission.
24. **Police Scotland** has no objections. However, it is recommended that the applicants follow the principles of Crime Prevention through Environmental Design (CPTED) and seek further assistance or advice with any aspect of security for the development, especially during the construction phase or if CCTV and/or other electronic security measures are being considered.
25. **Highland Council Flood Risk Management Team** object to the proposed development on the grounds of flood risk. The proposals require land raising in the identified floodplain to accommodate the hotel and car park access ramp. The proposed basement level of the hotel will have a finished floor level that will be in the floodplain and at risk of flooding. The Flood Risk Management Team requires the applicant to avoid developing in areas identified as being at risk of flooding in a 1 in 200 year plus climate change flood event. In terms of drainage, it is recommended that a suitably worded condition is included that a detailed drainage design is submitted for approval prior to works commencing on site.
26. **Highland Council Transport Planning Team** objects to the proposed development on the following grounds:
  - a) Insufficient car parking;
  - b) Trip generation has not been carried out following best practice guidelines;
  - c) Trip generation is underestimated;
  - d) Impact of development traffic on Grampian Road has not been assessed;
  - e) Scale of development will cause traffic management issues on Grampian Road;
  - f) Road safety issues relating to HGVs mixing with pedestrians;
  - g) Additional traffic on Grampian Road will pose road safety issues for vulnerable road users;
  - h) Site layout does not conform to principles in Designing Streets;
  - i) Cycle Provision does not meet Council Guidelines;
  - j) No evidence to show sufficient level of service for public transport;
  - k) Measures to prevent surface water flowing onto adopted road are inadequate;
  - l) No assessment of the amount of storage bins for waste and recycling has been provided. This is required to demonstrate that the minimum capacities for commercial and retail developments are provided;
  - m) Servicing arrangements do not comply with Council guidelines;
  - n) The revised Transport Assessment fails to reference the proposals for increasing active travel as set out in the Active Aviemore Report;
  - o) The policy section of the Transport Assessment is out of date and fails to reference the National Transport Strategy 2000.
27. In addition, the Transport Planning Team has stated that, given that the development consists entirely of holiday accommodation, the Council considers this to be a private development and will, therefore, not adopt any of the internal access roads.

28. **The Highland Council Forestry Officer** has not responded.
29. **CNPA Outdoor Access Team** recommends that the development supports the delivery of recommendations made in the Active Aviemore Report. The Outdoor Access Team agree with the submitted Design Statement regarding the potential to utilise the core path as a means of access, whilst maximising connectivity into the local non-motorised network. Furthermore, there are opportunities to enhance the core path.
30. **CNPA Landscape Officer** has stated states that the development site has landscape capacity for the type of mixed development proposed, however, there are several landscape and visual design sensitivities associated with the site. In addition to its location within the National Park, it is an important and prominent location within Aviemore, and its redevelopment should relate to existing buildings, its topography and the retention of key views that all contribute to the distinct Special Landscape Qualities and sense of place. There is a need to reinforce and enhance its frontage onto Grampian Road and protect and enhance the adjacent Milton Burn.
31. It is their view that the development would result in some significant adverse landscape and visual effects. In summary these would be:
- a) The scale of the buildings would contrast with nearby buildings along Grampian Road. These would appear proportionally massive and overbearing, obstructing key views.
  - b) The layout of the proposal contrasts with the local landscape pattern and linear streetscape of Grampian Road.
  - c) The architectural design does not respond to the distinct landscape character or local vernacular.
  - d) New tree, hedge, shrub and grassland planting is welcomed, however, is unambitious and the design concept and structure is unclear and not appropriate for this prominent site. There is insufficient space provided for the existing trees, proposed trees and green space.
  - e) The development would have a detrimental impact on the Milton Burn.
  - f) The proposed small public area of open space will not provide a high quality landscape design in terms of reinforcing or enhancing the distinct landscape characteristics, visual amenity and SLQs of Aviemore.
32. **CNPA Ecology Officer** has stated that there may be a slight impact on the ecology of the site, due to the proposed loss of three trees. To protect existing trees on site, a condition is recommended that the Tree Protection Plan (dated 27<sup>th</sup> May 2021) and Arboricultural Method Statement (dated 27<sup>th</sup> May 2021) should be implemented in full.
33. The previous ecological surveys did not confirm the presence of any protected species (otter or reptiles). However, the habitats on site are assessed as being suitable for supporting these species and any breeding birds that are common within the local area. A condition is recommended that a preconstruction check

for reptiles is undertaken for any vegetation clearance and ground works during months when reptiles may be active. Any potential hibernacula will be hand checked by a suitably experienced ecologist. A further condition is recommended that the Species Protection Plans in Appendix C of the Construction Environment Method Statement (CEMP) 12/04/2022 should be implemented in full.

34. In addition, there is potential for an impact on breeding birds if the proposed works destroy active nests. Therefore, vegetation clearance and groundworks should commence out with the bird breeding season (March - September). Alternatively, if this is not possible, any vegetation clearance should be preceded with a nesting bird check, completed by a suitably experienced ecologist within 24 to 48 hours of clearance.
35. The development site lies adjacent to the Aviemore Burn, which could be subject to pollution and run-off. In addition, the Milton Burn feeds into the River Spey Special Area of Conservation (SAC) approximately 200m downstream of the development site. There could be a significant impact in the event of a pollution incident, but this is mitigated against through the pollution prevention measures set out in the CEMP. In order to protect the water environment, it is recommended that a condition is included that the CEMP is implemented in full.
36. There are opportunities to enhance the ecology of the site through the planting of native trees and shrubs around the site, and the creation of a wildflower meadow. In order to further enhance the biodiversity of the site, a condition is recommended that bat and bird boxes are installed throughout the site.
37. **Aviemore and Vicinity Community Council** has provided comments objecting to the proposals (full copy available to view at **Appendix 3**):
  - a) The proposed buildings, particularly the hotel, will dominate the centre of Aviemore and could lead to overdevelopment.
  - b) The proposals will result in a high volume of traffic, with associated congestion and parking issues.
  - c) There is concern over the impact of vehicles entering and leaving the site onto Grampian Road. The majority of the proposed public gathering space will be used up by car parking.
  - d) The proposed self-catering flats should be available for rent or affordable ownership.

## REPRESENTATIONS

38. The application was advertised when it was originally submitted and five representations of objection to the proposals were received. Following the submission of amendments, subsequent neighbour notification and publicity, a further 10 representations of objection were submitted. Copies of all the third-party representations can be found at **Appendix 4**. The following is a summary of the objections:

- a) The proposed development will lead to the further over-development of Aviemore;
- b) There is an insufficient level of available, local staff accommodation for this development;
- c) Lack of affordable housing to address the needs of the local community and housing crisis in the area;
- d) In terms of its size and scale, the proposed development will not be in – keeping with the surrounding area;
- e) The proposals will lead to an increase in traffic congestion;
- f) The proposed five storey building is too high for Aviemore town centre;
- g) There is a lack of green space proposed for the development site;
- h) The height of the proposed buildings will result in a loss of views;
- i) There is insufficient parking proposed for a development of this size, and there is a lack of available parking in Aviemore as a whole;
- j) The proposed development will detract from the character of the main street of Aviemore;
- k) The proposals will negatively impact on the Milton Burn floodplain;
- l) The development will undermine the functioning of the Milton Burn as a nature network;
- m) The proposals have the potential to impact on the biodiversity of the Milton Burn, and adjacent River Spey SAC;
- n) The development is within, and will result in changes to, the functional floodplain of the Milton Burn.;
- o) Cumulative impact of the development on the designated site downstream;
- p) Impact on protected species (otter, lamprey, stonefly);
- q) Insufficient survey work undertaken, and full suite of surveys required;
- r) Increased risk of pollution and flooding given insufficient surface water drainage details;
- s) SuDS design not fully sustainable.

## APPRAISAL

39. The main planning considerations are considered to be the principle of development; landscape, siting and design; environmental issues; amenity; flooding and surface water management; access, parking and sustainable travel and developer contributions.

### Principle

40. Aviemore plays a key role as an employment and service centre for the wider Badenoch and Strathspey area. Local Development Plan policy supports opportunities for business growth and those which will increase Aviemore's attractiveness as a tourist and recreation destination.
41. **Policy 2.1: Town Centres First** of the Cairngorms National Park Local Development Plan 2021 supports high footfall retail, commercial and leisure development where they are located within an identified town centre. The application site lies within Aviemore's town centre boundary and is well located

in terms of access to services and amenities. The LDP identifies the site as a mixed-use development opportunity. The site which was formerly occupied by sporadically located residential units and a small funfair has now been cleared and offers a suitable location for this type of development which will provide facilities within the heart of the village and would contribute to the vitality and viability of this existing town centre.

42. **Policy 2.2: Tourist Accommodation** of the Cairngorms National Park Local Development Plan 2021 supports tourist related accommodation where it has no adverse environmental or amenity impacts on the site or neighbouring areas, where it contributes to/supports the provision of a wide range of visitor accommodation options including low cost accommodation and supports or contributes to a year round economy. The development of 22 self-catering two and three bedroom holiday apartments and the 83 bedroom hotel with ancillary facilities will provide a mix of tourist accommodation options. This in turn will attract a range of visitors to the area throughout the year.
43. Given the above it is considered that the principle of the development accords with **Policy 2: Supporting Economic Growth** of the Cairngorms National Park Local Development Plan 2021 subject to compliance with other relevant Local Development Plan policies.

### **Landscape, Siting and Design**

44. **Policy 5: Landscape** of the Cairngorms National Park Local Development Plan 2021 presumes against development that does not conserve and enhance the landscape character and special qualities of the National Park and in particular the setting of the proposed development. **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021 of the Cairngorms National Park Local Development Plan 2021 requires design statements to accompany all development proposals to demonstrate the proposals have been designed to be sympathetic to the traditional pattern and character of the surrounding area, local vernacular and local distinctiveness whilst encouraging innovation in design and use of materials. Development should seek to use materials and landscaping that will complement the setting of the development.
45. The site has been cleared but historically had a limited number of buildings on it with garden spaces. The proposed development will contrast significantly with its current open character and with previous development on the site but would also be consistent with a busy town centre location. Aviemore has developed over time in a principally linear form, with an assorted composition of architectural styles and public realm complemented by varying landscape elements. The scale and layout of the proposed development, however, has had to take reference from the constraints of this particular site – its form, topography, ecological value and its location and access off the key route (Grampian Road B9152) through Aviemore.
46. Although the Grampian Road frontage of Aviemore already has a wide variety of forms of development in the vicinity, it is recognised that this development will

be individual in character and appearance and will be in contrast to the local landscape pattern and linear streetscape. The most significant difference in the proposed development is the height of buildings which are a storey or more higher than most buildings nearby, though not inconsistent with a busy town centre location. Other settlements in Badenoch and Strathspey that grew before Aviemore, include taller buildings fronting directly to their main streets. The height of buildings will inevitably have some impact on views across the site towards the hills west of the A9. Following the refusal of the previous scheme, a further assessment of the site levels and the overall scale and massing of the apartment block and hotel has resulted in a reduction in ridge height of approximately 2.7 metres of the apartment block and 1.7 metres of the hotel. This is considered to have addressed concerns regarding the scale and massing of the development and is more commensurate with that of the existing urban form of Aviemore.

47. In addition, the gable of the self-catering apartment block that fronts Grampian Road is set back at top floor level, stepping down to the open frontage of the ground floor retail units. Similarly, the hotel gable that fronts onto Grampian Road has been set back allowing the restaurant to project beyond the gable, thus reducing the scale of the development to Grampian Road. The massing of the apartment block has been further broken up at the roof line over the access stairs, with regularly spaced dormer windows at the eaves line. Furthermore, the façade has been broken up with projecting balconies and glazed canopies over the ground floor shops.
48. Because the site is identified for a mixed used development opportunity within the adopted Local Development Plan, it was anticipated that any future redevelopment on this prominent central location would be expected to result in a new form of development that would change the character of the streetscape. The design ethos is to create a focal point within the town centre. The development will introduce uses that are intended to attract people (tourist accommodation, restaurants, cafés and shops) and includes a public amenity space fronting Grampian Road. It is envisaged that this will evolve into a 'people gathering point' which in turn will create an informal hub within the centre of the village. Given its prominence and anticipated status, it is considered essential that the development is of a high standard and incorporates high quality external finishes and landscaping features to maximise its appeal and encourage people to visit and use the space. Should the application be supported it is recommended that conditions requiring further details of these elements are recommended to ensure the development is of the quality that will contribute to the enhancement of its surroundings.
49. There are a limited number of trees remaining on the site and these are in a narrow, but visually and ecologically important riparian strip to the east of the site, adjacent to the Milton Burn. The proposals identify three of these for removal and some measures are proposed to protect the remaining trees. It is recognised that the trees and vegetation within this part of the site make a significant contribution to the site visually and ecologically. It is recommended that a condition is attached to any consent requiring the submission, and

approval, of appropriate tree protection measures to ensure the retention of these important natural landscape features of the site.

50. Notwithstanding the concerns raised, the proposal will introduce a new form of development on a constrained, brown field site within the town centre. On balance, and subject to appropriately worded conditions attached to any consent relating to materials, landscaping, lighting and tree protection, it is considered that the proposals could comply with Policy 5: Landscape and Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

## Environmental Impacts

51. **Policy 4: Natural Heritage** of the Cairngorms National Park Local Development Plan 2021 seeks to restrict development that would have an adverse impact on protected species and where this cannot be avoided that appropriate mitigation measures are provided. **Policy 10: Resources** of the Cairngorms National Park Local Development Plan 2021 requires that all development should avoid unacceptable detrimental impacts on the water environment and should demonstrate that any impacts can be adequately mitigated. The policy notes that an appropriately sized buffer strip will be required to be retained around all water feature and designed and managed to contribute positively towards sustainable placemaking.
52. The area to the east of the site incorporates a stretch of the Milton Burn which flows directly into the River Spey Special Area of Conservation. This riparian strip is of high ecological value, and it is essential that measures are put in place to ensure its protection. As such a 6 metre wide buffer strip has been identified where habitats should be retained as existing. There will, however, be unavoidable works which will encroach into this area to allow for changes to the drainage infrastructure, strengthening of the headwall and the formation of the hotel's lower parking level.
53. A fully detailed Construction Environmental Management Plan (CEMP) incorporating an outline Construction Management Statement (CMS) has been submitted which details working methods for the construction phase, and providing works are carried out in strict accordance with this, there will not be impacts on the integrity of the River Spey SAC. Furthermore, in order to protect existing trees on site, a condition is recommended that the Tree Protection Plan (dated 27<sup>th</sup> May 2021) and Arboricultural method statement (dated 27<sup>th</sup> May 2021) should be implemented in full.
54. To protect any breeding birds on site, a suitably worded condition is required that all vegetation clearance and groundworks should take place out with the bird breeding season. Given that the site has the potential to support reptiles, a suitable condition should be included that pre- construction checks for lizards should be carried out. A further condition is required that the Species Protection Plans in Appendix C of the CEMP (12/04/22) should be implemented in full. In addition, The Ecology Officer has also noted that the CEMP refers to the inclusion of bird and bat boxes. These should be required through the



imposition of a suitable condition to ensure appropriate integrated 'bricks' are installed as these are less intrusive and less visible.

55. Subject to the recommended conditions, it is considered the proposals could comply with Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021.

### **Amenity**

56. **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021 seeks to ensure that new development protects amenity currently enjoyed by neighbouring occupants to development sites. The proposed development will be located at a suitable distance to ensure there will be no adverse impact on neighbouring residential amenity. It is therefore in accordance with Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

### **Flooding and Surface Water Management**

57. National Planning Framework 4 (NPF4) Policy 22 "Flood Risk and Water Management" states that development proposals at risk of flooding or in a flood risk area will only be supported if they are for:
- a) Essential infrastructure where the location is required for operational reasons
  - b) Water compatible uses.
  - c) Redevelopment of an existing building or site for an equal or less vulnerable use.
  - d) Redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long term safety and resilience can be secured in accordance with relevant SEPA advice.
58. **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021 sets out the need for new development to be satisfactorily serviced and without harm to resources or the environment. **Policy 10: Resources** of the Cairngorms National Park Local Development Plan 2021 requires that all development should be free from medium to high risk flooding, not increase the risk of flooding elsewhere, not add to the area of land requiring flood prevention measures and not affect the ability of the functional flood plain to store or move flood waters. Developments should incorporate SuDs as proportionate to the scale and nature of the development.
59. The proposal will be connected to the mains water in the area and the site will be connected into a redirected Scottish Water public sewer. Scottish Water have no objections but require the applicant to submit a formal application to review capacity should consent be granted.
60. Surface water runoff will be addressed through the use of infiltration trenches and porous block paving. The Highland Council Flood Risk Management team

recommend a condition requiring the submission of the finalised detailed drainage scheme to ensure that it demonstrates that a range of storm events can be managed without flooding to buildings and critical roads.

61. The site partially falls within the functioning flood plain. The applicant has endeavoured to address this and has revised the siting of the hotel and associated car parking. Further survey work has been undertaken on a downstream culvert and SEPA and the Council's Flood team are satisfied that the flood modelling represents the identified functional flood plain. The current proposals, however, still encroach into the flood plain with small parts of it being lost under the footprint of the hotel building and another part under the access ramp to the underground car park.
62. There are no historical records of flooding at this site and anecdotal evidence and SEPA's indicative flood map suggests that the site does not flood. The hotel and its operational space are raised above the flood level. The small area of the flood plain lost under the hotel footprint is at basement level where the underground car park is located. The car park itself will be approximately 150mm above the floodplain and will be of porous block paving to ensure any water can filter away. The other small area where the development will encroach into the flood plain is where there will be land raising to create a ramped access to the underground car park. Compensatory flood storage areas are proposed under other parts of the hotel car park to offset the loss of the identified flood plain. The compensatory flood storage provided is greater than that lost to development. However, both SEPA and the Council's Flood Team remain concerned that there is an impact on flood plain processes and as such maintain their objection on the basis that the development does not accord with national policy.
63. Given that the site is a brownfield one, including a past location of residential property on a significantly lower part of the site than any development proposed in this planning application; that the intrusions to the flood plain are small and are compensated with additional flood storage; that the structures that might be flooded are not themselves vulnerable to flooding; and that the potential flood area is one that has been significantly modified through previous development, officers consider this to be an exceptional case. It is not considered that the development will increase flood risk or introduce uses within it that will be significantly affected by flood events. Subject to a condition requiring the submission of the design of the final drainage details, the development is considered to be in accordance with Policy 3: Design and Placemaking and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021. Officers are also of the view that the development can be considered to comply with national policy which allows for development management decisions to take account of the specific issues on individual cases.
64. Nevertheless, SEPA maintain their objection because the development will infringe the defined functional flood plain and therefore, under the Town and Country Planning (Notification to Ministers) (Scotland) Direction 2009, this application falls within the criteria for referral to Scottish Ministers if the Planning Committee decide to approve it.

## Access, Parking and Sustainable Travel

65. **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021 seeks to promote sustainable transport methods and active travel, including making provision for the storage of bicycles and reducing the need to travel. It states that all new development must include an appropriate means of access, egress and space for off street parking.
66. The Council's Transport Planning team has raised a number of concerns regarding the proposed development. They are not satisfied that the design and layout is appropriate for the site's location in central Aviemore and don't consider it adopts the principles of the street design guidance 'Designing Streets' sufficiently and will be dominated by vehicles. This applicant's team would point out that they have applied the principles of Designing Streets to the proposed development whilst taking account of the constraints of the site and desire for a viable development.
67. The Transport Planning team consider that the development will generate significantly more vehicular traffic than the site's previous use and intensify congestion on the main spine road. Concern also remains regarding the potential detrimental impact it will have on the operation of Grampian Road. There is no robust trip generation appraisal for this development and as such the full vehicular impact has not been assessed. They are concerned that this will create an unpleasant environment for pedestrians and cyclists and will discourage active travel. However, it is already recognised that Grampian Road is not a safe or attractive active travel route and Sustrans, Highland Council, the CNPA are other partners are investigating options for traffic management and improvements for all users along Grampian Road and within Aviemore with the aim of improving the function for all users. There is an opportunity for this development to make a contribution to those works to mitigate its impacts beyond the application site and the applicant has indicated willingness to do so.
68. The Transport Planning team are also are concerned that there is insufficient car parking to meet the level required by Highland Council guidance. They consider the development relies on existing parking provision adjacent to the site, such as Tesco and Myrtlefield car parks. The shortfall in carparking provision will also result in a detrimental impact on the public road and road safety for vulnerable users. They don't consider the proposed layout provides satisfactory servicing arrangements in line with council guidelines where service vehicles and the public should be separated. The issue of the appropriate car parking provision is complex in the context of this site. It is significant that Policy 13 of the National Planning Framework 4 (NPF4) provides some explicit support for development proposals that are ambitious in terms of low parking provision in urban areas that are well-served by public transport options. More than any other location in the National Park, the centre of Aviemore is connected by public transport from train and bus services, local options for hire of bicycles and e-bikes, and with the potential for people to visit and to enjoy short breaks in the local area without the need for a private car. The applicant has indicated a willingness to

make a reasonable contribution to improved active travel arrangements within the centre of Aviemore to mitigate a shortfall in parking spaces.

69. Support for Active Travel has been incorporated within the site through the provision of safe cycle storage for the self-catering apartments, visitor cycle parking at the retail units and cycle parking for hotel staff. It is recommended, however, that a condition is attached to any consent requiring that dimensional drawings of all cycle parking are submitted prior to works commencing on site. It should be noted that the cycle parking that is located between car parking spaces 1 and 2 will be inaccessible when cars are parked in those spaces, and therefore, they cannot be supported.
70. The redevelopment of the site will inevitably generate an increase in usage given the previous dispersed level of use on this site. It is recognised that further information is required to ensure the road safety and potential traffic implications raised by the Transport Planning team may be addressed. Conditions requiring the detailed design of the access and cycle parking, servicing arrangements and the submission of a Construction Management Plan are recommended. The proposed visibility splays are considered to be acceptable for a private access onto a road with a 20mph speed limit, but a further condition is recommended that the visibility splays must be maintained at the access to the development in perpetuity.
71. The lack of public transport provision, in particular at the weekends is of concern to the Transport Planning team. The submitted Transport Assessment does not have an updated analysis of this provision and the Transport Planning team don't consider it has not been demonstrated that there will be a sufficient level of public transport to serve the development. This is a difficult point to address given that Aviemore is the busiest settlement in the National Park both day and night and the best served by public transport. Nevertheless, the applicant has indicated that they are willing to pay a financial contribution to improve the current bus service provision in the area and to address a shortfall in carparking. This sum will be used to support the delivery of the active travel improvements and traffic management measures and mitigate detrimental impacts from the potential increased traffic levels generated by the development.
72. It is considered that subject to these conditions being imposed and the payment of an appropriate financial contribution to improve active travel infrastructure, public transport provision and mitigate a shortfall in car parking, the proposals would accord with Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan in regard to road safety improvements and active travel improvements and with the policy framework provided in the National Planning Framework 4.

### **Developer Contributions**

73. Policy 11: Developer Obligations of the Cairngorms National Park Local Development Plan 2021 states that where development creates a need to increase or improve public services, facilities or infrastructure, or mitigate

adverse effects, the developer will be required to make a fair and reasonable contribution in cash or in kind towards additional costs or requirements.

74. The applicant has noted the requirement to provide a developer contribution for improvements to the bus service and to support Active Aviemore projects to mitigate the lack of carparking. The development will not give rise to any other impact upon services or facilities. Subject to the payment of an appropriate developer contribution, the proposal is considered to accord with Policy 11: Developer Obligations of the Cairngorms National Park Local Development Plan 2021.

### **Other Issues Raised in Consultations and Representations**

75. Concern has been raised that the proposed development does not include affordable housing to address the needs of the local community and housing crisis in the area. The site which is the subject of this application is identified in the adopted local development plan (LDP) for a mixed use development opportunity within a defined town centre. The LDP allocates other sites to meet housing land requirements and housing policies within the plan will ensure appropriate housing, including affordable housing, will be delivered which meets local community needs. The applicant has incorporated space reserved for temporary staff accommodation within the hotel, but considers that most staff will be recruited from the local area.
76. All other relevant issues raised by consultees and third parties have been addressed above. Any other matters raised are not material in the determination of this application.

### **CONCLUSION**

77. The application is for retail units, self-catering units and a hotel with ancillary parking on a site that had been identified as a mixed use development opportunity within a defined town centre. The site is considered capable of being developed and serviced without any significant landscape or environmental impacts subject to the recommended conditions. Any remaining points of detail that have not been sufficiently addressed in the information submitted will be resolved through the imposition of appropriate conditions. Subject to these recommended conditions, and a suitable mechanism for the payment of the developer contribution, the proposed development is considered to comply with the policies contained within the adopted Cairngorms National Park Local Development Plan 2021 and approval is therefore recommended.

## RECOMMENDATION

That members of the Committee support a recommendation to approve the erection of 22 self-catering apartments, shops, hotel and underground parking at land 80M SW Of Mountain Cafe 111 Grampian Road Aviemore subject to:

- 1) The application being notified to Scottish Ministers due to an outstanding objection by a Government agency (SEPA) in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009;
- 2) Conclusion of an appropriate agreement or upfront payment regarding the developer contribution in respect of bus service improvements and Active Travel improvements;
- 3) The following conditions:

Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.

### Conditions

1. **No development shall commence on site until a fully detailed landscaping scheme both hard and soft landscaping proposals and the future maintenance and management of the proposed scheme has been submitted to and approved in writing by the CNPA acting as Planning Authority. This shall include, but not be limited to hard landscaping material specification, exterior lighting, soft landscaping plant and tree species and planting specifications, details of footways, street furniture and bin storage.**

**Thereafter the development shall be implemented in accordance with those approved details and not later than the expiry of the next planting season following commencement of the development or within such time as approved in writing by the Cairngorms National Park Authority acting as Planning Authority.**

**Reason:** To ensure the long-term retention of an appropriate landscaping setting, enhance biodiversity and ensure the development will not have an adverse impact on the landscape setting or ecological quality of the development in accordance with Policy 3: Sustainable Design; Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

2. **No development shall commence on site until a Reptile Survey is carried out between March and October and submitted to and agreed in writing by the Cairngorms National Park Authority acting as Planning Authority.**

**Reason:** In order to determine the effects of the proposals on the ecology of the site and to inform mitigation measures for reptiles during construction

works in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Authority Local Development Plan 2021.

- 3. No development shall commence on site until a revised Tree Protection Plan (to meet BS5837) has been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority. No development shall commence on site until the tree protection measures have been implemented on site in accordance with the approved plan.**

**Thereafter all trees shall be retained and maintained in accordance with the approved Tree Protection Plan and landscape maintenance programme throughout the lifetime of the development hereby approved unless otherwise agreed in writing by the Cairngorms National Park Authority acting as Planning Authority.**

**Reason:** To ensure a proper assessment of the potential tree loss and to protect those trees which contribute to the landscape character and setting and the biodiversity of the area during and after construction works in accordance with Policy 4: Natural Heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021

- 4. No development shall commence on site until full details and specifications (samples may be required) of all external finishing materials have been submitted to and approved in writing by the CNPA acting as Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.**

**Reason:** To ensure a full assessment is undertaken of the appropriateness of the external materials and that the development will not have an adverse impact on its landscape setting in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

- 5. No development shall commence on site until full details of the final drainage design are submitted to and approved in writing to the Cairngorms National Park Authority acting as Planning Authority in consultation with the Highland Council's Transport Planning and Flood Management teams.**

**Thereafter the approved drainage scheme shall be implemented and maintained in accordance with the approved details in full prior to the occupation of any dwellings within the development.**

**Reason:** To ensure the satisfactory arrangements for the disposal of surface water are provided in accordance with Policy 3: Sustainable Design Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021.

- 6. No development shall commence on site until a Construction Traffic Management Plan is submitted to and approved in writing by the**

**Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team.**

**This plan shall include but not be limited to details of the following;**

- a) Identification of all Council maintained roads likely to be affected by the various stages of the development;**
- b) Predicted volume, type and duration of construction traffic;**
- c) Location of site compound, staff parking and visitor parking;**
- d) Proposed measures to mitigate the impact of general construction traffic and abnormal loads on the local road network following detailed assessment of relevant roads;**
- e) Details of any appropriate upgrading works at the junction of the site access and the public road. Such works may include suitable drainage measures, improved geometry and construction, measures to protect the public road and the provision and maintenance of appropriate visibility splays.**
- f) Details of any traffic management required for the duration of the construction period.**
- g) Measures to ensure that all affected public roads are kept free of mud and debris arising from the development.**
- h) The developer may also be requested to enter into a Section 96 agreement with the Highland Council to cover any abnormal wear and tear to the Council roads. This will include a requirement for pre and post construction surveys to be undertaken and agreed with the Council and for the provision of a suitable bond.**
- i) If the development involves any abnormal loads a detailed protocol, route and delivery programme will be required and agreed with any interested parties such as Highland Council, the Police, Transport Scotland and community representatives. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media.**

**Thereafter the construction of the development shall be implemented in accordance with those approved details, unless otherwise approved in writing by the Cairngorms National Park Authority acting as Planning Authority in consultation with the Roads Authority**

**Reason:** To ensure there are no adverse impacts on the roads network in relation to road safety and that construction traffic associated with the development causes minimum disturbance to residents in accordance with Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

- 7. No development shall commence on site until a Manual Handling Method Statement is submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning Team.**



**This statement shall include details of the arrangements for the storage and collection of all waste.**

**Reason:** To ensure that the satisfactory arrangements for the storage, segregation and collection of waste are provided in accordance Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

- 8. No development shall commence on site until revised plans for cycle storage are submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority, in consultation with the Highland Council Transport Planning team. This shall include:**
- a) Detailed dimensions of secure cycle provision;**
  - b) Dimensional drawings of all cycle parking;**
  - c) Visitor cycle parking.**

**Reason:** To ensure that safe cycle storage is provided in accordance with Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

- 9. The self-catering apartments hereby approved on the plans AVI-NOR-ZZ-XX-DR-A-0010, AVI-NOR-ZZ-XX-DR-A-0011 and AVI-NOR-ZZ-XX-DR-A-0012 shall remain in perpetuity as holiday/short term lets unless otherwise agreed in writing by the Cairngorms National Park Authority.**

**Reason:** To ensure these units remain for the purpose and use that they were assessed in this application in accordance with Policy 2: Supporting Economic Growth of the Cairngorms National Park Local Development Plan 2021.

- 10. No unit shall be constructed on site until details of the provision of bat and bird boxes throughout the site have been submitted to and approved in writing by Cairngorms National Park Authority acting as Planning Authority. Thereafter the development shall be implemented in accordance with those approved details. The boxes shall then be maintained and retained in situ.**

**Reason:** To ensure the provision of enhanced opportunities for swift and bat roosting in accordance Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2021.

- 11. All felling, ground preparation and construction works should take place out with the breeding bird season (March to August inclusive). If this is not possible, then a pre-start breeding bird survey must be carried out by a suitably qualified and experience ecologist to confirm that no breeding birds will be disturbed must be completed.**

**Reason:** To avoid harm to breeding birds, and to comply with species protection legislation, in accordance with Policy 4: Natural Heritage of the Cairngorms National Park Authority Local Development Plan 2021.

12. The development hereby approved shall be implemented in full and in strict accordance with, in particular the pollution prevention and control measures to prevent sediment entering the Milton Burn and the measures to avoid disturbance to otter, the Upland Developments and Envirocentre `Laurel Bank, Aviemore Construction Environmental Management Plan` (CEMP) including the outline Construction Method Statement (CMS) dated November 2022, and the Species Protection Plans in Appendix C, as submitted to the Cairngorms National Park Authority on 6 January 2023.

**Reason:** To ensure the development does not have an adverse impact on the River Spey Special Area of Conservation (SAC) in accordance with Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021.

13. The visibility splay hereby approved on the Roads Layout Plan 191033-904 showing a X distance of 2.4m and a Y distance of 90m in each direction along Grampian Road, at the access to the development, must be maintained in perpetuity.

**Reason:** To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient allow safe exit, in the interests of road safety for the proposed development and other road users in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2021.

14. All footways should be widened across the whole frontage of the proposed development, including the section located to the north of site access.

**Reason:** In the interests of road safety for the proposed development and other road users in accordance with Policy 3: Sustainable Design of the Cairngorms National Park Local Development Plan 2021.

15. The four ensuite double bedrooms identified as Hotel staff accommodation on the approved plan AVI-NOR-ZZ-XX-DR-A-0022 shall be reserved in perpetuity for Hotel staff accommodation unless otherwise agreed in writing by the Cairngorms National Park Authority, acting as planning authority.

**Reason:** to maintain accommodation available for temporary or re-locating hotel staff and support the wider functioning of the visitor economy or in accordance with Policy 2.4: Other Economic Development of the Cairngorms National Park Local Development Plan 2021.

## Informatives

1. The development hereby approved must commence within 3 years of the date of this decision notice. If development has not commenced within this period then this planning permission will lapse.

2. The person undertaking the development is required to give the Planning Authority prior written notification of the date which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.
3. Following completion of the development, a notification of completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.
4. In order for Scottish Water to conduct a full appraisal of the proposals, the applicant should complete a Pre- Development Enquiry (P.D.E.) Form, and submit to Scottish Water via the customer portal, or contact Development Services.
5. Construction work (including the loading/unloading of delivery vehicles, plant or other machinery) should not take place out with the hours of 0800 hours to 1900 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays or at any time or Bank Holidays to minimise disturbance to residents in the area.

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.