
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

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(DEVELOPMENT CONTROL)

DEVELOPMENT PROPOSED: ERECTION OF 1, 280 SQUARE METRE
RETAIL PAVILION, AVIEMORE
CENTRE, AVIEMORE

REFERENCE: 04/115/CP

APPLICANT: AVIEMORE HIGHLAND RESORT

DATE CALLED-IN: 12 MARCH 2004



Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The site lies in the Aviemore Holiday Resort between Grampian Road and the A9. The resort in general is currently subject to a range of development activity with several buildings currently under construction. The site for the retail building is effectively linked to the Conference Centre (Osprey Building) and would be accessed from the loop road, beyond this is the rear of the Cairngorm Hotel. To the west of the pavilion would be a landscaped area, and beyond this the Aviemore New Hilton Inn. The remaining boundaries of the pavilion would be parking areas and a terrace link with the conference centre. The exact site for this building is flat and used for storage of materials/rubble and contractors parking.
2. The design of the building is based upon an oval shape with a relatively low level single floor with a modern shallow pitched zinc standing seam roof, with a light lantern along the ridge. The link between the conference centre restaurant and the retail annexe fronting the link road will be one entrance to the building with another facing the car park. The building will also have a walk around colonnade looking onto a landscaped, parking area.
3. The application originally allocated 100 car parking spaces to the pavilion. However, this was well in excess of the maximum parking standard guidance recommended by Scottish Executive guidance. The application now proposes 56 car parking spaces (including 3 spaces for disabled persons).
4. This application was deferred at the Planning Meeting in Kincaig to allow more information to be sought on retail consents at the site and to allow parking information to be provided and assessed by Highland Council.

DEVELOPMENT PLAN CONTEXT

5. **Policy R1 (Shopping Hierarchy)** considers that development proposals, which consolidate the shopping hierarchy and enhance the role of individual settlements as shopping centres will be supported. **Policy R5 of the Highland Structure Plan** considers that retail development in town centres will generally be encouraged. Development proposals, which are adjudged to undermine the vitality and viability of existing town centres, will be resisted. **Policy G3 (Impact Assessments) of the Highland Structure Plan** considers that where the environmental or socio economic impacts of a proposed development are likely to be significant by virtue of nature, size or location then the appropriate impact assessments will be required from the developers. **Policy G2 (Design for Sustainability) of the Highland Structure Plan** takes into account issues relating to species, landscape, design, security and social and economic development, cultural heritage and air quality. **Policy TC9 of the Highland Structure Plan (Car Parking)** considers that car parking provision associated with development proposals shall be carried out in accordance with the Council's general maximum car parking standards.

6. The principles of the Aviemore section of the **Badenoch and Strathspey Local Plan** seek to strengthen the village as a major shopping and service centre and to promote the economic renaissance of the village. The site is allocated on the Proposals Map of the **Badenoch and Strathspey Local Plan** for commerce and tourism (this effectively includes retail uses). **Policy 2.2.1 (a) of the Badenoch and Strathspey Local Plan** states that the council will encourage and attract new economic development where it is consistent with the maintenance of a clean environment.
7. National Planning Guidance in the form of National **Planning Policy Guideline 8 Town Centres and Retailing (NPPG 8)** sets down a range of guidance and criteria recommended in the assessment of retail proposals, of key relevance is the reference to the sequential approach whereby developments should show that they can be accommodated in town centre locations rather than outside of those centres.

CONSULTATIONS

8. The Highland Council **Area Roads and Community Works Manager** recommends conditions, stating that no development shall commence until the reserved matters contained in Highland Council permission No BS/02/00007/OUTBS have been addressed to the satisfaction of the Local Planning Authority: that no development shall commence until the terms of the registered minute of agreement, dated 18 December, 2003 between Highland Council, Aviemore Highland Resort and others, have been addressed to the satisfaction of the Highland Council; that dedicated parking and manoeuvring space, commensurate with the nature and scale of the development proposed shall be provided within or close by the curtilage of the site. Parking provision shall satisfy the requirements of Highland Council's Road Guidelines for New Developments.
9. In the light of the parking arrangements proposed the agent was asked for an amended parking statement as this proposal appeared to result in a loss of parking for other buildings at the site including the Osprey building itself. The amended parking arrangements have been provided to Highland Council Area Roads Manager and a meeting has taken place. As a result of this meeting changes were requested and the applicant's transport consultant has provided an amended parking statement which the Area Roads Manager has approved.
10. **Aviemore Community Council** raise concern regarding the servicing of the retail units.

REPRESENTATIONS

11. The Highland Cycle Campaign consider that secure, enclosed cycle parking should be provided for at least 20% of staff. Sheltered parking for bikes close to, and in view of reception should be provided for at least 20% of visitors.

APPRAISAL

12. The key principle of consideration with this application is the introduction of the retail element and the effect that this may have upon other shopping centres and communities within the National Park. More detailed issues of consideration include the siting and design of the building and the car parking provision.
13. The Outline Masterplan originally allowed under Highland Council Planning Permission ref No BS/1999/28 for 5,000 square metres of retail provision within the resort. This was subsequently deleted from the proposals by an amended masterplan approval that extinguished this element, but allowed for a 2,787 square metre supermarket. This is the subject of another application called in by the Park and currently under consideration for an increase in floorspace. The Freedom Inn originally held approximately 500 square metres of retail space and a recent application for approximately 1,200 square metres of retail floorspace at the Inn was withdrawn and effectively substituted by the current application. This means an increase in retail at the resort of approximately 780 square metres (above what was originally accommodated at the Freedom Inn). The agent considers that the retail originally allowed for under the Outline Masterplan easily exceeded the amount proposed here. However, from the information recently made available by Highland Council it would appear that while there is a history of greater retail space being consented at the site, there would appear to be no valid existing outline permission to cover the extra floorspace being proposed here.
14. In response to this the agent has pointed out that as noted above the resort originally held a retail consent for approximately 5,000 square metres of retail. However, this was essentially sacrificed in favour of a 2,787 square metre outline approval for a supermarket on Grampian Way. The agent stresses the point that a full retail impact assessment of the 5,000 square metre proposal was carried out in 1999 and a further retail impact assessment in relation to the supermarket was also carried out. The key points of this assessment noted that the retail provision for the supermarket adopted a sequential approach, essentially meaning that the site proposed adopted a town centre location in line with the general intentions of Government policy, which seeks to concentrate retail units in existing centres. The agent for the application has provided an additional retail statement pointing out that the proposal satisfies the sequential approach set down in NPPG8 by locating new development within the Aviemore Centre.
15. The pavilion can be considered to accord with this policy approach as whether it is considered as a centre, or edge of centre is largely academic as it is clearly within less than 5 minutes walk of the railway station and the existing surrounding retail and commercial uses close to the station. Given this the proposal can be considered to pass the tests set down in NPPG 8 in relation to the sequential approach and may well reinforce the shopping importance of Aviemore overall rather than undermine it as the pavilion would be likely to result in additional shared trips to the pavilion and the existing shops within Aviemore. In addition, the site is allocated on the Proposals Map of the Local Plan as being for commerce and tourism, which, essentially includes retail uses. The agent also points out that the scheme accords with the overall aims of directing investment into town centre and edge of centre locations.

16. In the light of the above the retail use proposed complies in principle with the policies contained within the Local Plan. Government guidance in the form of NPPG 8 considers that retail impact assessments should be provided for schemes of 2,500 square metres and over. It is also relevant to note that the scale increase in the proposal of 780 square metres is relatively limited, well below the 2,500 sq metre threshold set down and equates in rough physical terms to around 60% of the floorspace of the current Tescos at Aviemore. This limited level of retail increase at the site would be most unlikely to harm existing retail provision in Aviemore or at any of the settlements within Badenoch and Strathspey. In addition to the above it is important to note that the kind of shops proposed would be very much in line with the overall tourism offer of the resort (which will generate its own demand for such shops) and would be unlikely to be the sort that would compete openly with more local service shops such as newsagents, chemists and small food shops. Nonetheless, a planning condition will ensure that the pavilion remains generally in non-food retail use, as a food-retailing element would raise different concerns in terms of retail impact, servicing and parking.

17. In design terms the building sits to the north of the conference centre building and is joined to it by a terrace arrangement. The building, being single storey is lower than the main conference centre building, which is of a 2/3-storey height. The overall design is contemporary in nature and is considered to sit well within the development as a whole and given its single storey nature has limited visual impact on the surrounding area, although the general design quality of the building means that it could be worthy of a more prominent position within the resort as a whole. However, the link between the Osprey Building and the retail pavilion proposed here does form an integral entrance feature to the site as it will form a key entrance area to the development site from the access road off Grampian Road. Materials proposed are of a contemporary nature to match the modern approach adopted for the conference centre and includes a timber clad colonnade walkway around the exterior of the building with panels of vertical glazing with entrances into the retail area from the walkway. Smooth stone piers expose part of the structure of the building and add vertical emphasis. The roof material will be of grey antique zinc, which was one of the materials specified in the overall masterplan for the site. Effectively this material provides a weathered effect so should ultimately result in little reflection.

18. Overall, the proposal is considered acceptable based upon the siting and form of the building and detailed conditions will ensure that the materials proposed are appropriate to the building and as set out by the application. A landscaping scheme is sought by condition to ensure that the building assimilates well into its surroundings.

19. In relation to highways and parking issues the Area Roads and Community Works Manager has raised concerns in relation to matters reserved by the amended masterplan proposal and that these should be addressed prior to the commencement of development at the site. The main relevant issue of concern is that roads serving this particular part of the development should be up to an acceptable standard before development is commenced. However, several building projects at the resort are underway without being constrained by this condition. The road improvements and access roads are essentially being

constructed at the same time as the buildings, which is often standard practice in the construction of such sites. Given this, a condition is proposed to ensure that the relevant servicing facilities shall be made available prior to the building first being brought into use, rather than prior to the commencement of any development at the site.

20. In terms of car parking this application provisionally proposed a total of 100 car parking spaces. This was considered an over provision and recent guidance in the form of Scottish Planning Policy Note 17 Planning for Transport from the Scottish Executive on maximum car parking standards indicates that a maximum of 1 space per 20 square metres should be allocated to non-food retail floorspace. Any significant over provision would require the application to be referred to the Scottish Executive. The parking requirement based upon the maximum standards is 52 spaces, 53 spaces are proposed with 3 additional specific disabled person spaces, which accords with national guidance. However, a condition is proposed so that the area for the spaces is clearly identified on a parking plan together with a minimum of 3 disabled car parking spaces shown close to the building.
21. The amended car parking numbers are partly in response to a request to provide a detailed breakdown of parking for each use as a result of the additional parking required by the retail pavilion. A detailed technical note from the developer now indicates a breakdown of parking for other buildings uses at the site. Many such as the Hilton Four Seasons Hotel and the MacDonald Highland Hotel have existing/upgraded parking facilities. The Aviemore Inn would be provided with 55 car parking spaces with 176 spaces for the Highland Hotel and Leisure Centre. The Conference Centre is left with approximately 151 specific spaces. However, in addition to the above breakdown it must be recognised that it would be likely that many of the delegates for conferences would be utilising hotel car parking facilities, reducing the overall demand for spaces. The technical note is also based upon the assumption that all the facilities will be in use at the same time, which is perhaps unlikely. The report points out that there is also temporary parking available for up to 300 cars to the north of the loop road in the unlikely event that more parking is required.
22. The Highland Council Area Roads Manager after a meeting on parking issues with the applicant's transport consultants has required an amended parking assessment document. This has been submitted to Highland Council who have now approved the document.
23. In relation to parking it must be recognised that shared parking will occur across facilities and sites and the additional burden of 53 car parking spaces as a result of the retail pavilion proposed here is unlikely to have a significant effect upon other parking arrangements around the site, particularly when one considers the likelihood of shared parking and linked trips to a range of facilities throughout the site and Aviemore as a whole. However, it is essential that dedicated disabled parking provision is available close to the building and as previously mentioned this would be secured by condition.

24. Aviemore Community Council has raised concerns in relation to the servicing of the retail element. A small service area is provided immediately to the north of the main entrance fronting the access road. However, the Area Roads Manager has raised no particular concerns in relation to this and the plan would indicate that the building has an office/storage area close to the roundabout entrance to the site, which should provide convenient servicing for the retail provision. In addition, it would also be possible to service the units from the car park to the north and east of the site where there is also a direct entrance into the linking element from the car park/vehicle drop off area to the east of the pavilion.

IMPLICATIONS FOR THE AIMS OF THE PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

25. The proposal is located on a piece of open ground within the resort, the siting of the building means that there would be little impact on any factors of natural or cultural heritage. The building on what is currently barren rough ground would be likely to enhance the cultural heritage of the area by providing a contemporary building of interesting design.

Promote Sustainable Use of Natural Resources

26. A short sustainability statement has been submitted with this application pointing out that the pavilion is to be constructed in a lightweight frame that minimises use of materials with the roof finished in an entirely recyclable zinc aluminium material. The statement points out that the pavilion has been designed to maximise natural ventilation with outside air being drawn in at the eaves and ventilated at the ridge with mechanical ventilation only providing support at times of high demand. Low-level hot water under floor heating is being provided and PIR detectors with low energy bulbs will further reduce the general energy consumption of the building. A sustainable urban drainage system is incorporated for the whole site.

Promote Understanding and Enjoyment of the Area

27. The retail provision would help to promote enjoyment of Aviemore. Whether the proposal would increase understanding of the area would to some extent depend on whether any visits were part of linked trips to the wider park and its educational/interpretation facilities.

Promote Sustainable Economic and Social Development of the Area's Communities

28. The proposal as part of the wider Aviemore Highland Resort proposals which represent a considerable investment into the area that would provide employment opportunities as well as a wider range of facilities for local people and tourists.

RECOMMENDATION

29. That Members of the Committee support a recommendation to: **GRANT PLANNING PERMISSION**, subject to the following conditions.

- (i) The development to which this permission relates must be begun within 5 years of the date of this permission.
- (ii) Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Cairngorms National Park Authority acting as local planning authority before any work commences on site.
- (iii) A site landscaping plan shall be submitted to and require the approval of the Cairngorms National Park Authority acting as local planning authority prior to the building hereby approved being first brought into use showing the species, number and size of all plants. The approved planting scheme shall be implemented in the first planting season following the completion of the building and all plant failures in the following 5 year period shall be replaced in kind to the satisfaction of the Cairngorms National Park Authority acting as local planning authority thereafter. The developer shall use predominantly mature plant species for the said landscaping scheme.
- (iv) Prior to the building hereby approved being first brought into use details of refuse storage and recycling storage facilities shall be submitted to and approved by the Cairngorms National Park Authority acting as local planning authority. The agreed details shall be provided and be ready for use prior to the first occupation of the building hereby approved.
- (v) A scheme of sheltered, secure cycle parking for staff and visitors shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as local planning authority prior to the building hereby approved first being brought into use. The agreed scheme shall be provided and be ready for use prior to the first occupation of the building hereby approved.
- (vi) Prior to the building first being brought into use the access way, parking and servicing arrangements shall be completed to the satisfaction of the Cairngorms National Park Authority acting as local planning authority in consultation with the Highland Council Area Roads Manager.
- (vii) The building hereby approved shall be restricted to the sale of non-food goods only, unless otherwise agreed in writing by the Cairngorms National Park Authority acting as local planning authority.
- (viii) Prior to the building first being brought into use a parking plan shall be submitted to and approved by the Cairngorms National Park Authority acting as planning authority indicating the position of the 3 disabled parking spaces proposed close to the retail pavilion hereby approved. The spaces indicated by the approved plan shall be available for use prior to the pavilion first being brought into use.

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