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## CAIRNGORMS NATIONAL PARK AUTHORITY

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**Title:** REPORT ON CALLED-IN PLANNING APPLICATION

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HEAD OF DEVELOPMENT MANAGEMENT

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**DEVELOPMENT PROPOSED:** DEVELOPMENT OF NEW COMMUNITY (UP TO 1500 RESIDENTIAL UNITS (SUBJECT TO REGULAR REVIEW); ASSOCIATED BUSINESS, COMMUNITY FACILITIES AND PROVISION OF INFRASTRUCTURE) AT AN CAMAS MÒR, AVIEMORE

**REFERENCE:** 09/155/CP

**APPLICANT:** AN CAMAS MÒR LLP

**DATE CALLED-IN:** 29 MAY 2009

**RECOMMENDATION:** GRANT PLANNING PERMISSION IN PRINCIPLE SUBJECT TO SECTION 75 AGREEMENT AND CONDITIONS

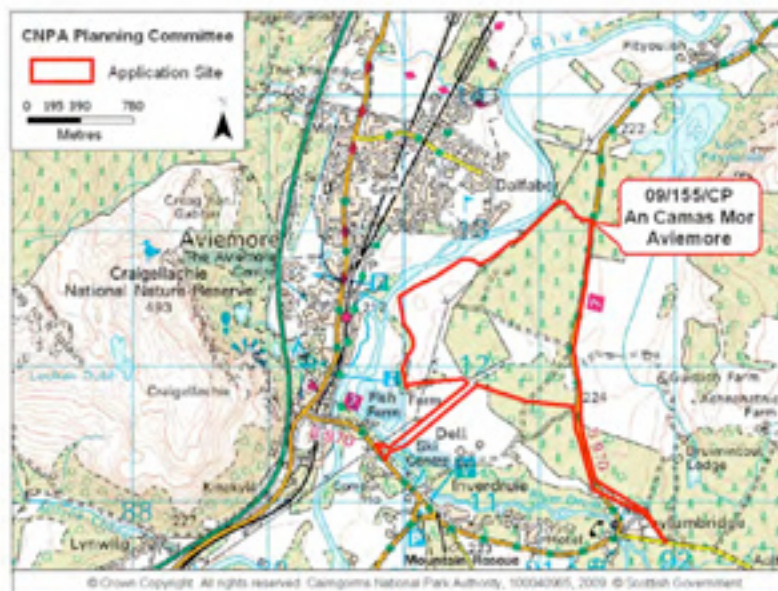


Fig. 1 - Location Plan

## SITE DESCRIPTION AND PROPOSAL

1. This is an application for outline planning permission for a proposed new community comprising up to 1500 residential units (subject to regular review), with associated business and community facilities and infrastructure provision.
2. The site covered by the application has an area of approximately 105 ha and is located to the east of Aviemore across the River Spey. It has the River Spey and floodplain as its western boundary, the B970 Nethy Bridge to Coylumbridge road as its eastern boundary, Dell Farm farmland and established woodland to the south, and plantation woodland to the north. The site is wedge shaped with an east/west width of approximately 300 metres at the north, 1200 metres at the south and a north/south length of some 1300 metres. It also includes a stretch of the B970 towards Coylumbridge along with a corridor of land to the rear of Coylum Road and a corridor of land from the south of the site over the River Drueie to the B970 just east of Rothiemurchus Fisheries.
3. The entire site is within the Cairngorms National Park and within the Cairngorms Mountains National Scenic Area. Part of it by the River Drueie is in the River Spey Special Area of Conservation. The site is adjacent to the River Spey SSSI and the North Rothiemurchus Pinewood SSSI, the Cairngorms Special Protection Area and the Cairngorms Special Area of Conservation. European Protected Species have been present on site. Proposed off site habitat management works are in the Cairngorms Special Protection Area, the Cairngorms SSSI and the Cairngorms Special Area of Conservation. The southern portion of the site is listed on the Ancient Woodland Inventory. There are no listed buildings or scheduled monuments, but there is one National Monuments Record within the site and the access corridor.

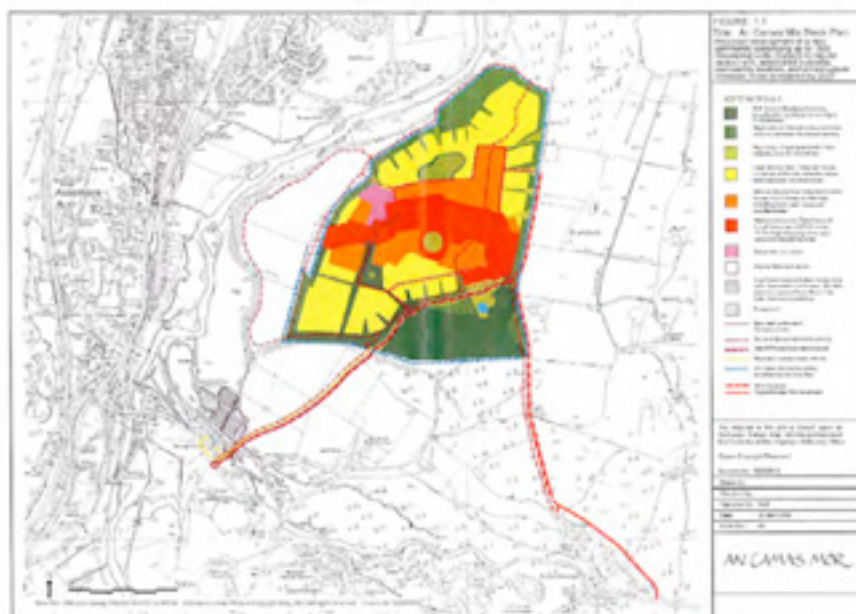


Fig. 2 – An Camas Mòr Block Plan

4. The application consists of a site plan showing the extent of the area applied for and the An Camas Mòr Block Plan (**Fig. 2**) which covers the same area as the site plan and gives an indication of the level, location and range of development at 2027.
5. There are a number of elements indicated within the application:
  - A higher (up to 38 units per ha) and medium (25 units per ha) density core of the proposed new community. This currently consists of heathland (with some scattered mature pine and recently planted pine) in the centre, north and east of the site and plantation to the west.
  - An area indicated as lower density (15 units per ha) to the north that is currently heathland and some recently planted pine.
  - An area indicated as lower density to the south that is currently heathland at its south west extremity and much of the remainder within the SNH Ancient Woodland Inventory.
  - A substantial area of agricultural land on the west of the application site above the River Spey. This is not within the developed area on the Block Plan, but the northernmost field is identified as a playing fields reservation. The western limit of the developed area is the existing line of electricity pylons.
  - A new road into the site from the B970 adjoining the electricity sub-station immediately south east of Rothiemurchus Fisheries. This road will go over the River Drurie and across agricultural land north and west of Dell Farm for some 800 metres, before entering the site through an area of established woodland on the SNH Ancient Woodland Inventory, and rejoining the B970 some 700 metres later approximately at the existing main access into the site around 1400metres north of the Coylumbridge junction.
  - Approximately 18ha of long established woodland in the SNH Ancient Woodland Inventory retained to the south east of the new road, but within the application boundary.
  - Upgrading of the B970 for a distance of 1500 metres from a point 400 metres south of the northern boundary of the site to a property known as Camusmore on the west side of the B970 400 metres north of the Coylumbridge junction.
  - The remainder of the B970 to be realigned and taken on a new road alongside a Scots Pine plantation to the rear of properties on Coylum Road and joining the existing junction with the Cairngorm Mountain Ski Road. In other words the main B970 junction will move 250 metres to the east.
  - Although not part of the application or within the application site the submission does provide for offsite compensatory habitat for that lost as a result of development. Locations are at Creag a'Chalamain in the lower Lairig Ghru where up to 76ha of moorland can be encouraged to return to open montane pine woodland; replace wet woodland lost by the River Drurie in 3.5ha of grazing land close by; and replace lost heathland in 20 ha at Ord Ban.

6. Although the application itself comprises the two plans referred to above, there is a large amount of supporting information:
- An Environmental Statement reporting the Environmental Impact Assessment required by the Environmental Impact Assessment (Scotland) Regulations 1999. A further submission was made in July 2009 to provide additional information in terms of updates and corrections to the Environmental Statement. A second additional submission was made in March 2010 to replace a table in the Environmental Statement relating to bird surveys.
  - Planning Statement – identifies national and local planning policies against which the application will be assessed.
  - Proposed Masterplan Report – see below.
  - Indicative Land Use Plan Strategies – sets out the strategies developed by the Proposed Masterplan and Environmental Impact Assessment Team as part of the process of developing the Indicative Land Use plan and Proposed Masterplan Report. It includes Strategies for Landscape, Nature, Cultural Heritage, Connections, Roads and Car Park, Pedestrian and Cycle Path, Access and Shared Streets, River Crossing (the Druie), Communities, Flooding, Lighting, Services (Water/ Foul Drainage/ Surface Water / Electricity / Telecommunications), Housings Types/Mix/Densities, Open Spaces, Tree Retention and Planting.
  - Design and Access Statement – Now a statutory requirement to set out the approach to design, how design policies in the Development Plan have been taken into account, steps taken to appraise the context of the development and how this has been taken into account, consultation relating to design principles and concepts and how consultation taken into account, approach adopted to issues relating to access for disabled people and how Development Plan policies relating to these issues has been taken into account, how features relating to disabled access will be maintained, consultation relating to access to the development for disabled people.
  - Flood Risk Assessment – to accurately quantify the flood risk around the proposed development and its access roads, particularly the new access road from the B970 as it will cross the floodplains of the Rivers Spey and Druie and the existing B970 has been flooded historically.
  - Waste Water Network Development Impact Assessment – to identify options for connecting the development to the existing sewerage system.
  - Transport Assessment – to provide an indication of the likely travel and transport movements, by all modes, as the new settlement develops over time and evaluate the possible consequences of the development.
  - Socio-Economic Impact Assessment – to provide an assessment of socio-economic impacts from the development by reviewing and profiling existing conditions in the area and then looking at the effects of the development.
  - Sustainability Appraisal – to develop robust criteria against which the Masterplan and supporting documents could be measured in order to ensure that from the outset issues relating to environmental and energy performance were properly considered and could continue to be assessed through the lifetime of the development.

- Public Consultation Statement – records the public consultation events which have been held during the process of preparing the vision and masterplan, and the workshops arranged with key stakeholders and advisers to assist in developing the details of the masterplan and indicative land use plan.
  - Information subsequently submitted in the form of notes on a Community Bus Service Proposal, Second Homes, Comparison of Demographic Projections.
7. The easiest way to describe the proposal is mainly with reference to the Proposed Masterplan Report with mention of the Transport Assessment. The wider array of documentation, particularly the Environmental Statement, has however been used for the assessment of the application by CNPA and others that is covered in the sections on Consultation Responses and Appraisal.

#### **Proposed Masterplan Report**

8. The Proposed Masterplan Report states that it has been prepared to demonstrate in principle that a Detailed Masterplan and Layout and Design Guidelines can be prepared that would deliver the aspirations for the new community. It makes reference to the process that has led to the planning application and gives an indication of the potential approaches to design and phasing. The phasing is based on Environmental Impact Assessment periods starting in 2006 with completion 2027. This is to demonstrate a 20 year timescale and reflects when work on the submission took place. Given we are now in 2010 the dates would be revised accordingly if planning permission is granted.
9. The highest density is along a new 'High Street' which would extend from east to west in an arc through the centre of the site with medium adjoining on either side and then lower density to the south and north. High density is indicated as being town and linked houses up to 2.5-3.5 storeys, 10-15m high with minor open space and tree planted areas. Medium density detached and linked houses 1.5-2.5 storeys 10-15 m high including minor open space and woodland areas. Low density detached houses 1-2storeys 4-8m high with minor open space and woodland areas. The plans show a High Street zone with apartments/tenements, possible mixed use of ground floors, a hotel, a pub and community buildings. Eventual provision also includes a school site and playing fields at the western end of the 'High Street'. It is the intention that most places will be within a 5 minute walk of the 'High Street'.

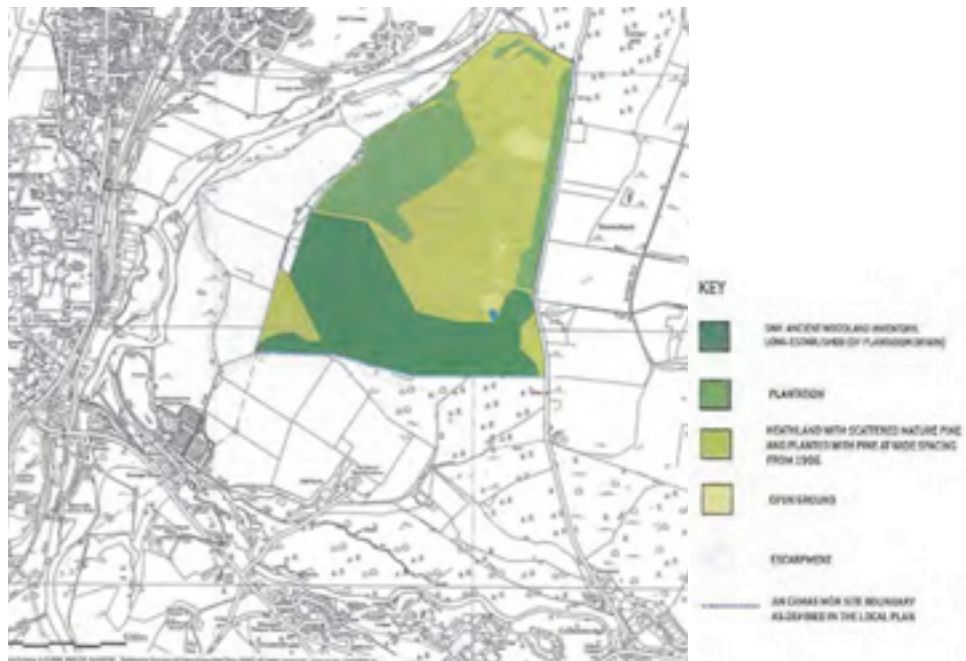


Fig. 3 – Period Zero at 1<sup>st</sup> July 2008

10. **Fig. 3** shows the site of the new community as it was in 2008 and is at present with a substantial area of ancient woodland to the south, heathland in the southwest corner, northern and central areas of the site and plantation on the west and east boundaries.

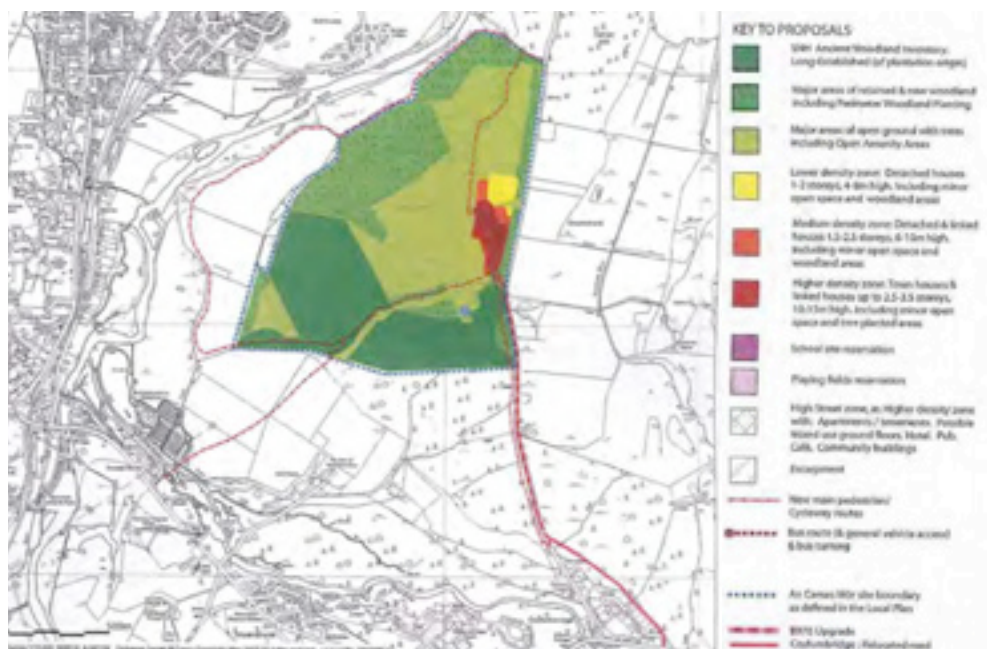


Fig. 4 – Period A 2006-2011

11. **Fig. 4** the first phase of the development indicated as being 120 residential units (20 low, 20 medium and 80 high density) at the eastern end of the 'High Street'. Provision for commercial development in High Street zone. The B970 is upgraded and junction at Colylumbridge realigned to give the principal access. A new pedestrian/cycle route is established from the south of the site over the River Drurie to the B970 by Rothiemurchus Fisheries.

Other pedestrian cycle routes are provided alongside the B970 from the site to Colyumbidge, from the 'High Street' to the north of the site and around the site perimeter.

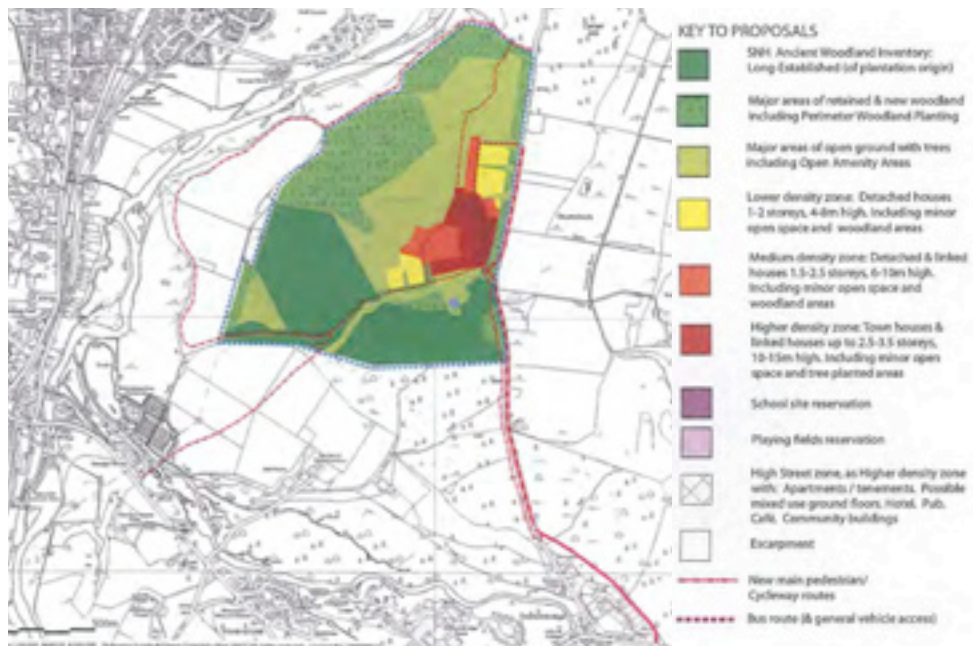


Fig. 5 – Period B 2011-2016

12. **Fig. 5** the second phase of 310 residential units (40 low, 80 medium and 190 high density) with the 'High Street' extending west and development extending south and north into the site. Provision for commercial development in High Street zone. The B970 is upgraded for a short distance to the north of the 'High Street' entrance and another access taken into the development.

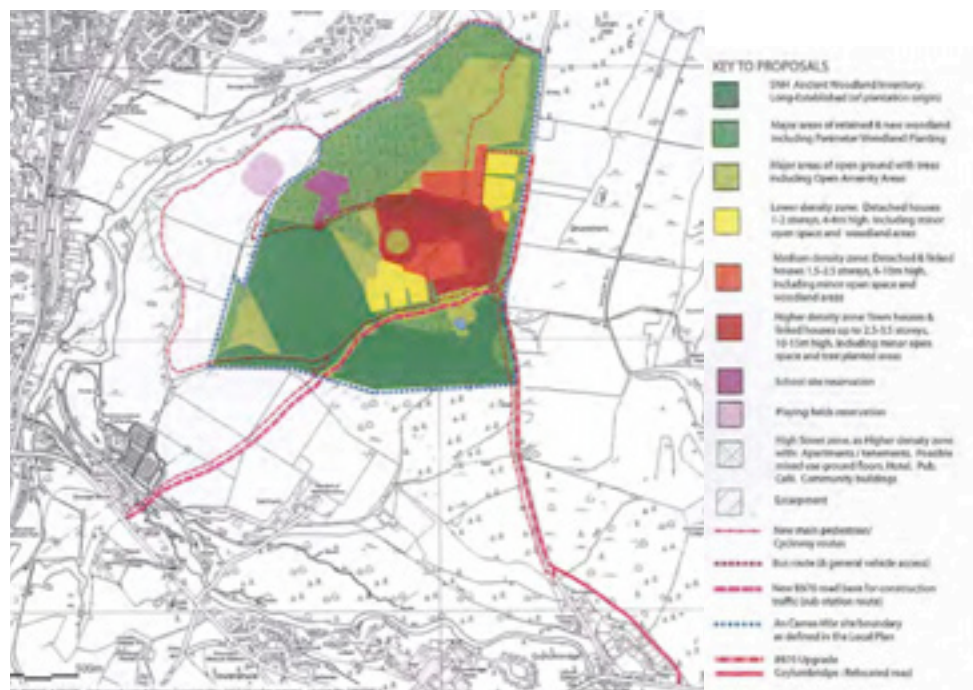


Fig. 6 – Period C 2016-2018

13. **Fig. 6** the third phase of 200 residential units (20 low, 60 medium and 120 high density) with the 'High Street' extending further west and development continuing to gradually expand north and south. Provision for commercial development in High Street zone. Road extended west from the 'High Street' to provide road and bus link to school site and then pedestrian/cycle route to a playing field on farmland to the west. New B970 road base for construction traffic from the B970 at the substation by Rothiemurchus Fisheries. This route will also take services including sewerage.

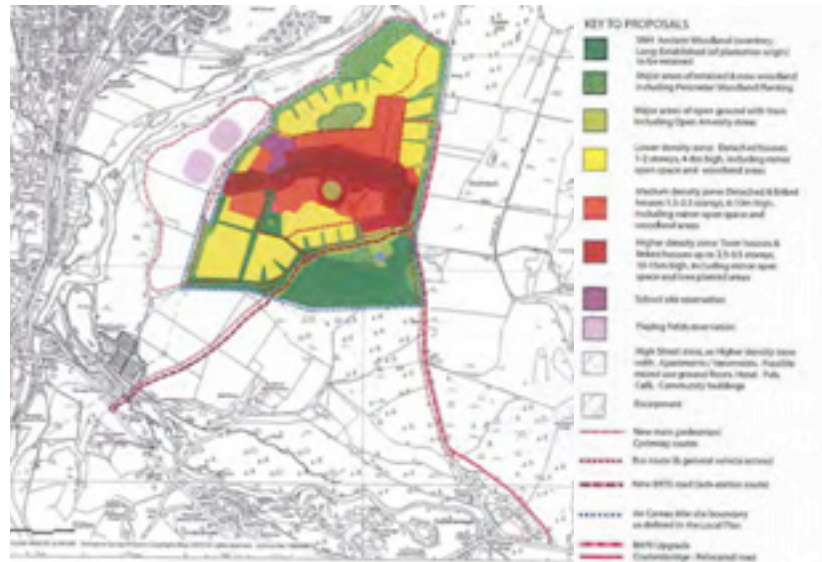
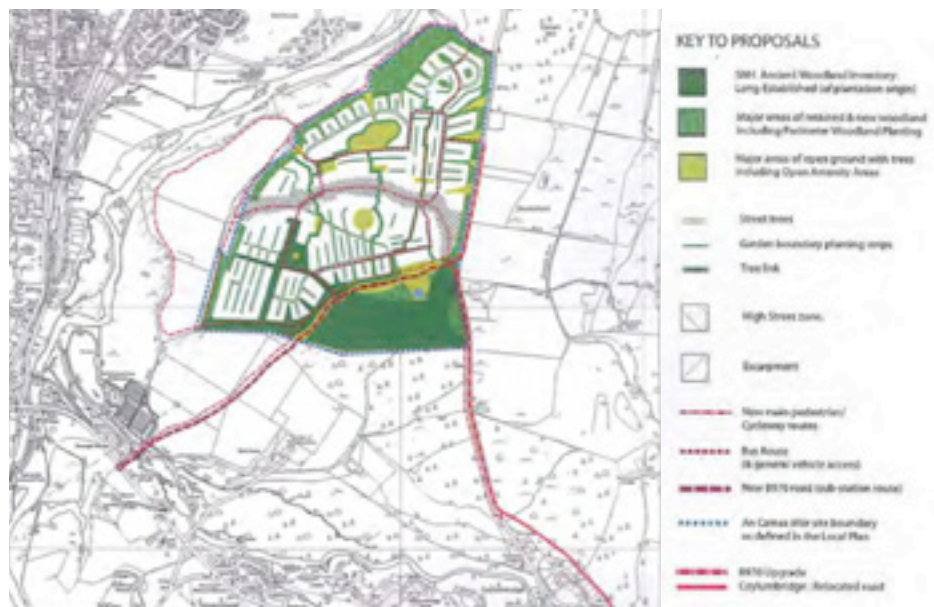


Fig. 7 – Period D 2018-2027

14. **Fig. 7** the final phase of 870 residential units (400 low, 200 medium and 270 high density) with the 'High Street' extending to its western extremity and development continuing to gradually expand north and south to the limits of the site. Continued provision for commercial development in High Street zone. Circular bus route within the development. The new B970 route from the substation is in place for all traffic.





**Fig. 8 – Period D WOODLAND, TREES, OPEN SPACE AT 2027**

15. **Fig. 8** shows the finished development with retention of ancient woodland in the south and southeast of the site, retained and new woodland on the north, west and east boundaries, major areas of open ground within the development, street trees, garden boundary planting strips and more new tree links within the development.
16. The applicant's team set out their methodology in the Proposed Masterplan Report. The Core Design Principle is to create a 'Good Habitat for People' by concentrating on Life, Space and then Buildings in that order:
  - Start with people and think about how they live and work;
  - People are designed to walk and senses function correctly at walking speed;
  - People are social creatures;
  - Design environments that are coherent, well proportioned and dimensioned to people-scale, appropriate for walking, attractive and appealing to people's senses;
  - Define spaces where community life flourishes and only then consider the buildings making sure they support the spaces.
17. The submission states that the proposed community is intended to create a sense of place that reflects the setting in the Cairngorms National Park and in the Highlands. It has been visualised as cluster of buildings in the forest rather than low density, suburban cul-de-sacs. It is to be more than just a housing estate, but a proper village with useful, facilities, work places and attractive spaces at its heart. A common design language will give it a sense of identity, private and public realm will be designed for social interaction whilst ensuring privacy when required, and considered phasing will allow it to grow naturally. The starting point is to respect the unique setting by limiting the actual footprint of the settlement, to prevent unnecessary damage to other areas from sprawl and then work to reduce visual impact of new development locally and in the greater landscape, preserving and enhancing landscape views with careful design. It is stated that the plan would respect the culture of the place, the existing topography, the existing vegetation, the wildlife habitats, as well as the existing archaeology.
18. The proposals intend that An Camas Mòr will take account of sustainability in its fullest sense:
  - Environmental Sustainability – by minimising the footprint, protecting existing habitats, create new habitats, minimise visual impact, create microclimate and shelter for flora/fauna, celebrate local connections with nature, provide local drainage solutions, avoid light pollution.
  - Social Sustainability – by promoting An Camas Mòr ethos as a common interest for all, diversity of housing size/affordability/tenure, accommodate work/civic/education/services/leisure uses, encourage neighbourhood responsibility, creating attractive public spaces, make walking/cycling/meeting people easy, making nature visible/accessible, support all generations, attractive built environment with freedom of expression within design guidelines, create a sense of place.

- Sustainable Economy – by accommodating mixed economy from start, all for change of use to adapt to changing needs, make space for innovation, wide range of home types/tenures for resilience to market change, different kinds of workspaces throughout the settlement, include home workspaces and local sub-letting, establish and maintain standards to enhance wellbeing, behaviour and value.
  - Sustainable Mobility – by reducing reliance on private motor transport, create good connections to public transport network, make walking/cycling attractive and realistic alternatives to the car, offer a wide range of services/amenities locally, make it possible to work from home.
  - Sustainable Resource Management – by minimising use of resources/energy in construction/running/maintenance, reduce waste of water, encourage composting/recycling, use renewable energy sources with possibility of district heating, reduce light pollution, take advantage of microclimate, provide space for fabrication to reduce builders' transport.
19. The Proposed Masterplan Report, and other supporting documentation, contains more detail on the thinking behind these elements and how they could be delivered. Of particular relevance are those aspects that have been promoted as making this a distinctive community and not another housing development.
20. It is stated that the balance of jobs and economic activities in An Camas Mòr will be towards the high value, technology, innovation and research and learning, while the high quality of life would attract the self-employed and entrepreneurs. Employment will be throughout the settlement, but concentrated around the 'High Street' with workspace on ground floors and at rear of buildings. House designs will encourage home working. By encouraging and featuring exemplar buildings it will provide opportunities for showcasing carbon-neutral and energy efficient building techniques and energy efficiency. Larger scale manufacturing, factories, or large scale distribution are not proposed. Employment space would extend to 15670m<sup>2</sup> with an estimated 1300 jobs, 56% on people's own premises and 44% on commercial premises. Some 430 of the economically active would be those who require affordable homes, drawn largely from Badenoch & Strathspey and those who are essential workers. In the medium term many of the jobs would be for residents encouraged to set up and operate businesses. There will be interaction with other communities, but the level of out commuting is stated as being minimal.
21. Mobility and access are seen as vital to social and economic sustainability. The community has consider who needs access, what their specific mobility needs are and then to accommodate all forms of mobility and consider any conflicts between them. The intention is to create an attractive environment for walking and where there is contact with other forms of transport to give pedestrians priority. Cycling will be encouraged, particularly when accessing neighbouring communities for accessing employment, services, and other facilities. It is intended to have public transport provision from the outset

and the applicant has been in discussion with Highland Council regarding a regular, affordable bus service to Aviemore. It is recognised that provision will have to be made for service/delivery vehicles. Given the rural location it is also recognised private car use will be part of life and every part of the settlement will be accessible by cars, but they will have to drive slowly meeting the pedestrian on the pedestrian's terms. Within the settlement there will be a maximum speed of 20 mph with street design to take account of pedestrian priority. All public buildings and spaces will be fully accessible.

22. There are two main aspects to consideration of natural life. The first is protection and improvement of natural habitat within the development area and the second enhancement of the experience and awareness of wildness for people. These are seen as part of the ethos of living in the National Park. Avoiding areas of greatest sensitivity, extending existing habitat and creating new habitat are part of this. The woodland setting will be extended, isolated mature trees with their immediate surrounding ground cover retained, and biotope strips created consisting of thick belts of dense and diverse mainly native stock which would form a network of nature corridors with green crossings of roads/streets. The entire settlement would be contained in a woodland setting a minimum of 30m deep with wedges of the same character penetrating into the development. During development as large areas as practical of top soil as well as existing ground cover, plants and trees would be left undisturbed and protected. Distinct undulations (there are kettle holes on site) will be retained and used expressively in the plan.
23. The plan is based on a compact footprint with the majority of the settlement within a 5 minute (400m) walking radius. This means most local journeys are short enough to make walking the best option and it also reduces land take thereby protecting other more sensitive areas. Traditional places often grow up along routes. In this way it is possible to connect An Camas Mòr to Aviemore to the west and Coylumbridge to the southeast. This could create a walking route from the Speyside Way to the Lairig Ghru to Deeside. Traditional Scottish towns often have a single main street, usually with an east west orientation. This coincides with the Aviemore to Lairig Ghru connection. High streets are often curved in character and vary in width to reduce wind and allow the creation of spaces en route. This concept also allows for higher density and greater diversity along the 'High Street' with variety of heights, joined up buildings, range of uses, and allow for side street connections of different scale with wynds/lanes and wider streets for traffic. Most homes are then within 5 minutes of the 'High Street'. Topography has also influenced the location and form of the 'High Street'. The woodland setting will give the whole settlement a connection with the surrounding landscape.
24. It is stated that the Building Principles would provide coherence, identity, proportion and beauty which in general would be unique to An Camas Mòr reflecting its place in the National Park and in a detailed way make each part of the development special with a shared appreciation, pride and value. The appearance of buildings would be determined via the preparation of Detailed Design Guidelines. The Proposed Masterplan Report describes the purposes,

mass, range of materials and any limits so that their impact can be assessed and it outlines the thinking that would lead to detail later.

25. It then goes on to look at building principles and starts by highlighting the various potential roles of the house:
- How buildings contribute to sustainability of the community as a whole as well as the households;
  - A house is more than a building for sleeping and eating in;
  - A house can also accommodate a business;
  - A house can be part of a small economic system e.g. letting out part or an outbuilding;
  - Subdivision of a house to cater for several generations or to take in tenants;
  - House has capacity for a variety of storage;
  - House and plot can be seen as a small urban farm;
  - House and plot as nature reserve creating habitat enhanced if use green roof, bird boxes, vertical planting etc;
  - House has capacity to generate as well as store energy;
  - House as a water reservoir.
26. The principles considered are:
- Layout - building layout and massing, consider the logic for placing each building on its plot as well as the volume in relation to surroundings, establish a discipline to maintain coherence/identity whilst allowing individualism, place close to streets, provide for diversity in size and character of plots, join up buildings in higher density areas, create positive spaces, allow for outbuildings, allow for privacy, accept that density means not many buildings will have views of Cairngorms;
  - Orientation – position for sun and solar gain, provide for shelter from wind and rain, allow for inside-outside spaces such as pends/verandas, greener buildings that preserve and enhance existing vegetation;
  - Different Densities - these have been outlined earlier in this report, density would range from 10-50 units per ha with an average of 23 for the 72 ha core development area, by comparison as city centre would have 70, Coylum Road is 7 and Poundbury is 34;
  - Building Sustainability – maximise use of local materials and modern technologies, minimise use of energy in construction and in use, apply BREEAM standards, maximise solar gain, minimise heat loss using shelter by trees/other buildings, maximise use of daylight, heat from solar gain and solar collectors, use district heating, consider combined heat and power generation, multi-fuel stoves in lower density, maximise use of renewable timber, minimise use of fossil based products, use local stone/turf/earth/other local materials, use lime instead of cement, minimise ground disturbance for construction, minimise concrete for foundations, use low energy concrete, high degrees of insulation, use fittings that minimise CO<sup>2</sup> emissions and use of water, collect rainwater.
27. In terms of design, it is stated that the intention, following the granting of outline permission, is to develop an appropriate 'style' of the public face/fronts of buildings to give a distinctive identity to the development. This

will vary with location with fronts in higher density being more constrained in siting, style and materials. Guidelines are intended to be based on fundamental principles that will give continuity over time even if circumstances change. Guidelines are intended to allow people to know where they can do what they wish within the constraints of Technical Standards. In general there would be very limited control at the rear of buildings in the higher and medium density areas except with regard to overlooking and less so in the lower density areas. Variations and individual responses would be encouraged. Guidelines would apply to all types of development to give cohesion and a distinctive style. As part of the ethos of An Camas Mòr, the good management of the place is necessary to protect the environment, everyone's investments and maintain good relations. This would be done with a specially established Community Association of which all in the community would be members. The Guidelines will cover:

- Boundaries – where to use walls, fences, hedges;
- Heights – Max 3.5 stories 18m high density, 2.5 stories 15m medium, 2 stories low;
- Roofs – shapes, pitch, orientation of main slope, ventilation stacks, materials, colour, rainwater goods, solar heat collectors;
- Walls – where to use timber, lime harling, local stone, proportions of elevations, detailing, colours;
- Wall openings – windows energy efficiency/proportions, sheltered covered open spaces, french doors, other doors, porches/canopies, thresholds,;
- Details – textures of paving, handrails, outdoor seating, public fixtures/fittings, avoid bolt on features;
- Materials and colour – native materials, timber, river stones, granite, shingles, also glass/metal roofing, use colour to give identity;
- Joy and beauty – buildings to have some unique detail to give personality, to come out of and be integrated in place rather than acquired and placed in it, this is a subject area that would generate debate;
- Workplaces – front room office, living above the shop, ground floors with high ceilings to give flexible space, barns/big sheds for some larger businesses, outbuildings behind houses for office/studio/workshop;
- Multiple dwellings on same plot – various possible permutations including townhouse with unit on ground floor/larger unit above, townhouse with pend leading to another unit, apartment building with ground floor duplex apartments and apartments above;
- Public buildings – school, community hall high standard of design as civic landmarks;
- High/Medium/Low density specific guidelines to allow for permutations at each level, but maintain continuity.

28. The application does not include proposals for a community park or a bridge across the River Spey, but the Environmental Statement acknowledges the community initiative and its relationship with An Camas Mòr. The Proposed Masterplan Report also makes reference to it and indicates the potential for a connection from the 'High Street' across the river and into Aviemore.

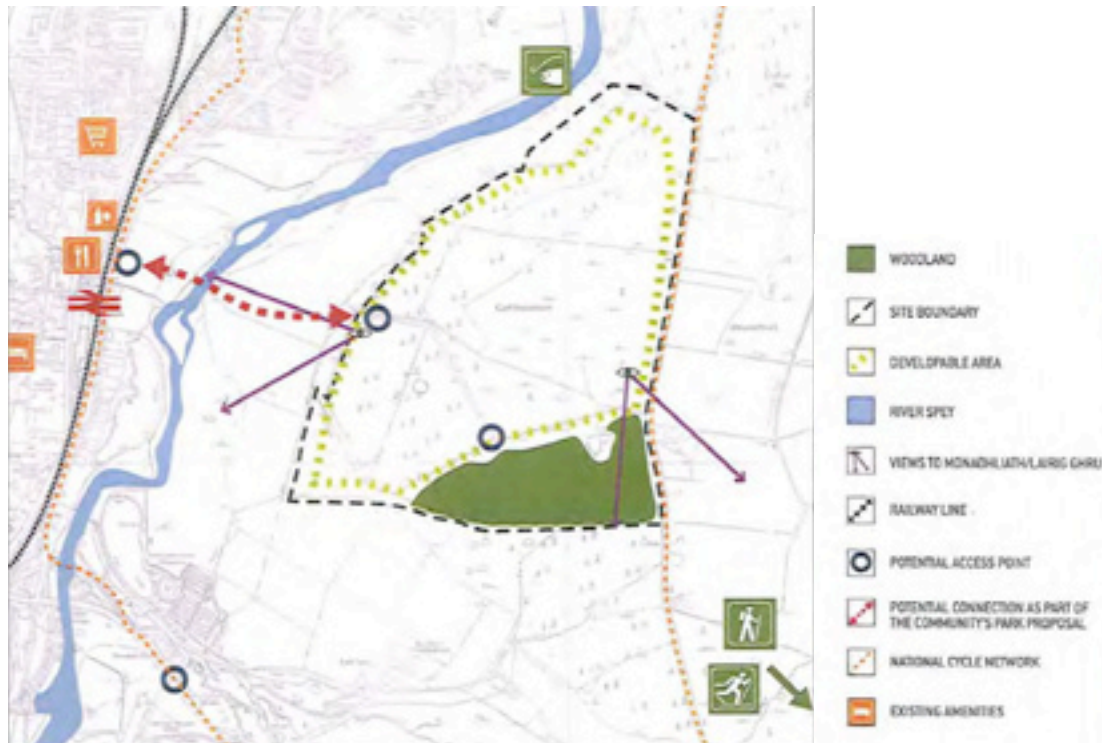


Fig. 9 – Opportunity for Connection with Aviemore

### Transport Assessment

29. This carried out an analysis of the likely travel and transport movements, by all modes, as the new settlement develops over time based on an assessment of the existing traffic and transport situation. The design of the development would ensure that a bus system will be put in place early in the development with all residential accommodation within 400 metres of it. There would be a linked system of footway, footpaths and cycleways to maximise non-motorised travel. There would be no significant adverse traffic impact on the general road network or junctions, but there would be increases in road traffic flows on the immediate approaches to the site. All junctions will be able to accommodate expected traffic flows except for the Aviemore southern junction on the A9 trunk road.
30. The Coylumbridge junction realignment is assessed as being necessary during Period B of the development with the new distributor road from the south built in Period C thereafter reducing traffic flows on the earlier realigned section of B970.
31. Although not directly referred to in the Transport Assessment it is understood that the calculations have taken this into account. The Environmental Statement states that construction traffic would use the

upgraded B970 from Coylumbridge for the first two periods of development and the new B970 distributor road thereafter.

## CONSULTATIONS

32. **Scottish Natural Heritage (SNH)** has no objection to the proposed development, but recommends the inclusion of a number of conditions in the event of the granting of planning permission, in order to avoid adverse impacts to designated sites. **SNH** set out in the response that the advice given is in relation to the implications of the proposals on designated natural heritage features and European Protected Species, in accordance with the casework agreement which exists between SNH and the CNPA. It is also the understanding of SNH that advice on the implications of the proposed development on the Cairngorm Mountains National Scenic Area would be provided by landscape colleagues in the CNPA.

Interest affected	Qualifying interests	Location	Impact
River Spey Special Area of Conservation (SAC)	<ul style="list-style-type: none"> <li>• Otter</li> <li>• Atlantic salmon</li> <li>• Sea lamprey</li> <li>• Fresh water pearl mussel</li> </ul>	Part of development site is within the SAC	Affected by direct (temporary) impacts – proposed crossing of River Drueie; Possible indirect effects – change to water quality.
River Spey Site of Special Scientific Interest (SSSI)	<ul style="list-style-type: none"> <li>• Otter</li> <li>• Atlantic salmon</li> <li>• Sea lamprey</li> <li>• Fresh water pearl mussel</li> </ul>	Adjacent	
North Rothiemuchus Pinewood SSSI	<u>Woodland habitats and species</u> <ul style="list-style-type: none"> <li>• Native pinewood;</li> <li>• Scottish crossbill;</li> <li>• Crested tit</li> </ul>	Adjacent	
Cairngorms SSSI	<u>Upland habitats and species</u> <ul style="list-style-type: none"> <li>• Caledonian forest and subalpine dry heath</li> </ul>	Off site habitat management works proposed	
Cairngorms SAC	<u>Upland habitats and species</u> <ul style="list-style-type: none"> <li>• Caledonian forest</li> <li>• Dry heath</li> <li>• Wet heath</li> <li>• Blanket bog</li> </ul>	Off site habitat management works proposed;  New road at Coylumbridge	Significant effect (off site)– increasing the extent of one designated feature (pinewood) and decreasing the extent of another (dry heath);  Road construction measures to ensure no significant effect
Cairngorms Special Protection Area (SPA)	<u>Woodland and upland breeding birds</u> <ul style="list-style-type: none"> <li>• Scottish crossbill</li> <li>• Osprey</li> <li>• Merlin</li> <li>• Peregrine falcon</li> </ul>	Off site habitat management works proposed	No significant affect
European Protected Species (EPS)	<ul style="list-style-type: none"> <li>• Otter</li> <li>• Bats</li> <li>• Wildcat</li> <li>• Great crested newt</li> </ul>	On site	Otters foraging along the rivers Spey and Drueie; Bats recorded feeding over the core area of the proposed site; Records of wildcats in the vicinity in the past;

			Great crested newts present nearby until recent times.
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**Table 1 : Natural heritage interests affected**

33. Table 1 summarises the natural heritage interests affected by the proposed development, as detailed in the consultation response from Scottish Natural Heritage. **SNH** do not consider that the proposal would have an adverse effect on the integrity of the River Spey SAC, provided that appropriate design and construction methods are adopted. In order to achieve this **SNH** recommend in the event of the granting of planning permission that detailed design and construction methods and provision of an independent ecological clerk of works are identified as reserved matters, subject to further consultation with **SNH** and subject to the completion of an appropriate assessment.
34. **SNH** also comment on proposals for habitat management along the River Spey SAC (above the existing road bridge on the B970). There is no objection to this proposal but **SNH** recommend that the detailed design and implementation are identified as reserved matters, and would be the subject of further consultation with SEPA and also subject to the completion of an appropriate assessment.
35. In respect of the potential impact of the development on the Cairngorms SAC i.e. arising from proposed off site habitat management works at Creag a' Chalamain, SNH consider that the proposed works would have a significant effect on some of the designated features of the SAC.<sup>1</sup> However, the scale of such change is unlikely to adversely affect the integrity of these features within this extensive Natura site.
36. The original response from **SNH** also refers to the proposed new road at Coylumbridge, with **SNH** expressing support for proposals to avoid damage to the designated site by fencing off it off prior to the commencement of any development work. It is recommended that this proposal is added as a condition of any planning approval.
37. In summary, **SNH** has no objection to the development proposal but recommends the inclusion of a number of conditions in the event of the granting of planning permission –
  - Detailed design and construction methods for the proposed bridge and the confirmation of use of an ecological Clerk of Works should be submitted for approval at the detailed design stage;
  - SuDS and WWTP issues should be approved to the satisfaction of SEPA. An Environmental Management Plan (EMP) should be submitted for approval at the detailed planning stage;
  - Detailed proposals for habitat mitigation work at Creag a' Chalamain and above the existing road bridge over the River Spey shall be submitted and approved by SNH at the detailed planning stage;

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<sup>1</sup> The significant effect would be as a result of increasing the extent of one designated feature (pine wood) and decreasing the extent of another (dry heath).



- Separation of Cairngorms SPA boundary from road construction work should be provided and, timing of such work should not take place adjacent to the Cairngorms SPA during the bird breeding season (April to mid July inclusive);
  - A variety of conditions for pre-construction surveys for European Protected Species shall be agreed at the detailed planning stage; and
  - SNH should be consulted on any proposals for the construction of a bridge over the River Spey.
38. The proposed development has been considered extensively by **SEPA**. Concerns were raised regarding foul drainage proposals. However, following discussions between the developers representatives and **SEPA**'s Environmental Protection Team, **SEPA** withdrew the objection in respect of foul drainage and now recommend that a condition is attached in the event of the granting of planning permission. The condition would require that each phase of the site could only commence where there is sufficient spare capacity within the public sewerage system to accommodate the anticipated population equivalent of that phase.
39. The second major issue on which **SEPA** has provided comment is in relation to Flood Risk, where there was an initial objection, on the grounds that it may place buildings and persons at flood risk contrary to the provisions of national planning policy guidance and advice. **SEPA** noted in an early response that the findings of the Flood Risk Assessment are generally accepted, as is the conclusion that the main development site is outwith the functional flood plain. The flood risk concern related to the new road proposed to serve the development, which would cross the River Druie and associated flood plain just upstream of the fishery. **SEPA** conceded the road may be acceptable in principle but prior to removing the objection required clarification that (a) compensatory flood storage would be provided to replace the capacity lost for the new road; and (b) confirmation that other river crossing designs were considered and that the proposed design has the least impact on the flood plain.
40. Discussions subsequently took place between the developers representatives and **SEPA**'s Flood Risk Hydrologists. The most recent response from **SEPA** indicates that an objection remains unless a specific planning condition is attached to any planning permission that might be granted. The stipulated condition would require further flood risk analysis to be undertaken prior to the commencement of development "in order to ensure that the design of the crossing and associated embankments does not result in a material increase in flood risk." **SEPA** also recommend that consideration is given to the inclusion of a compensatory storage scheme in the design of the crossing. It is also advised that piecemeal reductions in the flood plain should always be avoided where possible.
41. **SEPA** also recommended that a number of other matters be addressed by conditions. Conditions are required to ensure that a SuDS drainage scheme can be achieved and can be accommodated within the proposed layout; the submission and agreement with the Planning Authority (and statutory

consultees) of an outline Environmental Management Plan (EMP); detailed proposals for the storage, segregation, and collection of waste to be provided for the approval of the Planning Authority; the provision of a site Waste Management Plan for the construction phase of the development; and the provision of a plan to detail the provision of opportunities for water efficiency, grey water recycling and rainwater harvesting.

42. Comment has also been provided by **SEPA** on Land Contamination, where **SEPA** accept that it is unlikely that there has been any historical use of the site which would have resulted in land contamination.
43. **Transport Scotland** has been consulted on the development proposal and has requested clarification on a number of points. At the present time dialogue is on going between the applicant and Transport Scotland to clarify the matters. A response is therefore awaited from Transport Scotland at the time of writing this. An update will be provided on this when the planning application is being considered at the CNPA planning committee meeting on June 11<sup>th</sup> 2010.
44. The proposed development has been considered in detail by Highland Council's **TEC Services**. Comments and advice provided in the course of the assessment included –
- A requirement for the provision of a pedestrian / cycle bridge over the River Spey in order to link the development with Aviemore;
  - A preference was expressed that the direct road link from the B970 ski road to An Camas Mór be provided at a much earlier stage of the development than indicated;
  - The suitability of the B970 Coylumbridge – Nethy Bridge, with minor improvements, to serve a maximum of 200 no. dwellings;<sup>2</sup>
  - Development beyond 200 residential units and limited non-residential development should only be permitted upon completion of either a new link road from the B970 ski road or upgrading of the B970 from Coylumbridge to the site, including the construction of the Coylumbridge by-pass;
  - Suitable links should be provided in the early stages to connect the development to existing pedestrian and cycle facilities in the general area; and
  - An expectation that further discussions and agreements on the construction of the new link road, improvements to the existing roads and phasing of road improvements would take place during the detailed design stage and the submission of full planning applications.
45. The response from **TEC Services** also recommends a variety of other measures, both on and off site. Some of the recommended measures include the establishment of a Green Travel Plan in order to encourage travel to and from the proposed site by sustainable transport methods. Associated with this is a suggestion that additional cycle stands / shelters and car parking

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<sup>2</sup> This is based on an understanding that construction traffic would access An Camas Mor from a temporary haul road from the B970 ski road.

should be considered at Aviemore Railway Station. It is also noted that the proposed development is likely to have an impact on Grampian Road in Aviemore and it is recommended that the developer be required to make appropriate contribution towards suitable improvements to that road. Further on site measures which are recommended include adequate parking provision to serve each element of the development, the provision of suitable bin storage / collection areas throughout the development, and also the need to establish suitable management and maintenance arrangements in respect of areas that would not be adopted by Highland Council.

46. Highland Council's **Senior Transport Officer** has provided comment on the development from the point of view of public transport and school transport services. The response notes that the travel plan indicates a link by public transport, to the main centre of Aviemore. The Transport Officer outlines 3 options by which this could be provided – provision of a dedicated service to and from the site; diversion of the current hourly service between Cairngorm Mountain and Grantown to the site; or extension of services from the Aviemore Mountain Resort terminal. Each of the options would have differing cost implications and the Senior Transport Officer recommends that further negotiations with local operators should take place when a clear decision has been made on the service levels to be provided. It is recommended that any contribution should include an element designed to support the longer term viability of the service.
47. On the subject of school transport, the response notes the statutory duty of the Local Authority to provide transport for pupils living at certain distances from schools.<sup>3</sup> In determining the distances from Aviemore primary school, the provision of a footway / cycleway from the site is a critical factor, as depending on the timeframe for the provision of a bridge and its location, a need may arise in the intervening period for the provision of home to school transport. Where this is the case the Local Authority would seek a development contribution towards the cost of the provision of this service, until the proposed school within the development is built. It is also noted that secondary school pupils would require a dedicated service – buses currently providing transport to Kingussie High School are at capacity. A developer contribution would also be sought towards the provision of this service.
48. The **Housing Section** of Highland Council has stated that it is “looking forward to working with the landowner to provide an innovative housing solution based on sustainable principles to meet a variety of housing needs in the Cairngorms National Park.” It is accepted that the detailed proposals have still to be fleshed out and it is suggested that this can be covered by planning conditions or through a Section 75 agreement is necessary.

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<sup>3</sup> Free transport must be provided for pupils up to the age of 8 who live more than 2 miles from the school, and for pupils of age 8 and over who live more than 3 miles from the school.

49. In a response received from Highland Council's **Education Culture and Sports section**<sup>4</sup> reference is made to the Council's intentions to build a new primary school in Aviemore by Spring 2012. The school is intended to accommodate a minimum of 300 pupils<sup>5</sup>. The role for the current school year is 238 and this is expected to increase towards 300 over the next 10 years based on existing housing developments in the Aviemore area.
50. The submission from Highland Council's **Education, Culture and Sport section** notes that a site for a new primary school has been identified in the current development proposal. Reference is also made to an understanding that there would be a focus on affordable housing provision during the early years of the proposed development of An Camas Mór. On the basis of all of the considerations, it is recommended that the developer is asked to "provide a contribution for each house built from 2012 onwards" with the intention that such annual contributions would create a contingency fund that could be used to off set the costs of a new primary school sited at An Camas Mór and to extend the High School at Kingussie in the event of such requirements arising in the future. It is also recommended that a contribution is sought in the form of the reservation of a school site in An Camas Mór.
51. In a consultation response from Highland Council's **Archaeology Section** it is noted that several HER sites lie within the application site, including at least one prehistoric settlement. In addition further sites lie in the vicinity, including buried prehistoric remains such as a palisaded enclosure, at least two roundhouses, and a putative souterrain. The response advises that mitigation for the preservation (by record or in situ) of both the recorded and potential archaeological sites must be considered at an early stage. In the event of the granting of planning permission, a condition is required to ensure that a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development be undertaken prior to the commencement of development.
52. In addition to the individual consultation responses provided by the various departments of Highland Council as detailed in the foregoing paragraphs, a joint response has also been received from Highland Council, which draws together various comment and points of advice. The following is a summary of the points raised in relation to specific topics –

Design :

- Density should be appropriate to the site, taking into account the existing adjacent residential developments;
- Any flatted development should complement the scale and character of the existing surroundings. The height and impact on the potential for overlooking existing and proposed housing must be addressed;
- A minimum of 18 metres should separate habitable rooms; and

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<sup>4</sup> Received 13 April 2010.

<sup>5</sup> This figure could be much higher and is dependent on the configuration of classes in each year group.

- Any consent should be tied to the provision of SuDS and ensure that there are no flooding risks.

Sustainability :

- Any proposal must accord with Highland Council Structure Plan Policy G2 – Designing for Sustainability;
- A Sustainable Design Statement (SDS) should be submitted and the SDS Checklist should be used to ensure that the development is compatible with Policy G2;
- Potential for solar gain should be taken into account in the siting of residential development and key buildings within the town centre;
- The development should consider alternative energy sources. Examples mentioned include biomass, wind turbines, solar and the use of combined heat and power;
- Consideration could be given to how the development could reduce the overall demand for water and also the re-use of greywater;
- Effective waste management should be designed into the development from the outset and a Waste Management Strategy should be submitted;
- Sewage from the development should be treated in a sustainable manner;
- Sustainable materials should be used, details of which should be included in the Sustainable Design Statement;
- The proposal should take into account the potential for enhancing the biodiversity of the area and should demonstrate an awareness of the proximity to the River Spey SAC, which is also a SSSI, and also demonstrate an awareness of the whole site being located within a National Scenic Area.

Forestry and Woodland :

- Notes that the vision is for a “small community with a compact footprint within a woodland”;
- The wooded character of the site is visually strong and should aid the setting and prominence of the proposed new settlement;
- Parts of the proposed site are covered under the National Woodland Inventory. Some concern is expressed that the proposals would result in the loss of significant areas and there is a need to fully qualify this loss in terms of woodland and habitat values;
- The proposed concept promotes a strong relationship with the woodland cover, with green edges and wedges identified as providing shelter and close contact with nature from within. References to back garden nature reserves, green crossings and forest tracks are noted. Concern is expressed that the concept and principles of treatment do not deliver in relation to scale and layout, robustness, function and sustainability;
- Consideration should be given to securing a large area of centrally placed woodland (to the north of the High Street) with strong ‘unit to boundary treatments’, with greater emphasis on tree planting and allowing trees to ‘grow up’ with housing;
- There is a need to clarify the management and maintenance responsibilities for areas that would not be adopted. Supporting

documentation refers to the potential for residents “buy in” to some of these responsibilities - Highland Council is unclear what is intended by this;

- The provision of allotments is welcomed, although it is advised that care is required on the treatment and use of site features.

Waste :

- All new developments are expected to be fully compliant with Highland Council’s Waste Management requirements (participation in a kerbside collection service requiring householders to dispose of paper / cans, garden waste and residual waste);
- New housing developments should provide sufficient external storage space for three standard wheeled bins per household (minimum storage area of 2m x 1m);
- Communal bins could be considered as an appropriate alternative to serve flatted developments;
- Road design and layout standards must take account of access requirements for refuse collection vehicles;
- Sufficient space is required to accommodate a centralised recycling point for developments with 100 or more properties. Recycling points should be sited on hard standing and within a public space.

Contaminated Land :

- Reference is made to the advice contained in PAN33 which requires that the planning process be used in order to bring a site to a standard suitable for its intended use;
- The Highland Council’s Contaminated Land Information Management System (CLIMS) has been examined and does not show any historic contaminative use within the area of the proposed development.

53. **Aviemore and Vicinity Community Council (AVCC)** state at the outset of their consultation response that it has always supported the principle of a new community at An Camas Mór. In supporting it, the priority is to solve the long term housing needs for young people and those wishing to “take the second step on the housing ladder” as well as the opportunity to attract new types of jobs to the area. The Community Council accept that An Camas Mór would be a separate community but is keen to ensure that it would not be a ‘stand alone’ but would interlink effectively with Aviemore. In this respect a direct link for non motorised transport between the centre of Aviemore and the new development is considered essential. **Aviemore and Vicinity Community Council** also refer to on-going involvement with Highland Council and the Cairngorms National Park Authority “with a view to delivering a countryside park including a new bridge for walkers and cyclists over the Spey.”

54. The response from **AVCC** stresses its full support for the proposed development of An Camas Mór, with the exception of the originally proposed re-alignment of the B970 at Coylumbridge. The Community Council suggest that this proposal emanated from suggestions in the Badenoch and Strathspey Local Plan “which were based on assumptions that access to any development would be via that junction” and this is no longer the case. Reference is made to the developer proposing a new road from the B970 Inverdrue electricity sub-station directly to the development. **Aviemore and Vicinity Community Council** suggest that the new road to the development should be a priority and should be put in place at the start of the development. It is also suggested that construction traffic should be ‘banned’ from the B970 Coylumbridge to An Camas Mór road. The final suggestion in respect of the road network is that the present B970 from Coylumbridge to Boat of Garten should be ‘stopped off’ at the northern end of the housing at Coylumbridge, once the aforementioned new road has been provided and brought to adoptable standards.
55. **Rothiemurchus and Glenmore Community Association** considered the proposals and in a response received in June 2009 stated that “there is no objection to the development however the unanimous view of the committee is to object to the alignment of the access road.” The objection is on the basis that it would give rise to residents travelling extra distances, producing extra CO<sup>2</sup>, and also concerns regarding added danger to humans and wildlife, as well as being a major disturbance to an existing residential housing development. The **Community Association** suggest that an alternative access route via Rothiemurchus Fish Farm would shorten the distance and would not pass existing housing.
56. **Architecture and Design Scotland (A+DS)** have provided comment at various stages in the course of pre-application discussions and during this planning application. The concept was originally presented by the developers representatives at an **A+DS** Design Review meeting in June 2008. Preliminary designs were then presented in August 2008, with **A+DS** issuing a ‘restricted report’ on 9 September 2008, with points raised being taken on board as this planning application has developed. **A+DS** accept the general principle of creating a sustainable community on the site. Although appreciating that An Camas Mór was conceived as a self contained community, **A+DS** believe that the success and long term sustainability of the project is dependent upon its integration with Aviemore.
57. The most recent response from **A+DS** focuses on four key subjects – connections / sustainability; community park; density; and development guidelines, phasing and delivery. On the topic of connections / sustainability **A+DS** note that its success in urban design terms is predicated on the creation of a bridge link to Aviemore. The consultation response stresses the importance of an early realisation of this. The inclusion of a green transport plan in the Transport Assessment is welcomed, as is the proposed provision of bus, cycling and pedestrian routes at the start of the occupation. **A+DS** also note that a Sustainability Appraisal has been carried out and welcome the aims and objectives towards making An Camas Mór a balanced

sustainable community. The use of Local Authority and Scottish Government sustainability guidelines as benchmarks for providing sustainable indicators is also welcomed, but on this point it is noted that some of the criteria will not be appropriate for the master plan stage, but will need to be addressed at a more detail stage as the development progresses. **A+DS** suggest that potential local power initiatives should be explored as early as possible in order to ensure that they are integrated into the design.

58. **A+DS** express support for the concept of a community park, located between Aviemore and An Camas Mór, noting that it would serve as a focus for the combined communities. Reference is made to a community led masterplan for this which is already underway and **A+DS** stress the need for joined up masterplanning between the two communities wherever possible.
59. The third issue discussed is density. **A+DS** suggest that the density appears low in places and suggest a denser and more compact layout, without any need for an increase in height.
60. The final topic addressed in detail by **A+DS** is 'development guidelines, phasing and delivery.' Some concern is expressed about the proposals for the 'test' spaces as shown in the Masterplan Report and in particular the design of the streetscape, public realm and roads, which **A+DS** describe as appearing to replicate old fashioned road standards. **A+DS** stress the importance of firmly establishing the principles contained in 'Designing Streets' at this stage in the process. The importance of having clear and robust design guidelines in place is emphasised, in order to guard against the dilution of design quality in the future. Reference is also made to the procurement and delivery of affordable housing and the need to ensure that there is clarity on the methodology of how this would be implemented throughout the various phases of the project. Finally it is suggested that consideration should be given to how the various phases of development would operate successfully in the event that subsequent proposed phases are not realised. Reference is made in particular to the proposed siting and phasing of the school in 'Period C2018' which within the current arrangement is within an area of woodland, and at some distance from the main area of development.
61. **Scottish Water** has no objection to the planning application. The consultation response does however highlight that the granting of planning permission does not guarantee a connection to Scottish Water infrastructure and that approval for a connection can only be given by **Scottish Water** when the appropriate application and technical details have been received. As part of that process the developer would be required to submit a fully completed Development Impact Assessment in order to facilitate an assessment of the impact of the new demand that would be generated by the proposed development on existing infrastructure. The consultation response also indicates that Blackpark Water Treatment Works and Aviemore Waste Water Treatment Works may have capacity to service the proposed development.



62. Further points raised in the consultation response from **Scottish Water** include –
- a recommendation that a totally separate drainage would be required, with the surface water discharging to a suitable outlet;
  - the need for an appropriate water storage system for commercial purposes;
  - where connection to the public sewer or public water main requires to be laid through land outwith public ownership, the developer must provide evidence of formal approval from the affected landowner(s) and this should be done in the form of a deed of servitude; and
  - in relation to contaminated land issues, **Scottish Water** require that satisfactory precautionary measures are taken to protect public water and sewer pipes from any possible contamination and the developer would be required to submit a full soil investigation report to **Scottish Water**.
63. **Scottish and Southern Energy (SSE)** has no objection to the proposed development. The response notes that there is existing plant in and around the proposed development area which may be affected by construction works. The developer would be required to discuss deviation and undergrounding options with **SSE** at an early stage and take guidance from Health and Safety Guidance Notes. The response also includes details of 10 parts of the existing infrastructure<sup>6</sup> which may be affected by the development proposals. It is noted however that until full construction drawings are available it would be difficult to ascertain the extent to which the infrastructure would be affected, although in most instances it is likely to only necessitate normal deviation tasks.
64. **Highland and Islands Fire and Rescue Service** were consulted and advised that at the present time there is no comment to make.
65. In a response from the Openreach New Sites division of **British Telecom** it is advised that upon receipt of detailed plans, BT Newsites would issue proposals to the developer, where the developer would be required to lay all boxes / duct etc. within the site. A site of the extent proposed would require a cable to be taken from the exchange to the site and in order to facilitate this BT Newsites would be required to provide additional duct outwith the developers site.
66. A consultation response has been received from **NHS Highland** on behalf of the SE Highland Community Health Partnership, which has responsibility for the provision of health services in the Badenoch and Strathspey area, as part of **NHS Highland**. The response mainly focuses on the potential impact of the proposed development on local health services and in this context notes that existing Health Centre Facilities are under pressure, but coping, with the growing population in the Aviemore area. Reference is made to the intention to build a small extension to the existing health centre

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<sup>6</sup> This includes a variety of cables, poles and lines, as well as the sub station adjacent to the proposed new access road.

building in order to allow the practise to cope with existing patients. It is noted that an increase of 1,500 new homes would potentially significantly increase the register of patients at the Aviemore Practice. **NHS Highland** points out that there are no available resources to re-provide or significantly extend the existing health centre building. It is suggested that the potential for developer contributions could be considered in order to support the need to provide additional healthcare facilities and services which would be likely to result from the proposed development. It is also suggested that a phasing of the housing development would be appropriate in order to allow a gradual approach to the integration of new patients.

67. **Northern Constabulary** considered the development proposal and noted their interest in it from the points of view of crime prevention and community safety. The response highlights that modern preventative policing seeks to influence the opportunist criminal by reducing or removing any weak areas which could be utilised by the criminal. Reference is made to the concept of Crime Prevention Through Environmental Design (CPTED) which seeks to use good design to create a physical environment conducive to the overall security of the community. The response from **Northern Constabulary** suggests various aspects that would be looked at in detail as the development progresses includes crime generators, collective responsibility, environmental balance, road infrastructure, CCTV, access, boundaries, landscaping, lighting, housing mix and car parking.
68. **Spey Fishery Board** was consulted on the development proposal. The response mentions that the Board was previously consulted in the course of a pre-application process.<sup>7</sup> Concerns were expressed by the **Spey Fishery Board** at that time regarding the need for an Appropriate Assessment in order to determine the potential impacts of the proposals on the ecology of the River Spey. In the consultation response to the CNPA, the **Spey Fishery Board** confirm that concerns regarding the completion of an Appropriate Assessment and an Environmental Impact Assessment have been addressed in the application submission. The only other issue which the **Spey Fishery Board** raise is in relation to a suggestion on the website associated with the development proposal that a small windfarm development would be proposed. **Spey Fishery Board** note that this does not feature in the information provided in connection with the planning application and query whether or not this proposal has been postponed. It is advised that should such a proposal be developed, it is essential for the **Spey Fishery Board** and the Spey Research Trust are involved.
69. **Inclusive Cairngorm**<sup>8</sup> note in their response that the proposed site is relatively level, and is covered with a mix of vegetation, forest, heathland and fallow land. In discussing the development proposals in the context of people with disabilities **Inclusive Cairngorm** state that priority should be given to pedestrians over vehicular access, in order to create a more cohesive

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<sup>7</sup> Spey Fishery Board was consulted by Dr. Andy MacKenzie of MBEC.

<sup>8</sup> Inclusive Cairngorm is an advisory forum to the Cairngorms National Park Authority, advising on inclusion and equalities issues.

community. Various suggestions are offered in order to achieve this and include :

- Care when designing all surfaces, including designing them to take account of climatic conditions such as winter snow and ice;
- The use of shared surfaces should be carefully considered to ensure that they do not cause conflict with pedestrian users; A suggestion that paths should be “lit with discretion,” providing sufficient light for movement during darkness, and also reducing impact on wildlife;
- The need for appropriate public transport;
- Bus stops to be designed to include real time information in audio as well as visual format; and
- The need for adequate parking provision adjacent to community facilities.

70. Young people are another group considered in the response from **Inclusive Cairngorm**. In terms of the housing element of the proposal, **Inclusive Cairngorm** estimate that its population could include in the region of 400 – 500 young people under the age of 18. The needs of this sector of the population are outlined and include education facilities, health and dental facilities with the capacity to cope with the increased population, and facilities on the proposed site to serve as a meeting place for young people. Transport is also raised as an issue which should be considered before the development is put in place in order to ensure that it is integrated with existing transport links. **Inclusive Cairngorm** also query what employment and training opportunities would be provided within the development for young people.
71. **Inclusive Cairngorm** considered ‘Buildings’ from the perspective of two user groups – people with disabilities and young people. All community buildings are required to be fully accessible. With reference to house types and varying design, **Inclusive Cairngorm** advise that “buildings will be used by people with varying degrees of ability over the lifespan of the building.” Suggestions to take account of this include ensuring that there is sufficient space and a suitable layout that would be capable of accommodating future change. In the context of buildings and young people, it is highlighted that one of the key barriers is finding affordable housing locally, and it is queried how many of the units proposed would be affordable to young local people, or would be appropriate for singles and young couples.
72. **Highlands and Islands Enterprise (HIE)** provided comment on the Socio-Economic Impact Assessment which was submitted as part of the supporting information accompanying the planning application. **HIE** confirm that the methodology used is in accordance with public sector guidelines and note that the assumptions appear realistic. Notwithstanding this, it is noted that the baseline data on which the assumptions are based is out of date due to the effects of the current economic recession. It is noted that current analysis suggests that the area is performing more strongly than most other parts of the country. Other queries and concerns raised include a lack of clarity as to the proposed protocols in respect of business and community interactions and relationships with Aviemore and other surrounding

settlements, as well as the fact that the assessment does not address the issue of the seasonality of employment.

73. **Cairngorms Chamber of Commerce Ltd** expresses support for the application, advising that there is no further comment to make.

#### **CNPA Internal Consultations**

74. The CNPA's **Visitor Service and Recreation Group (VSRG)** considered the proposal and state at the outset that their response is framed within the context of several key pieces of national strategy, planning legislation, guidance notes, principles pertaining to the areas of transport, open space and health, as well as the An Camas Mór principles decided by the CNPA Planning Committee. Under the heading of Transport **VSRG** refer to various strategy documents, planning policy guidance and planning advice notes to illustrate the national emphasis on public transport, walking, cycling. In discussing open space policies **VSRG** note that planning authorities and developers are encouraged "to identify opportunities to create and enhance links between open space as an integral part of the development."<sup>9</sup> In terms of health, the response from **VSRG** highlights the relevance of Policy 14 (Promoting Healthy Lifestyles) of the CNPA Outdoor Access Strategy. One of the principles underpinning the policy is "the encouragement of active travel (promoting walking and cycling as part of a daily routine such as during the journey to work or school) both for visitors to the Park, and for those who live and work within the Park."
75. In discussing the specifics of the development proposal **VSRG** note that a new community at An Camas Mór would create new opportunities for access and recreation in the area. Detailed comment is provided on four particular aspects of the proposal. The first aspect discussed is the connection between An Camas Mór and Aviemore. **VSRG** note the phasing proposals for the development, and welcome commitments to initiate footpath and cycle networks at the outset, as well as the provision of a bus service between An Camas Mór High Street to Aviemore. Concern is however expressed at the location of the proposed pedestrian connection to Aviemore from the first phases of the development, noting that the proposal for a bridge over the River Druie and connecting into the old Spey railway bridge is a significantly longer route to Aviemore than the provision of a direct bridge over the River Spey. **VSRG** strongly encourage the provision of easily accessible and direct non-vehicular routes, where walking and cycling would be a realistic alternative to vehicular travel. Some reference is made to on-going work involving the community and others, to develop a community park. **VSRG** express concern that "placing a fundamental part of the development in the hands of a community initiative, leaves it vulnerable to delay or even failure." **VSRG** consequently recommend that the developer takes responsibility for leading on and delivering the pedestrian bridge between An Camas Mór and Aviemore, and that a mechanism is found to ensure that the bridge is in place at the earliest stage possible in the development of the new community.

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<sup>9</sup> SPPII – Open Space and Physical Activity.

76. **VSRG** note that the proposal includes provision for playing fields immediately to the west of the settlement and also acknowledges that the area between An Camas Mór and Aviemore is likely to be proposed by local community groups as a major new recreation area. All of this is welcomed and considered beneficial to both Aviemore and the proposed An Camas Mór development. However, **VSRG** express concern that the exclusion from the site boundaries of the larger area of peripheral open space which will form part of the proposed park and recreation grounds on the east side of the river, promotes a reliance on an external mechanism for the delivery of this facility and could lead to delays. It is therefore recommended that the applicant provide further information on the nature of the works to be undertaken for the proposed park and recreation grounds, and include details of the proposed management and maintenance of such a facility.
77. The third topic discussed in the consultation response from the **Visitor Services and Recreation Group** concerns access to and from the River Spey. It is an identified Core Path and **VSRG** note that it is of high economic, social, amenity and natural heritage value. Reference is made to submissions that were received from the communities of Street of Kincardine and Boat of Garten in the course of consultations on the Cairngorms National Park Core Path Plan, in which there was an aspiration for the development of a route to Aviemore to be developed along the east bank of the River Spey. **VSRG** consider that opportunities exist in the proposed An Camas Mór development to assist in achieving this and also promoting and managing the River Spey as a core path. It is recommended that the applicant explore the feasibility of putting a short route to the north of the proposed development, to serve as a potential connector to a future path along the eastern side of the Spey towards Street of Kincardine and Boat of Garten. **VSRG** also suggest that proactive provision be made in the riverside area, to accommodate people wishing to access the river.
78. The final topic addressed by **VSRG** concerns the Transport Assessment. The commitment to provide a system of cycleways alongside the distributor road and a network of footpaths and cycleways in the residential areas is welcomed. Concern is however expressed that the B970 may experience significant traffic increases if used as the eastern entrance to An Camas Mór, and it is noted that the road is part of National Cycle Route 7 and has been identified as a “quiet route” by Sustrans.
79. **VSRG** comment on reference in the submission documents to various incentives being on offer to residents to encourage increased cycling and use of public transport. It is recommended that the mechanisms by which this would be achieved are explored with the developer.
80. The response from the CNPA’s **Housing Policy Officer** focuses on the topic of Affordable Housing. Reference is made at the outset of the response to the principles agreed by the CNPA Board in December 2008, where there is an expectation that An Camas Mór would make a significant contribution throughout its development to the provision of a full range of affordable housing to meet local needs within the National Park, and would also

demonstrate how public and private sector would work together to deliver affordable housing. The Housing Policy Officer notes that the sustainability aspect of the project has been emphasised, as well as noting that reference has been made to minimising use of resources, encouraging recycling, and that consideration given to the running and maintenance of homes in terms of affordability. The response highlights that the developer “will have to balance the sustainability of the house with the cost of building it, especially from an affordability perspective.”

81. The response from the **Housing Policy Officer** acknowledges the intention expressed in the Masterplan submission to ensure provision of at least the national policy requirement of 25% of all housing in An Camas Mór as affordable. Details are also provided in the consultation response of housing demand in the area. The total number of applicants on Highland Council’s housing list who would be happy to accept housing in the Aviemore area is 623 households,<sup>10</sup> of which 328 households ranked Aviemore as their first preference. Figures have also been provided in the response to demonstrate that there is demand for one, two, three and four bedroom properties.<sup>11</sup> The **Housing Policy Officer** also provides advice affordable housing being provided as part of an overall strategy, to provide a mix of house sizes and values which will encourage a sustainable community. Suggestions to achieve this include the integration of affordable housing in the overall layout, ensuring that affordable housing complies with design standards of housing associations, and developing housing in groups of no more than 20-25 in any one location.
82. The **Housing Policy Officer’s** response also refers to the Highland Council working closely with the agents for the An Camas Mór development proposal, and with the Highland Housing Alliance, in order to deliver affordable and Mid Market Rent housing within the proposed new settlement. The Highland Housing Alliance has drafted Heads of Terms for a delivery vehicle to deliver the housing, and the Highland Council has expressed an interest with the Scottish Government for the National Housing Trust model to be used. Highland Council has also sought to include part of the first phase of the proposed development within its 5 year Social Housing Investment Programme for site start in 2011/2012. The response from the CNPA’s **Housing Policy Officer** concludes that the number of affordable dwellings that would be delivered within the proposed development would be crucial to delivering the proposed new community at An Camas Mór from a viability point of view, along with the infrastructure and sustainability costs.
83. The original consultation response received from the CNPA’s former **Economic and Social Development Group (ESDG)** provided comment on the socio-economic aspects of the development proposal. **ESDG** described the proposal as ‘exciting’ and offering a range of “significant opportunities for the local area, the National Park and the Nation.” It was

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<sup>10</sup> This consists of 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> preferences of applicants.

<sup>11</sup> One bedroom – 27%; two bedroom – 27%; three bedroom – 35%; and 4+ bedrooms – 10%.

however suggested that a number of further studies and assessments should be undertaken, including the following –

- Climate change : an expectation that the study on renewable energy generation would explore bolder options for energy generation, such as hydro, in order to provide for wider community base-load energy requirements;
- Relationship with Aviemore : suggest that there is a need to “tie the An Camas Mór development consortium into at least delivering the bridge and associated paths, if not Spey Park” in order to safeguard its delivery;
- Movement : early establishment of infrastructure and sustainable travel patterns is essential in order to avoid the establishment of long term, bad travel habits;
- The built environment and public realm : the aim of building local economic capacity is welcomed. **ESDG** suggest that the development presents an opportunity to use the development as a training facility for craftspeople and tradespeople and suggest that this should be actively encouraged; and
- A place to work : **ESDG** note that An Camas Mór aims to create a non-tourism-centre economy, attracting high tech R&D and high tech industry. **ESDG** query if this type of activity can be attracted and suggest that fibre optic connection and future proofing the communications network into and within the community will be essential to assist in this.

84. The **Sustainable Economy Manager** (from the former **Economic and Social Development Group**), has recently provided an updated response on the socio-economic aspects of the proposed development. The response notes that much of the data used to underpin the An Camas Mór Socio-Economic Impact Assessment was based on the HIE sponsored Socio-Economic Profile.<sup>12</sup> The **Sustainable Economy Manager** refers in his response to more recent work which has been undertaken on the Cairngorms Social and Economic Baseline Review of the Park<sup>13</sup> which has had access to more up to date information. The **Sustainable Economy Manager** does not consider that it indicates any wide variation from the initial conclusions in the An Camas Mór proposal. In light of the more recent research, the consultation response emphasises a number of points –
- (a) Further Research – further research is recommended in order to fully understand the potential impact of the development. Further exploration of the likely impact of the development on other settlements is recommended;
  - (b) Retail – the likely impact of further competition on the wider retail sector throughout Badenoch and Strathspey needs to be explored, including an assessment of any cumulative effect in the Aviemore area;

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<sup>12</sup> October 2008.

<sup>13</sup> The Cairngorms Social and Economic Baseline Review has not yet formally been published. Final editing and formatting is on going at the present time. It is hoped to have the document published in July 2010, after which it will be freely available (in the form of a summary booklet and online).

- (c) Education and learning – the recent Social and Economic Baseline Review emphasises the Highland wide issue of young adults leaving the area, often for the purposes of seeking higher education opportunities. The Badenoch and Strathspey area is at a disadvantage in this regard, and it is suggested that there should be further detailed exploration of providing such educational opportunities, for example in the form of a college out-station or a learning / research facility;
- (d) Hub for wider opportunity – the development of a strong commitment to establish a “genuine leading edge digital capability for businesses and communities in An Camas Mór and in the surrounding area is encouraged.

The **Sustainable Economy Manager** concludes that there are no obvious concerns over the broad principles that have been applied to the socio-economic work at this stage of the planning application. The additional research suggested above would be expected as part of further in-depth analysis in the event of the proposal proceeding to subsequent stages in the planning process.

- 85. The proposed development has been considered in detail by the CNPA's **Heritage and Land Management Group (HLM)** and detailed comments and recommendations have been provided in respect of landscape and ecology issues. The individual detailed responses from the Landscape Officer and the Ecology Officer are attached in Appendix 3 at the rear of the report. The following paragraphs provide a summary of the issues raised in the detailed responses.
- 86. In terms of landscape, two particular aspects have been considered - the landscape resource itself and the visual impact of the development from 'outside' of the proposed development site. **HLM** make reference to indications in the Environmental Statement that there are adverse impacts upon the character of the site due to the nature of the development, with the impacts generally increasing in line with the extent of the development. **HLM** note that above 630 dwellings the impacts are of a significant magnitude and that they would be felt for up to 60 years. The effects are largely derived from the extent of the loss of existing features that combine to form its current character. **HLM** suggest that there is a real possibility of reducing these impacts by limiting the number of dwellings on the site.
- 87. The response from the **Heritage and Land Management Group** also indicates that the extent and size of the development creates visual impacts to adjacent areas. The proposed development would result in significant new elements within the view of people using these areas. Their sensitivity to such changes is consequently considered to be a key consideration. As with the landscape resource itself the Environmental Statement demonstrates that there would be significant adverse visual effects for an extended period of time. Again, on this point, limiting the extent of development would allow for more mitigation measures which can limit the magnitude of impact and the time scale.



88. In terms of the ecology issues, the summary response from the **Heritage and Land Management Group** notes that the proposed site hosts a wide range of flora and fauna, some of it of national and local significance. There is a range of habitats that are of similar value to the area. The extent of the proposal would have a significant impact upon this. The Environmental Statement indicates that of the 104 ha. of the site, only 14 ha. will be retained as it currently is. **HLM** note that various compensatory measures have been outlined in the Environmental Statement to offset the impacts. Despite this however, from an ecological perspective it is considered that the development, as proposed in the Environmental Statement, places an unsustainable burden upon the site and would not be compensated fully by the measures outlined. **HLM** therefore suggest that a reduction in area of development and other on-site mitigation measures could, when combined with the compensatory habitat improvements, make a positive contribution to the natural heritage of the park.
89. Based on the foregoing observations from the **Heritage and Land Management Group**, a series of recommendations are contained in the consultation response. The following is a summary, with the full details and reasoning contained in the aforementioned Appendix 3.
- **Recommendation 1** : reduce the landscape and visual impact from the outset, and retain significant areas of valuable habitat by the retention and planting of substantial areas of woodland, and other habitats, within and around the site prior to construction works beginning.

Area	Recommended measure
Western edge	Retain and reinforce planting of a continuous 150m wide area of woodland linking the plantations to the north of the site to the ancient and semi-natural woodland in the south, and including the semi-mature plantation in the south west corner.
Lowland heath and kettle holes	Retain the area of lowland heath in the south west corner of the site and augment the habitat by expansion into the adjacent field to the west. Retain the kettle holes as water bodies, with as much peripheral vegetation as is necessary to provide a resilient habitat, to withstand user pressure.
Eastern edge	Retain and plant a woodland corridor of 75m wide adjacent to the B970, to link woodland to the north and south of the site.
Internal green corridors	Retain and plant woodland to create two north/south 50m wide woodland corridors and one 30m wide east /west corridor that dissects the site, and link areas of open green space.

**Table 2 : recommended landscaping measures**

- **Recommendation 2** refers to access and recommends (a) that the proposed access road to Inverdrue / Dell Farm is established at the outset as the principal access to the site; (b) any upgrading of the B970 to include new boundary and edge treatments that are consistent in

character with the existing; and (c) to link An Camas Mór to Aviemore by the provision of a bridge for pedestrians / cyclists over the River Spey.

- **Recommendation 3** : require the developer to provide a phased Landscape and Ecology Master Plan, to be agreed with the CNPA prior to the development of the road and building Development Master Plan.
- **Recommendation 4** : require the developer to provide an evidence based and objective driven Landscape and Ecology Method Statement, which should underpin the proposals in the Landscape and Ecology Plan (required in recommendation 3). Details which should be included in the Landscape and Ecology Method Statement include a survey of existing tree cover, soil survey, detailed habitat and botanical survey, invertebrate survey, updated mammal survey, updated bird survey, fungi survey, reptile and amphibian survey, planting proposals, proposals for maintenance during establishment, and a long term management plan.
- **Recommendation 5** : The Landscape and Ecology Master Plan are required to adhere to the concepts and principles of biotope strips, peripheral planting and management of existing woodlands, green crossings and back garden nature reserves, as described in the application. Subsequent detailed design statements and phase applications must be consistent with the Landscape and Ecology Master Plan.
- **Recommendation 6** : the primary aim of the Landscape and Ecology Master Plan, Method Statements and Management Plan, and the Development Master Plan should be to reduce the landscape and visual impacts to 'not significant' by 2027.

The Landscape and Ecology Management Plan should provide strategies to mitigate the potential impacts upon the local habitats from the development and from increased human population and associated disturbance. This should be agreed with the **CNPA** and **SNH**.

- **Recommendation 7** : The method statement and management plan should be delivered through a construction procedures handbook, to which all parties are signed up. The handbook should be reviewed and revised at each stage of the development and should cover all aspects of landscape, habitat and tree protection, and should also include control of invasive non native species brought onto site in material or by plant and other bio-security measures.
- **Recommendation 8** : the applicant must secure the services of appropriately qualified and experienced landscape and ecological professionals for the duration of the development. Construction shall be overseen by a suitably qualified and experienced landscape and ecological clerk of works.
- **Recommendation 9** : Planning permission should not be granted for more than 1,100 units on the site. A full review should be undertaken

after the completion of 630 units, and interim reviews should be undertaken at agreed timescales within the phasing thereafter.

- **Recommendation 10** : Due to concerns regarding the impacts on habitats arising from a long term development, it is imperative that the site is monitored regularly and a suite of ecological surveys undertaken to establish the current ecological value of the site prior to consideration of each phase of the development for detailed planning. Comparison and assessment against the 2010 baseline information must be made.
  - **Recommendation 11**: detailed enhancement measures are required. Specific enhancement measures should be incorporated into the design of individual buildings and garden plots. Measures should be identified and agreed with the detailed design and layout for each phase of the overall development.
  - **Recommendation 12** : Creation of compensation habitat is required in order to enhance the natural heritage from that currently enjoyed at the site. The following habitat creation is required –
    - Creag a Chalamain – creation of 76ha of Montaine woodland habitat;
    - Ord Ban – 20ha of heath land restoration;
    - Inverdruie near River Spey – 3.5ha of wet woodland;
    - Wetland area within the fields to the west of the development – 2ha;
    - Additional lowland heath to the west of the core development site –5ha.
  - **Recommendation 13**: Timeous evidence is to be provided that the Landscape and Ecology Master Plan and the Landscape Method Statement forms part of the contractual obligation between the applicant and the individual developers.
  - **Recommendation 14** : Evidence shall be provided to the CNPA that legal structures are in place for the ongoing site management.
  - **Recommendation 15** : the applicants are required to have insurances / a bond in place in order to ensure that appropriate site restoration could be undertaken by the relevant authority in the event of part of the proposals being abandoned or delayed for a protracted period.
90. The matter of **Planning Gain** has been considered and assessed by the Planning Gain section of Aberdeenshire Council, acting on behalf of the CNPA. The following is a summary of the planning gain elements that would be required to be secured as part of the development –
- The provision of affordable housing on site. The required percentage will vary between 25% and 40%, dependent upon housing needs pertaining at the time of each phase;
  - Provision of a range of community facilities, including a public hall and ancillary accommodation, indoor and outdoor recreation and library

provision. In the event that such facilities are not provided on site, a contribution would be required towards off site provision;

- Provision of a primary school site within the proposed development site, and a financial contribution toward the construction of a primary school; a financial contribution would also be required towards secondary education in order to augment facilities at Kingussie High School;
- The provision of a site for medical facilities (this could be facilitated within the community facilities complex);
- Provision for the recycling of Commercial and Household Waste as required by Highland Council (or such other methods that may be proposed, and approved by the Highland Council);
- The funding for a bridge and contribution to paths for foot/cycle link to central Aviemore via River Spey;
- The provision of public foot and cycle-ways through the development site connecting with established routes outwith the site;
- A Green Transport Plan will be provided by the applicant and the provision of a bus service to serve the development will be established with an operator;
- The provision of an additional road access to the development site from the Aviemore to Coylumbridge public road prior to the occupation of the 201<sup>st</sup> dwelling unit; and
- The provision of a minimum of three areas of compensatory habitat on land under the control of the applicant.

## REPRESENTATIONS

91. A total of 77 letters of representation have been received in connection with the development proposal. Several individuals initially submitted a 'holding objection.' Having had the opportunity to examine the proposals in detail, many representees later submitted further detailed representations. Of the letters received, 70 were from individuals, while 7 of the representations were from groups, representing a variety of interests.<sup>14</sup>
92. A significant number of the representees indicated that they have no objection to the principle of the proposed new development at An Camas Mór, and their representations in relation to more detailed aspects of the development proposal. The detail which has attracted the most objection is in relation to the proposed realignment of the B970 in the vicinity of Coylum Road and its proposed use as the principle means of access to An Camas Mór on a temporary basis over several years. Concerns raised in connection with the proposed access arrangements include : -
- Questioning the justification or need for this access arrangement;
  - Suggestions that access should be provided in the vicinity of the Inverdrue substation from the outset;

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<sup>14</sup> Letters of representation were received from the following groups - Coylum Road B970 Action Group, Coylum Road Homeowners Association, Boat of Garten and Vicinity Community Council, Scottish Campaign for National Parks, The Association for the Protection of Rural Scotland, Guide Dogs for the Blind Association, and the Badenoch and Strathspey Conservation Group.

- Adverse impacts on the residential amenity of properties in Coylum Road and the surrounding area, including noise, pollution, loss of privacy, and traffic and safety concerns;
  - The additional distances that vehicle users would be required to travel in order to access services in Aviemore;
  - Apparent contradictions / inconsistencies between details and information provided in the Transport Assessment and the Proposed Masterplan Report;
  - Adverse impacts on natural heritage interests in the area arising from the proposed road, including on the adjacent North Rothiemurchus Site of Special Scientific Interest, the ancient woodland, and the impacts on various wildlife species known to inhabit the area including red squirrels, pine martens, badgers, capercallie and ant hills;
  - Concern that the Environmental Statement fails to adequately consider the impact of the proposed B970 realignment and use as the main (long term temporary) access to the development;
  - Increases in traffic further along the B970 having an adverse impact on the use of the route as part of the National Cycle Network, and also adversely affecting communities along the route including Street of Kincardine and Boat of Garten; and
  - Concern that the second longer term access detailed in the proposals i.e. in the vicinity of the Inverdrue substation, would not be built.
93. In addition to the numerous concerns raised in relation to the proposed realignment and use of the B970 in the vicinity of Coylum Road as the initial means of access to An Camas Mór, other issues raised in the letters of representation include : -
- The unsuitability of three storey structures adjacent to the B970;
  - Concerns regarding the integration of An Camas Mór with the existing settlement of Aviemore;
  - Acceptance of the need to provide affordable housing, but concerns that a high proportion of the remainder of new properties would be second homes or occupied by those commuting to work outside the National Park;
  - Suggestions that development should commence on the western side of the proposed site, in order to establish closer links with Aviemore from the outset;
  - Concerns regarding the limited provision of employment opportunities in An Camas Mór and this being a hindrance to achieving a sustainable community;
  - The success of the design concept being dependent on high standards being maintained during long term development; and
  - Concerns regarding the creation of 'shared space' in the development and the need to ensure that it achieves 'inclusive streetscapes' and does not impede mobility impaired people and wheelchair users.
94. Of the 77 letters of representation which have been received, only a small percentage expressed opposition to the principle of the development of An Camas Mór. The appropriateness of creating a 'new town' in the National Park is questioned and it is suggested that such a proposal is contrary to the

aims of the National Park. Of those objecting to the principle of development, strong concern is expressed about the impacts of the development on the natural and cultural heritage of the area. Reference is made to the proposed site being within a National Scenic Area and concern is also expressed regarding the potential effects of the proposal on the status of the River Spey as a Special Area of Conservation.

95. Appendix 4 provides a brief summary of the points raised in each of the letters of representation. Copies of all letters of representation are contained in Appendix 5.

***Applicants response to letters of representation***

96. Brindley Consulting, agents acting on behalf of the applicants, have submitted a brief response to some of the points raised in letters of representation from the Badenoch and Strathspey Conservation Group and the Scottish Campaign for National Parks.

97. In response to the submission from the Badenoch and Strathspey Conservation Group (BSCG) it is pointed out that BSCG were invited to submit information relevant to the Environmental Assessment for An Camas Mór as part of the scoping process, although no information was provided. Brindley Consulting confirm that the Environmental Assessment was carried out according to regulations and concluded that there would be no significant effect on any priority species, protected species or priority habitats. The response from Brindley Consulting also highlights the information to inform appropriate assessment and all discussions which have been undertaken with SNH have led to the conclusion that there would be no effect on the integrity of any European sites. In response to comments from BSCG on the impact of the proposed development on European Protected Species (EPS), Brindley Consulting refer to the impact assessment which has been undertaken, in which it is concluded that the proposal will not result in any significant effects on EPS.

98. In responding to the points raised in the letter of representation from the Scottish Campaign for National Parks, Brindley Consulting offer some comment, a summary of which is provided below :

- The SCNP objection refers to the Scottish Governments planning policy for nationally designated areas, which it to permit development where it will not adversely affect the integrity of the area or the special qualities from which the area has been designated. Brindley Consulting refer to the Environmental Impact Assessment for An Camas Mór having demonstrated that there will be no adverse effect;
- In response to concerns that An Camas Mór would become a community dominated by second homes, Brindley Consulting acknowledge that the concern is shared and state that throughout the process of planning for An Camas Mór the need to ensure employment, housing that is affordable for people in local jobs, as well as a number of

other issues, have all been identified and will continue to be addressed at further stages of the process;

- In response to the SCNP view that there is no justification for placing a large housing development in the National Park, Brindley Consulting refer to work undertaken by the Councils and the Park Authority to assess housing need for the next 20 years;
- In response to SCNP comments regarding the lack of a central and overarching employment opportunity to drive the creation of a new community, reference is made to research in the Socio Economic Assessment which accompanies the planning application;
- On the views expressed by SCNP regarding landscape impact, Brindley Consulting refer to the Environmental Statement demonstrating in detail the visual effects of the proposals at different stages and from different viewpoints, with the conclusion that there is no significant long term visual effect.

## DEVELOPMENT PLAN CONTEXT

### National Planning Policy

99. The **National Planning Framework for Scotland 2** is intended to guide Scotland's development to 2030, and "sets out strategic development priorities to support the Scottish Government's central purpose – sustainable economic growth." The key aims of the strategy for Scotland's spatial development to 2010 are detailed:

- To contribute to a wealthier and fairer Scotland by supporting sustainable economic growth and improved competitiveness and connectivity;
- To promote a greener Scotland by contribution to the achievement of climate change targets and protecting and enhancing the quality of the natural and built environments;
- To help build safer, stronger and healthier communities, by promoting improved opportunities and a better quality of life; and
- To contribute to a smarter Scotland by supporting the development of the knowledge economy.

100. The 'Development Strategy' focuses on a number of topics, including housing, sustainable communities, the built environment and landscape and cultural heritage. The Scottish Government's vision of a housing system involves the delivery of more houses, helping to create sustainable communities, meeting higher environmental standards and providing wider choice and offering better value for money. Despite the recent credit crunch and economic downturn, it is stated that a pressing need remains for the planning system to help deliver growth in the supply of new homes throughout urban and rural Scotland.
101. Sustainable communities are expected to be exemplars of 21<sup>st</sup> century low-impact development. Sustainable communities should create attractive, healthy and accessible places. In a section entitled 'Sustainable Communities' reference is made to the Scottish Sustainable Communities Initiative (SSCI). This is the process in which "the Government invited proposals for the creation of sustainable communities as exemplars of 21<sup>st</sup> century low-impact development." The initiative is intended to encourage an approach to development which is environmentally responsible, and would create places which are designed and built to last. Developments coming forward under the SSCI should incorporate a mix of tenures and house types, including affordable homes; integrate land uses, including recreational and amenity open space; include measures to encourage active and sustainable travel, including walking and cycling; and make innovative use of renewable and clean energy technology.
102. Reference is made in the document to the various measures which could assist in improving the built environment. The application of appropriate planning, design and building policies can achieve more sustainable urban forms and much higher energy efficiency and emission standards in new development. Changes which reduce reliance on the car and encourage walking and cycling are also recognised as delivering wider environmental benefits. Planning authorities are advised to develop strategies for more sustainable patterns of development which take account of climate change predictions. Measures such as reducing transport emissions, and the production of heat and power from renewable sources are detailed as a means to achieve this, in conjunction with an understanding of changing development capacity.<sup>15</sup>
103. The value of landscape and cultural heritage is also noted in the **National Planning Framework for Scotland 2**. Landscapes have been shaped by human activity for centuries and it is accepted that landscapes evolve continuously in response to climatic, economic, social and technological changes. The value of landscapes extends beyond those protected by formal designations, to all areas which reflect the interaction of natural processes with human activities. Landscape and visual impact will continue to be important considerations in decision making on development proposals.

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<sup>15</sup> Changes in development capacity could arise due to factors such as long term flood risk, the increased frequency of extreme weather, and the need to reduce and better manage the demand for energy and water.



104. In the national context, **Scottish Planning Policy**<sup>16</sup> (**SPP**) is the statement of the Scottish Government's policy on nationally important land use planning matters. **SPP** 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 should .....allow 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.
105. **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.
106. 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.” Paragraph 38 provides guidance when deciding on the location of new development. Decisions on location should for example reduce the need to travel and prioritise sustainable travel and transport opportunities; take account of the capacity of existing infrastructure; and promote rural development and regeneration. The layout and design of new development is expected to encourage the use of active travel networks and public transport; promote the efficient use of land, buildings and infrastructure; encourage energy efficiency; support sustainable water resource management; support sustainable waste management; consider the lifecycle of the development; encourage the use of sustainable and recycled materials in construction; and support habitat connectivity. Reference is also made to climate change in the context of achieving sustainable development. Efforts are required in the design of new developments to minimise carbon and other greenhouse gas emissions. Features which provide effective adaptation to the predicted effects of climate change are encouraged. Development should avoid areas with increased vulnerability to the effects of climate change, including areas at risk from flooding or landslip.

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<sup>16</sup> February 2010

107. 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, housing, rural development, landscape and natural heritage, open space and physical activity, green belts, transport, flooding and drainage, waste management and communications infrastructure. The following paragraphs provide a brief summary of the general thrust of each of the subject policies.
108. Economic development : planning authorities are required to respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that new economic opportunities can be realised. The planning system is expected to support development which will provide new employment opportunities, enhance local competitiveness and promote the integration of employment generation opportunities with supporting infrastructure and housing development.
109. Housing : Planning authorities are required to ensure that sufficient land is available to meet the housing requirements of each housing market area in full. Para. 83 advises that the density of new development should be determined in relation to the character of the place and its relative accessibility. Higher density living environments can be achieved through good design without overcrowding or loss of amenity. Where a planning authority considers a new settlement to be a necessary part of its settlement strategy, **SPP** advocates that the development plan should specify its scale and location, while supplementary guidance can address more detailed issues such as design and delivery.
110. The **SPP** includes a specific section on affordable housing, broadly defining it as "housing of a reasonable quality that is affordable to people on modest incomes." Affordable housing may take many different forms including social rented accommodation, mid-market rented accommodation, shared ownership, shared equity, discounted low cost housing for sale including plots for self build, and low-cost housing without subsidy. Planning authorities are advised to seek a percentage affordable housing contribution from developers of new housing developments where this is justified by the housing need and demand assessment. The benchmark figure is that each site could contribute 25% of the total number of housing units as affordable housing, although different percentages may be required locally, based on housing need and demand.
111. Rural Development : **SPP** stresses the significant role that the planning system has to play in supporting sustainable economic growth in rural areas. "By taking a positive approach to new development, planning authorities can help to create the right conditions for rural businesses and communities to flourish" (para. 28). Development which provides employment and community benefits should be encouraged.

112. Although encouraging rural development, **SPP** is clear that the aim is not to see small settlements lose their identity or to suburbanise the Scottish countryside. The motivation is to maintain and improve the viability of communities and to support rural businesses. All new development would be expected to respond to the specific local character of the location, to fit into the landscape, and to seek to achieve high design and environmental standards, particularly in relation to energy efficiency.
113. *Landscape and Natural Heritage* : Improving the natural environment and the sustainable use and enjoyment of it is one of the Government's national outcomes. Planning authorities are required to support opportunities for enjoyment and understanding of the natural heritage. Para. 127 notes that "landscape in both the countryside and urban areas is constantly changing and the aim is to facilitate positive change whilst maintaining and enhancing distinctive character." **SPP** recognises that different landscapes have different capacities to accommodate new development, and the siting and design should be informed by local landscape character.
114. Para.129 refers to the duties on all public bodies, including planning authorities, to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004. The importance of biodiversity is highlighted, and recognised as an important element of sustainable development which makes an essential contribution to Scotland's economy and cultural heritage. Para. 130 refers to the benefits for people and nature that can be delivered through linking greenspaces in and around settlements through green networks.
115. There is an acceptance that landscape and natural heritage are sensitive to inappropriate development, but it is also acknowledged that careful planning and design can minimise the potential for conflict with natural heritage interests. Where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain, planning authorities are advised to apply the precautionary principle. It is however also stated that the precautionary principle should not be used to impede development unnecessarily, and modifications to a proposal which would eliminate the risk of irreversible damage should be considered.
116. **Scottish Planning Policy** discusses landscape and natural heritage in the context of international, national and local designations.<sup>17</sup> In terms of international designations, developments which could have a significant effect on a Natura site can only be permitted where :
- An appropriate assessment has demonstrated that it will not adversely affect the integrity of the site; or
  - there are no alternative solutions; and
  - there are imperative reasons of overriding public interest, including those of a social or economic nature.

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<sup>17</sup> Paragraphs 134 – 136, paragraphs 137 – 138, and paragraphs 139 – 141 respectively.

117. National Scenic Areas (NSA) and Sites of Special Scientific Interest (SSSI) are discussed in the context of national designations. Development which affects these designated areas should only be permitted where :
- It will not adversely affect the integrity of the area or the qualities for which it has been designated; or
  - Any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.
118. National Parks are also discussed under the heading of national designations, and the four aims of the Park are outlined. Para. 138 advises “in circumstances where conflict between the objectives arises and cannot be resolved, the 2000 Act requires that the conservation of the natural and cultural heritage should take precedence.”
119. Protected Species are another sub-category mentioned within the Landscape and Natural Heritage section of the **SPP**. Many species are legally protected and their presence or potential presence is an important consideration in decisions on planning applications. The presence of Protected Species “rarely imposes an absolute block on development” but mitigation measures are often needed and the layout, design and timing of works may be affected. Para. 143 advises that planning permission must not be granted for development that would be likely to have an adverse effect on a European Protected Species, unless the planning authority is satisfied that
- there is no satisfactory alternative; and
  - the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest, including those of a social and economic nature and beneficial consequences of primary importance for the environment.
120. The topic of Trees and Woodland is discussed in paragraphs 146 to 148 of **Scottish Planning Policy**. The importance of ancient and semi-natural woodland is highlighted and reference is made to the need to protect and enhance it. The biodiversity value of other woodlands, hedgerows and individual trees is also mentioned, as is the significant contribution that such features can make to landscape character. The importance of connectivity between woodland habitats is also mentioned. Planning authorities are encouraged to seek opportunities where appropriate for new woodland creation and planting of native species in connection with development schemes. Tree Preservation Orders are noted as a means of protecting individual and groups of trees where they are considered important for amenity or because of their cultural or historic interest.
121. Open space and physical activity : The planning system is considered to have a role to play in helping to create an environment where physical well being is improved and activity made easier. Opportunities to achieve this include the provision of play space, providing access to good quality open spaces including networks of linked open space, and providing outdoor recreation opportunities in rural areas. Paragraphs 156 – 158 discuss the subject of playing fields, noting that they are “an important resource for sport and

should be provided in sufficient quantity, quality and accessibility to satisfy current and likely future community demand.”

122. Transport : **Scottish Planning Policy** places an emphasis on reducing emissions from transport sources and indicates that this requires a move to more sustainable modes of transport, such as shifting from car based travel to walking, cycling and public transport. Consequently the planning system is required to support a pattern of development which reduces the need to travel, facilitates travel by public transport, and provides safe environments for walking and cycling.
123. Para. 168 confirms that a transport assessment should be carried out where a new development is likely to result in a significant increase in the number of trips. Planning permission should not be granted for significant travel generating uses in locations which would encourage reliance on the private car and where :
- direct links to walking and cycling networks are not available or cannot be made available;
  - access to public transport networks would involve walking more than 400 metres;
  - it would have a detrimental effect on the capacity of the strategic road and / or rail network; or
  - the transport assessment does not identify satisfactory mechanisms for meeting sustainable transport requirements.

Opportunities for personal travel are expected to be prioritised by mode in the order of walking, cycling, public transport, car and other motorised vehicles. Buildings and facilities are expected to be accessible by foot and by cycle.

124. ‘Parking Policies’ are dealt with in a Transport sub-section.<sup>18</sup> It is recognised that the availability of parking can have an important influence in reducing reliance on the car. Planning authorities are expected to apply maximum parking standards to on-site parking at new developments in order to encourage modal shift. In addition to general parking, specific provision is also required to be made for parking for disabled people.
125. Flooding and drainage : The **Scottish Planning Policy** document accepts that flooding is a natural process which cannot be entirely prevented, but notes that it can be managed to reduce its social and economic consequences and to safeguard the continuing functioning of services and infrastructure.
126. It is clearly stated in paragraph 197 that “development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere should not be permitted.” Prospective developers are advised to take flood risk into account before committing themselves to a site or project.

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<sup>18</sup> Paragraphs 171 – 173.

127. Paragraph 204 sets out a ‘risk framework’ which provides the basis for planning decision making relating to flood risk. It divides flood risk into three categories, as summarised in table 3 below.

Risk level	Annual probability of flooding	Constraints on Development
Little or no risk	Less than 0.1% (1:1000)	No constraints
Low to medium risk area	0.1% - 0.5% (1:1000 – 1:200)	Areas will be suitable for most development; Flood risk assessment required at upper end of probability range; Water resistant materials and construction may be required depending on FRA; Infrastructure located in areas should be capable of remaining accessible and operational during extreme flooding events.
Medium to high risk	Greater than 0.5% (1:200)	Not suitable for essential civil infrastructure such as hospitals, schools, fire stations etc.; Where built development is permitted, appropriate measures will be required to manage flood risk; Medium to high risk areas in built up areas may be suitable for development provided that flood prevention measures already exist or are planned as part of a long term development strategy; Medium to high risk areas in undeveloped areas are not suitable for additional development. Exceptions may arise if the location is essential for operational reasons.

**Table 3 : Summary of Risk Framework for Flood Risk**

128. Waste Management : The Scottish Government has adopted zero waste as a goal, and this is required to be achieved through a combination of measures including eliminating the unnecessary use of raw materials, sustainable design, resource efficiency and waste prevention.
129. Communications infrastructure : Advanced, high quality electronic communications infrastructure is considered to be an essential component of economic growth across Scotland. Its potential to play a role in reducing the need to travel is also referred to in **Scottish Planning Policy**. While electronic communications legislation and regulation is a matter reserved for the UK Government, the physical development of networks is a matter for the planning system in Scotland. Planning authorities are urged to support the expansion of the electronic communications network, with development management decisions taking into account the economic and social implications of not having full coverage or capacity in an area. There is also

an associated need to ensure that the environmental impact of communications infrastructure is kept to a minimum.

130. **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.” Planning authorities are required to be clear about the standard of development that is required. Quality of place not only refers to buildings, but also how the buildings work together as well as the relationships between buildings and spaces. Design is highlighted as an important consideration and planning permission may be refused solely on design grounds.<sup>19</sup> Finally it is stated that the planning system should be “judged by the extent to which it maintains and creates places where people want to live, work and spend time.”

#### **Planning Advice Notes (PANs)**

131. Planning Advice Notes (PANs) provide advice and information on technical planning matters. Changes to the series of PANs are on-going, with some having recently been withdrawn and others merged and updated, but the overall series is being retained to provide assistance on technical planning matters. The following paragraphs provide a summary of the PANs which are applicable in the assessment and determination of this planning application. Where appropriate PANs will be grouped in order of policy subject.

#### **Community Engagement**

132. **PAN 81 Community Engagement – Planning with People** provides advice to planning authorities and developers on how communities should be properly engaged in the planning process. **PAN 81** is intended to demonstrate how everyone can take part in planning for the future of their area. It acknowledges that opportunities already exist for people to engage in the planning system, but also recognises that there are barriers to getting involved, including the complexity and technical nature of the planning system. The PAN suggests ways to improve community engagement.
133. Part 2 of **PAN 81** states that “effective community engagement means ensuring that people are made aware of proposals that affect them as early in the process as possible, that they have the facts that allow them to make a contribution, that they have the opportunity to engage and that having made their views known, they get clearer explanations of how and why decisions were made.”
134. A section entitled ‘Community Engagement in Development Management’ in part 3 of **PAN 81** highlights that representations on planning applications are an essential part of the decision making process. Paragraph 37 outlines the measures put in place to increase public awareness of planning applications, including advertising weekly lists of new applications, the notification of neighbours about planning applications submitted, an increase in the time to

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<sup>19</sup> Para. 256.

respond to neighbour notifications from 14 days to 21 days, and more extensive use of site notices and newspaper advertising.

135. **PAN 81** also explores and provides advice on the role of community councils, voluntary, interest and amenity groups. While the only type of community group with a formal role in the planning system is community councils (who are consulted on planning applications) the importance of the role of other community groups in the planning process is also recognised. **PAN 81** advises the importance, when responding to plans and applications, that community groups are focused on planning issues, and in this way they may be considered a material consideration.

136. The National Standards for Community Engagement, which have been developed on behalf of Communities Scotland and have been applied to the planning system and are described as being ideally suited for use by planning authorities for development plan preparation; by applicants in pre-application consultations with communities; and by people and communities in engaging on planning issues. The following is a summary of the standards as set out in PAN 81 :

- Standard 1 : Involvement – identify and involve the people and organisations who have an interest in the focus of the engagement;
- Standard 2 : Support – identify and overcome any barriers to involvement;
- Standard 3 : Planning – gather evidence of need and resources to agree purpose, scope and actions;
- Standard 4 : Methods – agree and use methods of engagement that are fit for purpose;
- Standard 5 : Working together – agree and use clear procedures that enable participants to work together effectively and efficiently;
- Standard 6 : Sharing information – ensure necessary information is communicated between the participants;
- Standard 7 : Working with others – work effectively with others with an interest;
- Standard 8 : Improvement – develop the skills, knowledge and confidence of the participants;
- Standard 9 : Feedback – feed results back to the wider community and agencies affected.

### **Masterplanning**

137. **PAN 83 - Masterplanning** describes a masterplan as a “plan that describes and maps an overall development concept, including present and future land use, urban design and landscaping, built form, infrastructure, circulation and service provision. It is based upon an understanding of place and it is intended to provide a structured approach to creating a clear and consistent framework for development.” An effective masterplan should explain how a site will be developed. It should show how the proposed urban form will achieve the intended vision for a place, and how a distinct and appropriate character will be created. Masterplans may be prepared for almost any site, but there are a number of instances in which it is particularly recommended in **PAN 83**, including where a new settlement is proposed.



138. **PAN 83** makes reference to the Scottish Sustainable Communities Initiative (SSCI) and notes that the creation of well structured and effective masterplans will be required for Scotland's new sustainable places. It notes that the SSCI will encourage the development of new, sustainable communities of varying sizes, which may take the form of much expanded or new, stand alone settlements that are sympathetic to Scotland's landscape and environment.
139. Advice is included on the process of creating a masterplan, where it essentially involves four stages :
- Stage 1 : Site appraisal – this part of the process involves consideration of environmental, social and economic issues;
  - Stage 2 : Analysis – site assessment combined with assessment of relevant policies;
  - Stage 3 : Developing the design – this involves consideration of building, movement and open space;
  - Stage 4 : testing the design concepts and finalising the masterplan.

The final outcome of the four stages is the proposal, which should demonstrate how a sustainable place will be developed, and should demonstrate key characteristics including being well located and planned, providing high quality and affordable homes, providing energy efficient low carbon buildings, making provision for biodiversity, promoting positive health and well being, having good connections and be easily accessible, and encouraging recreation and physical activity.

140. **PAN 83** places significant emphasis on people being at the heart of the process when creating successful places. It recommends that an engagement plan is devised in order to identify mechanisms for involving the community, and it notes that various types of interests may have to be engaged in different ways. **PAN 83** also includes a number of case studies showing different types of masterplanning, all of which demonstrate how the process can be used to create a place with a distinct identity, rather than a series of unrelated buildings and spaces.

#### **Flooding**

141. **PAN 69 - Planning and Building Standards Advice on Flooding** recognises the importance of the role played by planning and building standards in safeguarding land and development from the consequences of flooding. Flooding can be created by a combination of human activity and natural physical conditions, including watercourse and coastal flooding, sewer flooding, land drainage and climate change. In order to plan for flooding it is necessary to have the ability to calculate, analysis and understand the risk<sup>20</sup>of flooding. In the context of a development proposal, consideration should be given to flood risk and the potential need for a flood risk assessment (FRA). Guidance is provided in the PAN on the factors which may indicate the need

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<sup>20</sup> Risk is taken to mean the statistical probability of flooding x the consequences, where consequences relate to people and the environment.

for an FRA. Planning authorities are required to consult **SEPA** before granting planning permission where it appears that the development is likely to result in a material increase in the number of buildings at risk of being damaged from flooding.

142. In development proposals where flooding is an issue, the provision of drainage is also not expected to be straightforward and a drainage assessment may be required.<sup>21</sup> The length and detail of the drainage assessment should be proportionate to the issues.

**Housing**

143. **PAN 44 Fitting- New Housing Development into the Landscape**<sup>22</sup> is not intended to provide a blueprint for housing design, but sets out approaches which should help to relate housing layout more sensitively to the existing landscape. Housing is recognised as having a major impact on the standard of the environment and it must be seen to make a positive and specific contribution in fulfilling the principles of sustainable development. **PAN 44** encourages proposals to be sufficiently responsive to the sense of place, and to the general and particular character of the landscape. It advises that the capacity of the landscape to absorb development must be given proper attention, alongside other considerations such as the need and demand for housing, the availability of land, energy efficiency and the provision of infrastructure.
144. **PAN 44** highlights some of the factors which have contributed to the design and layout of recent developments, including the car becoming dominant and requiring space for access, garaging etc.; the use of standardised building kits which fail to take account of Scottish tradition; the use of modern materials which have an adverse impact on the appearance of many old settlements; layout frequently being driven by functional criteria which can result in characteristically uniform developments; and layout and design often characterised by standardised suburban design and lacking individuality and identity.
145. The design process should consist of two activities – analysis and design. The following table provides a summary of the elements which need to be considered in the analysis and design stages of a development proposal.

<b>Analysis checklist</b>	<b>Design Checklist</b>
Ascertain land ownership in and around site	Establish landscape capacity
Refer to local plan policies	Define development concept
Examine landform, slope and contours	Determine scale and density of development
Undertake landscape analysis	Establish structure and layout
Define landscape character	Determine height and massing
Undertake visual assessment	Develop planting frameworks

<sup>21</sup> A drainage assessment is defined as a “statement of the drainage issues relevant to the proposal and the suitable means of providing drainage.”

<sup>22</sup> March 1994

Make a photographic record	Integrate access and parking requirements
Compile climatic information	Consider orientation implications
Identify vegetation around the site	Compile house types and plot studies
Establish ground and subsoil conditions	Develop sketch layouts
Refer to existing services information	On going testing of proposals by brief and consultations
Confirm developers requirements	Prepare Masterplans

**Table 4 : Summary of analysis and design checklist**

146. **Housing Quality** is discussed in **PAN 67**. The diversity in housing quality is noted in the introductory section of the document, where reference is made to some of Scotland’s recent new housing being acclaimed for its high standard of design, while at the same time concerns have been expressed about the low design standards of much new (particularly volume) housing that has been built in recent years.
147. Successful places are distinctive, safe and pleasant, easy to get to and move around, welcoming, adaptable and resource efficient. The design of a successful place should begin with understanding how new housing can be connected to the movement patterns<sup>23</sup> and settlement patterns<sup>24</sup> of an area. **PAN 67** advises that the combination of layout of buildings, streets and spaces should create local identity, and should contribute positively to Scotland’s cities, towns and villages. Five particular aspects of built form are intended to assist in achieving this – layout, landscape, scale and mix, details and materials, and maintenance. Guidance is provided in the document on each of the particular aspects.
148. In terms of layout, developers are advised to think about the qualities and characteristics of a place and not consider sites in isolation. Issues to be considered in devising a layout include context, streets and spaces, accessibility and managing traffic, safety and security, and energy efficiency. The second aspect of the built form is landscape, which is defined as the character and appearance of the land, including its shape, form, ecology, natural features, and the way they combine. A number of points of guidance are offered in relation to landscape, including conserving and emphasising natural features, using species that grow well locally, developing landscaping proposals which promote biodiversity, designing streets as public spaces and not just as traffic routes, and using gateway features to mark significant area entrances. On the subject of scale and mix it is noted that a successful mix is influenced by a range of factors, and issues to consider in this regard include incorporating a mix of dwelling sizes and types and land uses and developing the scheme to appropriate densities to allow sufficient pedestrian use to support the viability of non-housing uses. The fourth aspect of the built form is ‘design and materials’ and it is noted under this subject heading that the quality of development can be spoilt by poor attention to detail. Advice given in relation to ‘design and materials’ includes the development reflecting its setting and reflecting the local forms of building and materials; having houses

<sup>23</sup> Movement patterns refer to streets and routes.

<sup>24</sup> Street blocks and layouts.

looking different without detracting from a sense of unity and coherence for the development or the wider neighbourhood; and the development should be capable of being easily accessed by people with limited mobility. The fifth and final aspect of the built form which is discussed in **PAN 67** is maintenance, and it is advised when preparing new housing proposals that the planning process needs to address how the quality of the development will be maintained in the longer term. Issues to consider in this context include common areas and facilities to be designed to be well managed and maintained; the use of materials which should be robust and wear well; and putting in place management arrangements to ensure effective maintenance.

149. **PAN 67** promotes the use of the urban design toolkit to improve quality in new housing. Elements of the toolkit include urban design frameworks, development briefs, master plans, design guides, design statements and design competitions. Advice is provided for applicants on preparing master plans. Master plans should be produced to explain how a site will be developed, including describing how the proposal will be implemented, and setting out the phasing and timing of the development. It will also set out costs,<sup>25</sup> as the “planning authority needs to know that the development’s basic economic assumptions are soundly conceived.”
150. Various elements of advice are also provided in **PAN 67** on the specific roles of planning authorities, road engineers, councillors and the public. In terms of planning authorities, the development plan is expected to set a clear planning policy framework which should describe how the principles of design should shape development. Development plans may also identify housing sites most in need of a development brief. On the role of roads engineers, **PAN 67** notes that the design of housing layouts is too often determined by the requirements of engineers, and it is recognised that road standards can limit the scope for creating successful environments. The concepts of cul de sacs and homezones are also discussed as part of the role of roads engineers. It is advised that “culs-de-sac need to be used with care in housing layouts, as they can put pressure on the local network of streets without making any positive contribution to it.” Home zones are recognised as having the potential to make a particular street, or part of a street, more pleasant for the people who live in it. It is essential however that street layouts for new housing should be designed from the start with traffic calming in mind.
151. **Pan 74 - Affordable Housing**<sup>26</sup> sets out how the planning system can assist in achieving the national commitment to increase the supply of affordable housing. The various categories are detailed in the document – social rented, shared ownership, shared equity, discounted low cost sale and housing without subsidy. A local housing strategy is expected to provide evidence of a balance between the needs of the different categories. In a section entitled ‘Delivering Affordable Housing through the Planning System’ reference is made to the role of development plans, where structure plans are expected to include a calculation of the overall housing land requirements for a period

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<sup>25</sup> PAN 67 accepts that the setting out of costs may be subject to commercial confidentiality.

<sup>26</sup> March 2005

of at least 12 years. The Local Plan is expected to allocate sufficient land to meet the requirement identified in the structure plan. Para. 30 advises that “where a local authority intends to use the planning system to support affordable housing provision it is essential to set this out in local plan policy.” An example of this as detailed in para. 31 is where a planning authority wishes to seek a percentage contribution of affordable housing on private housing sites. It is also suggested that the general policy in the local plan can be supplemented by more detailed non statutory guidance, in the form of supplementary planning guidance.

152. In discussing the nature of the affordable housing contribution **PAN 74** states that the benchmark figure is that each site should contribute 25% of the total number of units as affordable housing. However, it stresses that the setting out of a percentage figure in local plan policy should not preclude a developer offering to include a higher percentage in an individual development. The local authority may also seek a higher percentage on a specific site in exceptional circumstances.
153. While the local plan is required to set out the means of delivering affordable housing, there is a need to finalise the provision of this in the course of development management activities. Para. 41 advises that “provision of land for affordable housing should where possible be the subject of a planning conditions, particularly where a portion of a site is to be made available for on-site provision of affordable housing.” It is noted that a Section 75 agreement may also be necessary, for example where a commuted sum is to be negotiated to enable off-site provision or to ensure retention of affordable units.
154. In providing advice on negotiating developer contributions **PAN 74** refers to the fact that in some cases there may be a requirement for the developer to either provide, or make a financial contribution to, other major supporting and infrastructure elements. Where a developer can demonstrate that there are exceptional costs, the requirement for affordable housing may need to be reduced “to ensure that the cumulative burden on the overall development does not make site development unviable.” On the subject of the retention of affordable houses it advises that occupancy conditions will not be required where a charitable Registered Social Landlord is responsible for the management of rented housing. In other circumstances the local authority is advised to consider whether new affordable housing should remain affordable in the future, and what the most appropriate means is to achieve this, including the use of planning conditions and planning agreements. Para. 51 refers to the need to ensure in drawing up conditions and agreements that lenders interests are fully considered, and that clauses should be included which would enable lenders to repossess properties where occupiers have defaulted on the mortgage.

155. The subject of design is also discussed in the context of Affordable Housing. There is a general intention to ensure that the external design of future new housing developments are improved, and this is intended to refer to layout as well as individual building design. In addition environmental sustainability and ease of long term maintenance are important aspects of quality. **PAN 74** also advises of the need to ensure the overall visual integration of affordable and market housing. Affordable housing should be indistinguishable from the general mix of other houses on the site in terms of architectural quality and detail.

***Inclusive Design***

156. The advice contained in **PAN 78 Inclusive Design**<sup>27</sup> is intended to assist in the creation of an inclusive environment, essentially improving the design of places so that they can be used by everyone, regardless of age, gender or disability. Concerns regarding inclusive design do not only relate to buildings, but equally applies to the internal and external environment where people take part in everyday activities. By considering people's diversity, inclusive design seeks to provide an environment which addresses varying needs. **PAN 78** provides details of the legislative context, including reference to the Disability Discrimination Act (DDA) 2005. Reference is also made to Building Standards, with the primary purpose of the standards being to secure the health, safety, welfare and convenience of people in and around buildings.

157. **PAN 78** contains a detailed section on the various parties that have a role in implementing inclusive design. Planning authorities have a responsibility in the context of development planning and development management. In the context of the assessment of planning applications, it is noted that many related issues, such as transport, listed building consent, road construction consent and building warrants or often considered independently or sequentially. It is therefore vital that there is a joined up approach to inclusive design amongst those involved in the various assessments. The relationship between planning and building standards departments is stressed as being particularly important. Other parties with a role in implementing inclusive design include the owner / developer and the designer. A number of principles are included which are intended to guide developers towards delivering inclusive schemes. The principles include :

- Understanding the fundamentals of inclusive design, which should not focus solely on design issues, but should also include the location of the building on the plot, gradient, topography, relationship to adjoining buildings and the local transport initiative;
- Inclusive design to be part of the a brief to the designer or architect;
- Consider appointing an access specialist;
- Liaise with the relevant statutory authorities as early as possible in the design process, and be prepared to amend designs in order to address issues raised;
- Ensure the application of inclusive design principles throughout the construction; and
- Think about how the completed environment will be used and managed.

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<sup>27</sup> March 2006

**Designing safer places**

158. **PAN 77 - Designing Safer Places**<sup>28</sup> highlights the positive role that planning can play in helping to create attractive, well managed environments which assist in discouraging antisocial and criminal behaviour. The potential negative aspects of poorly designed surroundings include feelings of hostility, anonymity and alienation, as well as having significant social, economic and environmental costs. Successful places on the other hand are distinctive, welcoming, safe and pleasant, adaptable, easy to get to and resource efficient. **PAN 77** is realistic in accepting that the planning system alone cannot be responsible for tackling the social, economic or environmental problems which are usually evident in areas most affected by crime. However, the planning system can achieve small scale improvements, such as the provision of appropriate landscaping, or large scale regeneration projects through masterplanning.
159. Advice is provided on a variety of measures which can assist in designing safer places. The following provides a summary of some of the issues which should be considered in order to design safer places.
- Local characteristics – necessary to have an awareness of the crime characteristics of the local area, and understand the area’s physical, social and economic circumstances;
  - Building orientation – buildings to be oriented to overlook footpaths and public spaces, with consideration also given to the position of doors and the location and height of windows;
  - Encouraging mixed uses – mixed uses can encourage activity and movement throughout the day, thereby increasing natural surveillance;
  - Re-use of vacant and derelict sites – the re-use of such sites should be strongly encouraged, as bringing sites back into use can improve safety by creating a better quality environment;
  - Boundary treatments – appropriate boundary treatment can help to increase the feeling of community ownership and responsibility, using walls, fences, hedges and changes in levels and materials to define public, private and semi-private spaces;
  - Lighting – it is accepted that high quality external lighting can help to reduce the incidence of crime. Lighting should not dazzle or create pockets of darkness. The selection of lighting should include consideration of location, relationship and distribution of other lighting, aesthetic design, resistance to vandalism, cost and the frequency and ease of maintenance;
  - Signage – clear and uncluttered signage should be used to direct people to the most appropriate route, thereby creating a feeling of confidence and security;
  - Play – play areas for younger children should be small scale and sited close to dwellings, with maximum opportunity for surveillance. Play provision for older children should not be sited immediately adjacent to

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<sup>28</sup> March 2006

housing, but facilities should nonetheless have a high level of natural surveillance;

- Security measures – where the need for security features such as shutters is identified there is a need to achieve an appropriate balance between security and environmental quality. Similarly, where CCTV is considered necessary, the siting and design of CCTV cameras should be carefully considered to ensure their presence is known, without being over dominant in the street scene;
- Layout – the layout should facilitate natural surveillance, including encouraging active frontages where possible, having doors leading onto the street and windows overlooking all public areas;
- Movement – safety and speed should be considered, as slowing traffic down can contribute to a safe and attractive environment. Speed reducing measures should be incorporated into the design rather than reactive provision of traffic calming measures. Pedestrian routes should have an open aspect, be well lit and with a good level of surveillance;
- Parking – vehicle parking should be subject to good natural surveillance, with appropriate lighting.

**Designing Streets**

160. **Designing Streets : A Policy Statement for Scotland** was introduced in March 2010. The document is based on the premise that “good street design should derive from an intelligent response to location, rather than a rigid application of standards, regardless of context.” It promotes a design-led approach rather than a standards-based methodology. The document makes an important distinction between roads and streets, defining ‘roads’ as “thoroughfares whose main function is to facilitate the movement of motor traffic”, while ‘streets’ are noted as having important public realm functions beyond those related to motor traffic. Facilitation of movement is still a key function on streets, but they also normally support a range of social, leisure, retail and commercial functions.

161. In setting out general policies which should guide street design, the need to consider “place before movement” is highlighted. It is also advised that street design guidance can be a material consideration in determining planning applications and appeals. Advice provided on designing streets is closely linked to advice contained in **PAN 77 Designing Safer Places**, in that street design should meet the same six qualities of successful places as set out in **PAN 77** – distinctive, safe and pleasant, easy to move around, welcoming, adaptable and resource efficient. Table 5 summarises the key considerations in each of the six qualities when designing streets.

Distinctive	Safe and Pleasant	Easy to move around	Welcoming	Adaptable	Resource efficient
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**CAIRNGORMS NATIONAL PARK AUTHORITY**  
**Paper 1 | 11 June 2010**

<b>Street design should respond to the local context to deliver places that are sustainable</b>	<b>Streets should be designed to be safe and attractive places</b>	<b>Streets should be easy to move around for all users and connect well to existing movements networks</b>	<b>Street layout and detail should encourage positive interaction for all members of the community</b>	<b>Street networks should be designed to accommodate future adaption</b>	<b>Street design should consider orientation, the integration of sustainable drainage and use attractive, durable materials.</b>
<u>Block structure</u> – urban form should be distinctive, with landmarks.	<u>Pedestrians and cyclists-</u> Street user hierarchy should consider pedestrians first; Street design should be inclusive.	<u>Connections within a place</u> – Street design to provide good connectivity for all modes of movement.	<u>Walkable neighbourhoods</u> street layouts configured to allow walkable access to local amenities.	<u>Connections to wider networks</u> – Integrate street patterns with surrounding networks.	<u>Orientation</u> – Maximise environmental benefits in orienting buildings, streets and open spaces.
<u>Context and character</u> – Reconcile requirements and impacts of pedestrians, cyclists and vehicles, with the local context; Respond to elements of the historic environment to create places of distinctive character	<u>Achieving appropriate traffic speed</u> – Use design to influence driver behaviour to reduce speeds.	<u>Public transport</u> Consider public transport planning at an early stage in process	<u>Streets for people</u> – Streets should allow for and encourage social interaction	<u>Integrating parking</u> – Accommodate parking by a variety of means to lessen visual impact.	<u>Drainage</u> – Use appropriate SUDS techniques to minimise environmental impacts.
	<u>Reduce clutter</u> – Keep signs and street marking to a minimum; Street lighting to be discreet; Street furniture located for maximum benefit.	<u>Junction types and arrangements</u> – Consider pedestrian first in the design of junctions; Design junctions to suit context and urban form, and not a standardised approach.		<u>Service and emergency vehicles</u> – Street layout should accommodate these vehicles w/out compromising a positive sense of place.	<u>Utilities</u> – Accommodation of services should not determine the layout of streets or footways.
					<u>Planting</u> – Integrate natural landscape features into street design.
					<u>Materials</u> – Materials should be distinctive, easily maintained, and be of a standard and quality to appeal visually.

**Table 5 : Summary of key considerations of street design**  
**Natural Heritage**

162. Advice on Natural Heritage is provided in **PAN 60 Planning for Natural Heritage**.<sup>29</sup> It recognises the great diversity and uniqueness of natural heritage in Scotland and emphasises that natural heritage can be found anywhere and is not confined to designated areas or the special, the vulnerable and the rare. **PAN 60** provides advice on how development and the planning system can contribute to the conservation, enhancement, enjoyment and understanding of Scotland's natural environment. It encourages developers and planning authorities to be positive and creative in addressing natural heritage issues. Para. 4 notes that the inter-relationship between development and natural heritage is crucially important in land use planning, having the effect of enhancing the quality of a place where it is managed well, but devaluing it where it is not.
163. In advising on 'planning for natural heritage' **PAN 60** provides advice on the treatment of natural heritage in development plans and supplementary planning guidance, and also encourages planning authorities to establish efficient and effective joint working arrangements with **SNH**. Advice is also provided on various topics, including landscape, biodiversity, access and recreation, and local designations. The following are some of the key points raised : -

*Landscape* – safeguarding and enhancing landscape character is an important planning objective. Opportunities for planning authorities to contribute to the protection and enhancement of the landscape include safeguarding the scenic quality and character of National Parks, National Scenic Areas, designed landscapes and wild land; and promoting high standards of siting and design and the use of appropriate materials.

*Biodiversity* – reference is made to the preparation of Local Biodiversity Action Plans (LBAPs), which are a mechanism for ensuring that nationally and locally important species and habitats in an area are conserved and enhanced through focused local action.

*Access and Recreation* – planning authorities can contribute to the development of improved access for the enjoyment of natural heritage by safeguarding key routes and path networks designed to meet the needs of communities and visitors; identifying locations for key recreational facilities; and making links with other important policy agendas such as health, social inclusion, and sustainable transport.

*Greenspace* – green open space in and around urban areas is recognised as providing a range of valuable wildlife habitats and recreational opportunities, as well as creating attractive environments for living and working. 'Greenspace' can be defined as any vegetated land or water in and around the urban environment, which has existing or potential natural heritage, amenity or recreational value.

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<sup>29</sup> August 2000.

164. In a section entitled 'Development and Natural Heritage' three main points are highlighted as the means of enhancing natural heritage through the development process –
- Careful attention to siting and design;
  - Restoration of degraded landscapes and mineral workings; and
  - Providing for wildlife on site.
165. Para. 53 advises that siting, built form, choice of materials and detailing are all important considerations in achieving developments which are in harmony with the surrounding landscape and build on its existing character. It does however clarify that “this does not imply the encouragement of pastiche development or a slavish adherence to traditional styles.” Paragraphs 69 – 71 discuss the issue of wildlife on sites and encourage opportunities to be taken to encourage a positive contribution to biodiversity. The identification of wildlife interests at an early stage in the development process will allow steps to be taken to incorporate appropriate measures as an integral part of the proposal. **PAN 60** advises that it may be necessary to take special measures to protective sensitive habitats while development is being constructed; that works may need to be timetabled to avoid sensitive periods, such as the breeding season; and that translocation<sup>30</sup> may be an option as a last resort, where the alternative would be the loss of a particular habitat or species in the course of development.
166. The specific subject of 'Development Control' is discussed in the latter section of **PAN 60** and the need for planning authorities to be fully informed about the nature and significance of natural heritage issues raised by development proposals is emphasised. A development control checklist is included as a means of ensuring that natural heritage considerations are approached in a structured and consistent way when assessing development proposals. The section on 'Development Control' also includes reference to the role of Environmental Impact Assessment (EIA) in the process, and encourages planning authorities to ensure, once it is concluded that an EIA is necessary, that such statements are of a high quality. Conditions and agreements are also advocated as a means of delivering positive natural heritage benefits, and examples are given where they have been used to achieve special measures for protected species; have resulted in habitat creation and enhancement; have secured the submission of landscape and habitat management plans; and have resulted in the provision of education, interpretation and enjoyment opportunities.

#### **Sustainable Urban Drainage Systems**

167. **PAN 61 Sustainable Urban Drainage Systems**<sup>31</sup> sets out the background to surface water drainage, noting that development reduces surface permeability by replaced vegetated ground with roofs, roads and paved areas and through compaction of ground by vehicular movement. This eventually results in increased surface water run-off. There is a need to

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<sup>30</sup> Translocation is the physical removal either of a habitat or of specimens of particular species of plant or animal from one site to another.

<sup>31</sup> July 2001

minimise changes in the volume and rate of surface water run-off through the use of sustainable drainage systems. **PAN 61** sets out the principles of sustainable urban drainage systems (SUDS)<sup>32</sup> –

- Managing surface water run-off on-site as near as source as possible;
- Slowing down run-off;
- Treating it naturally; and
- Releasing good quality surface water to watercourses or groundwater.

The overall objective is to return excess surface water to the natural water cycle with minimal adverse impact on people and the environment. SUDS can be designed as attractive integral amenity features within a development and can achieve significant ecological enhancement.

168. In a section entitled ‘Planning SUDS’ reference is made to it becoming increasingly common for masterplans to be prepared for areas of significant new development. Part of the masterplanning process should clearly set out the expected role of SUDS.

#### **Open Space**

169. **PAN 65 Planning for Open Space**<sup>33</sup> provides advice on the role of the planning system in protecting and enhancing existing open space and providing high quality new spaces. It notes that the planning system performs two particular functions in relation to open space :
- Protecting areas that are valuable and valued; and
  - Ensuring provision of appropriate quality in, or within easy reach of, new development.
170. Open space is considered to be of social, environmental and economic value, with the term ‘open space’ covering a broad spectrum of green space, which “consists of any vegetated land or structure, water, path or geological feature within and on the edges of settlements” as well as civic spaces such as squares and market places and other paved or hard landscaped areas with a civic function. Types of open space identified in **PAN 65** include public parks and gardens, private gardens and grounds, amenity greenspace, playspace for children and teenagers, sports areas, green corridors, natural / semi natural greenspaces, allotments and community growing spaces, civic space, burial grounds and other functional greenspace.
171. In a section on ‘Development Management’ **PAN 65** advises that the importance attached to open space in the strategy and development plans should be reflected in development management decisions. In a section entitled ‘Design, Management and Maintenance’ it is strongly emphasised that “arrangements for management and maintenance will be essential to the quality of the open space environment.” It realistically accepts that the planning system has limited control over open space maintenance, but planning conditions or agreements on consents can be used to make

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<sup>32</sup> The use of the word “urban” is intended only to convey that it is concerned with surface water run-off from man-made buildings and ground surfaces. It is equally applicable to rural areas.

<sup>33</sup> May 2008

provision for maintenance of new or improved open space as part of development proposals. Long term arrangements should be agreed before consent is issued, particularly for areas of common open space within new developments.

**Highland Council Structure Plan (2001)**

172. **The Highland Structure Plan** sets out a number of broad policies applicable to developments of the nature proposed. In relation to housing, section 2.2.1 of the Plan states that “the availability of quality housing is fundamental to social and individual well being and to creating and maintaining balanced communities.” It also states that “adequate provision of housing is also a pre-requisite of economic growth” whilst at the same time recognising that “it must be provided in a way which minimises the impact on the environment.”
173. **Policy H2** refers to New Settlements<sup>34</sup> and advises that proposals will be assessed against a number of criteria, including :
- location relative to housing need and demand;
  - mix of housing tenures;
  - proximity to existing and potential employment opportunities;
  - opportunities for generation and support of local employment;
  - location relative to public transport infrastructure;
  - level of provision of new infrastructure; and
  - range of services and facilities.
174. Following **Policy H2** on New Settlements, the Structure Plan discusses housing land supply and reference is made to the situation in each of the various districts within the Highland Council area. The Plan recognises the proposed new settlement stating “in Badenoch and Strathspey housing land supply beyond five years can only be maintained if infrastructure investment has been made to bring forward the Cambusmore site at Aviemore.”
175. The Structure Plan refers to affordable housing provision in section 2.2.12 – 2.2.22. The importance of making sufficient provision for affordable housing provision is emphasised in section 2.2.13. The link between the supply of affordable housing and employment is also considered to be significant and it is suggested in areas of need that landowners should be encouraged to make land available for affordable housing in order to assist in retaining the economically active population. **Policy H5 (Affordable Housing)** advises that “Section 75 and other mechanisms will be used to secure developer contributions where justified. Affordable housing secured as part of a larger development should not be of significantly higher density or lower quality.” The need to provide housing to meet the existing and changing needs of all members of the community for varying needs is also highlighted in the Structure Plan. **Policy H7 (Housing for Varying Needs)** encourages “the provision of a range of house types, particularly Lifetime Homes, of an appropriate scale, type and location.”

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<sup>34</sup> Policy H2 only refers to New Settlements in the Inner Moray Firth Area.

176. Section 2.4 of the Structure Plan focuses on Services and Facilities. Access to an appropriate range of services and facilities is an important aspect of quality of life and their existence also helps to support the local economy and tourism. Various services, including education, and health and social work are discussed. Education facilities are recognised as being important focal points in local communities and educational services are also considered vital to the future economic prosperity of an area. **Policy S2 (Education facilities)** states that the Council will support the development of educational and associated facilities throughout the highlands, particularly where they contribute to the social and economic development of communities. In discussing health and social work services, a healthy environment is noted as being a key feature of the Highland identity.
177. **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.
178. Section 2.5 of the Structure Plan discusses Sport and Recreation, and includes reference to both formal recreation opportunities such as sports facilities and golf developments, and informal recreation and access (the latter of which is of more relevance to the An Camas Mór proposal). The protection of rights of way and the provision of an integrated system of well maintained and signposted paths catering for walking, cycling and equestrian use are considered to be a valuable resource for local communities and visitors.
179. **Policy G4 (Community benefit and commitment)** notes that the Council will expect developments to benefit the local community and contribute to the wellbeing of the Highlands whilst recognising wider national interests. Agreements will be used with developers where appropriate on behalf of local communities for environmental and socio-economic purposes. Examples are provided of instances on which agreements could be used, including
- Where a development will have a long term impact, environmental contributions will be sought towards a fund for local community initiatives;
  - Where new infrastructure is required to be provided by the Council or other agencies as a result of development, developers will be expected to pay the costs as an integral part of the development; and
  - In appropriate circumstances, a financial bond may be required in order to secure long term restoration / socio-economic stability.
180. Economy is discussed in sections 2.6 to 2.12 of the Structure Plan. The creation of an improved business environment is an important strategic theme and the Plan advises that the provision of business and industry should be closely related to community, environmental and infrastructure

considerations. The availability of land and premises is an important factor in accommodating development and supporting new business growth. In a specific section on business development in rural areas, it is noted that a major aspect of the Structure Plan strategy is to assist in the creation of small-scale economic activity in order to provide employment opportunities in rural areas, with this then having the potential to reduce commuting and contribute to the long term sustainability of rural communities. **Policy B7 (Business development in rural areas)** encourages small scale business development in rural areas.

181. In a section on the Environment, the Structure Plan considers the topics of nature conservation, landscape and built and cultural heritage. Paragraph 2.13.2 sets out the fact that the policy for the protection of nature conservation interests follows a hierarchical approach of internationally important, nationally important and locally important areas. The existence of designations does not necessarily preclude development taking place within or affecting sites and even developments affecting international or national sites are possible if they are compatible with maintaining the features for which the sites are designated. The Structure Plan also highlights that the protection of the nature conservation resource cannot be achieved simply through the designation of sites, and some nature conservation interests are not confined to such sites. Consequently all development proposals are expected to be evaluated for their implications for nature conservation, both direct and indirect. Proposals should include justification for any adverse effects and set out remedial measures where appropriate.
182. **Policy NI (Nature Conservation)** requires that new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. The Council will seek to conserve and promote all sites according to their hierarchy.
183. The Structure Plan also includes a section on biodiversity, defining it as “natural richness and diversity of nature – the range of habitats and species and the uniqueness of each and every organism.” Biodiversity is not the same as natural heritage, but is one of the key functional components. As a key part of the natural heritage of an area it is important to protect, and where possible enhance biodiversity and to monitor any change.
184. Section 2.14 of the Structure Plan deals with the subject of Landscape. It is recognised that landscape is not a static feature and that many forces bring about change in it, whether immediately or subtly over a number of years. **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.
185. Built and Cultural Heritage is discussed in section 2.15 of the Structure Plan. The Plan strategy aims to conserve and promote the Highland identity as one of the region’s main strengths. Cultural heritage and historic influences on the pattern of development are important elements. The Plan’s strategic sustainability policies aim to ensure that future developments are of a design

and quality to enhance the built environment, in order to bring about both social and economic benefits. The Council will seek to preserve and promote its built heritage as a valuable tourist, recreational and educational resource wherever possible.

186. **Policy BCI (Preservation of Archaeological Sites)** states that Archaeological Sites affected by development proposals should be preserved, or in exceptional circumstances where preservation is impossible, the sites will be recorded at the developers expense to professional standards.
187. In a section entitled Infrastructure, the topics of transport and communications, waste and utilities are discussed. Reference is made to integrated transport and modal shift, where in accordance with Government policy private car usage is discouraged when alternative modes of transport are possible. The Plan recognises that in many rural areas car ownership and use will remain a necessity, but nonetheless it is considered that there are opportunities to embrace the modal shift within and around settlements, and for tourism and recreational travel. **Policy TCI (Modal shift)** states that “the Council will support measures to achieve a shift from private car and road haulage to alternative forms of transport where appropriate.”
188. It is accepted that car parking provision is a likely requirement for many developments. **Policy TC9 (Car parking)** states that “car parking provision associated with development proposals shall be carried out in accordance with the Council’s general maximum car parking standards. In appropriate situations, in order to promote more integrated transport and quality of environment, the Council will look to enter into agreements with developers to receive commuted payments in lieu of on-site parking provision.”
189. The benefits of cycling as a means of transport are also recognised in the Structure Plan. Major development proposals are expected to incorporate the needs of cyclists with respect to safe accessibility and secure parking and storage facilities.
190. Public transport is recognised as being a major contributor to the improvement of accessibility, particularly for those without access to a car. The Structure Plan recognises the need to ensure that public transport services are well integrated with each other and with the road network. **Policy TC11 (Public Transport)** refers to the Council’s support for the provision and improvement of public transport services and also states that “operators will be encouraged to adopt timetables and pick up / set down locations which integrate into an overall transport system.”
191. Under section 2.18 the topic of Utilities is discussed and it is noted that growth of population and business requires to be matched by the provision of adequate services such as electricity, water supply and sewerage. **Policy U3 (Water Supplies)** states that the Council will seek to safeguard water resources from developments, land use changes or other activities that would result in a significant reduction in the volume or quality of water available.



The benefits of telecommunications are also recognised in the Structure Plan, where it is noted that technological advances provide an opportunity for peripheral and dispersed areas to overcome locational disadvantage.

**Badenoch and Strathspey Local Plan (1997)**

192. The Badenoch and Strathspey Local Plan (1997) sets out a number of objectives for the development of the area, including :
- accommodating projected further population growth;
  - ensuring services keep pace with the expected increase in dependent social groups;
  - giving priority to increasing local jobs, while improving the quality and durability of employment and broadening the area's economic base;
  - ensuring that sufficient stocks of housing land are available;
  - safeguarding all significant aspects of the natural and cultural heritage of the area, including outstanding landscape and conservation sites; and
  - promoting the sustainable use of the area's resources.
193. The Local Plan includes a specific section on New Communities, in which it is stated that the socio-economic factors at the heart of the District could justify a major development at Cambusmore as part of the overall settlement policy. The Local Plan advises that it should be contained as a free standing village initially, with housing, community and employment opportunities. It also refers to a road bridge over the Spey ultimately providing an option for the long term expansion of Aviemore.
194. A section on New Communities is also included in the context of the Local Plan discussing the subject of Housing. Section 2.1.2.6 requires that development of a new community is based on an agreed detailed Master Plan governing the size, form, content and timescale of the development. It also advises that planning agreements will be sought to ensure that provision is built in, at the developers expense, for
- (a) suitable access and infrastructure;
  - (b) appropriate community facilities;
  - (c) secure buffer areas of open land and associated structural tree planting;
- and
- (d) affordable housing to help meet local needs in perpetuity.
195. Section 6.1.6 of the Local Plan is specifically about Cambusmore and states that "the Council will support the development of a new community at Cambusmore, subject to a formal environmental assessment demonstrating that it would not give rise to unacceptable impacts." The Plan also indicated that "it is not expected that any housing would be developed on the site until after 2005" but suggests that it may be appropriate to make a start on screen planting before then. The Local Plan requires that the new community would be laid out and designed in accordance with an agreed master plan, and would include allocation for the following :
- Housing, social and community facilities, commercial, business uses and recreation;
  - Major reconstruction of the B970, including realignment of the ski road junction at Coylumbridge;

- A network of connecting distributor and local access roads;
- Extension of a water main from Inverdrue and a storage reservoir, together with dedicated sewage treatment works or a link to facilities at Aviemore;
- An extensive network of segregated footpaths and cycle ways including a bridge over the River Spey;
- Major buffer zones (safeguarded from development) to maintain the community's setting, provide separation from adjoining villages and nature conservation sites; and give opportunities for future leisure facilities;
- Major landscaping, recreation and leisure areas including integration of lochans, recently afforested areas, and new planting associated with the principal landforms and the B970 margins; and
- Substantial areas of woodland shall be planted to provide the new community with a woodland setting and to ensure that it does not intrude to an inappropriate degree in important views from the west (particularly the A9) and east (particularly the B970).

The plan also makes reference to Section 50 agreements (now titled Section 75 agreements) being sought with developers or landowners in relation to the provision of roads, infrastructure, social and community facilities and landscaping; and to restrict land use change in peripheral areas. It is also stated that any proposal should be pursued as a free-standing village initially, although a possible long term road bridge over the Spey could improve links with Aviemore eventually.

196. The plan contains reference to 'Parkland' in the context of Aviemore and the surrounding area. Section 6.5.2 states that the Council will safeguard a major "park-land" corridor comprising of the River Spey / Druie flood plain and adjoining open land for future agricultural, amenity and leisure purposes. The area is intended to include substantial buffer zones "to secure the high amenity and setting of any new community at Cambusmore, associated opportunities for recreation and separation from adjoining villages and nature conservation sites. Section 6.5.2 also encourages enhancement opportunities for public access and related activities and suggests that scope exists for a variety of opportunities. Some of those listed include riverside amenities including walking, picnicking and small parking facilities at suitable locations; possible use of the Spey islands in association with established angling / interpretative facilities at Inverdrue, and a footbridge spanning the river to Cambusmore; and further planting to differentiate activity areas, give shelter and create woodland blocks with future recreation potential.
197. On the general topic of Affordable Housing the Local Plan states at section 2.1.1 that in areas of local housing stress, the Council will expect to enter into agreements with owners or developers of private housing land in order to ensure that an appropriate proportion of plots or dwellings are available in perpetuity as low cost accommodation for local persons.
198. A range of general policies contained in the Badenoch and Strathspey Local Plan are applicable to the development proposal. Under the heading of **Employment – Economic Development**, section 2.2.1(a) states that the

Council will continue to encourage and attract new economic development where this is consistent with the maintenance of a clean environment. Section 2.2.17 contains the Council's policy on **High Technology Business**, which encourages the establishment of such businesses within the area.

199. In a general section on **Community**, the topic of countryside recreation is explored. Section 2.3.1 advises that the Council will encourage a wide range of recreational facilities and activities in the less fragile, lowland countryside areas. Facilities should be compatible with rural land use management, nature conservation and heritage interests.
200. Under the heading of **Services**, the Local Plan addresses a number of topics including roads, water supply, drainage, flooding, refuse, electricity and telecommunications. Section 2.4.4. refers to 'other roads'<sup>35</sup> and mentions the B970 in particular, noting its importance as a tourist / scenic route and within the National Scenic Area and consequently recognising the need for extremely sensitive improvements on it and adjoining roads. The Plan states that particular attention will be given to maintaining the rural character by minimising loss of trees and encroachment into adjoining habitats, together with replacement planting and regeneration, and reinstatement of dykes where possible.
201. Section 2.4.12 on **Flooding – Development Restraint** states that there will be a presumption against any building development within flood risk areas, except where it is considered essential to continued agricultural use of the land.
202. In a section on **Environment**, various topics are explored, including woodlands and trees, nature conservation and landscape conservation. In relation to woodlands and trees section 2.5.4 states that the Council will protect existing trees and established woodland areas which are important landscape, wildlife and amenity features of the countryside. Measures needed to ensure continuity and regeneration of these features will also be encouraged.
203. The Local Plan follows the Structure Plan lead in relation to Nature Conservation policies. Section 2.5.5 states that a presumption will be maintained against development which would have a significant detrimental effect on various nature conservation sites which are listed in the Plan. A total of 15 Sites of Special Scientific Interest are listed, including the North Rothiemurchus Pinewoods SSSI. In considering development proposals, the Plan advises that regard will also be had to the local nature and wildlife conservation value. In terms of Landscape Conservation, it is the policy to seek to conserve areas of landscape importance including waterside land, open areas and scenic views, and development proposals will be considered carefully in respect of their impacts on conservation and the environment.

### Highland Council Development Plan Policy Guidelines 2003

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<sup>35</sup> 'Other roads' generally refers to the minor network of roads in the area.

204. The 2003 Guidelines contain detailed advice on affordable housing, which elaborates on Structure Plan Policy H5 on the subject. The guidelines state that an “objective target of 25% affordable housing provision should normally be expected for all future developments comprising ten or more new or converted homes.” Guidelines are also provided on the mechanisms for securing affordable housing, in which the use of a Section 75 Agreement is advocated.
205. Policy guidelines for **Design and Sustainable Construction** are also set out in the document. A minimum of 100m<sup>2</sup> of private open space should be provided for detached or semi-detached houses. For detached or semi-detached houses developers should ideally seek to achieve a minimum setback of 10 metres from the back of house to the rear boundary. The guidelines also state that the minimum acceptable distance between windows of habitable rooms that are directly facing each other is 18m, in the interests of privacy. This distance may be reduced depending on angle or screening.

**Principles for An Camas Mòr (as adopted by the CNPA Planning Committee, December 2008)**

206. At its meeting of 12<sup>th</sup> December 2008 the CNPA Planning Committee formally agreed a set of principles which Members wished to see reflected in proposals for the new community at An Camas Mòr. Members agreed that the way in which the principles are addressed in the documents supporting any planning application coming forward for An Camas Mòr will be central to consideration of the application by CNPA acting as planning authority. The following provides a summary of the agreed principles :
- **Fit for a National Park** - An Camas Mòr will have the distinction of being the only new community planned for a National Park. It will make a significant contribution to the delivery of the National Park aims and set an outstanding example of what is possible in a National Park context. It will reflect the special qualities of the National Park and incorporate a wide range of sustainability measures in its design, layout and function and will be acclaimed as an exemplar of sustainable development and building design in a very sensitive location.
  - **A Real Cairngorms Community** - will be an inclusive and vibrant community with a demographically balanced resident population. It will embrace diversity and provide for all abilities. It will be recognisably “Cairngorms”. It will be a real community, not a holiday village or second home enclave, and will provide the range of facilities commensurate with that status.
  - **Climate change** – it is an opportunity for a real community-wide contribution to the challenge of climate change and will offer an opportunity to maximise use of existing technology and test new solutions to climate change issues including energy efficiency, use of a range of renewable sources for heat and power, water and waste minimisation/recycling.

- **Relationship with Aviemore** - An Camas Mòr will be a community in its own right, but by virtue of its location it will have a special relationship with Aviemore. There is a longstanding expectation locally, that the land on either side of the River Spey should be made available as a resource for the Aviemore and An Camas Mòr communities for recreation and leisure with potential, inter alia, for sports facilities, playing fields, paths, woodland, and allotments. Fundamental to its delivery is a new foot/cycle bridge across the River Spey with a path directly linking central Aviemore and An Camas Mòr to ensure that the communities are true partners. The masterplan for An Camas Mòr will be expected to acknowledge this objective and demonstrate how An Camas Mòr, with other parties, will directly contribute to its delivery.
- **Landscape Context** - An Camas Mòr will take account of and respond to the wider landscape context. The development will incorporate a sequence of spaces that integrate it effectively with its surroundings. There will be strategies for long term management of shared space and landscape, and for pre-planting from the outset both within and outside the site.
- **Delivery** - An Camas Mòr will show how private and public investment and a range of small and large developers will consistently work together when the land is no longer in one ownership, over all phases of the development, to create a new community with a distinct and cohesive identity and sense of place. It will demonstrate how the scale of growth is linked to social development of the new community.
- **Movement** - An Camas Mòr will seek to actively discourage the use of private cars through detailed design, early provision of regular and affordable public transport links, and provision of a network of paths for walkers and cyclists giving effective links within the community and with the surrounding area.
- **Biodiversity** - An Camas Mòr will be expected to demonstrate how a development of this size and quality can both conserve and enhance the biodiversity of the site and surrounding area. This will include a comprehensive range of mitigation measures integrated at every level within the development and enhancement of habitat networks throughout the area within and surrounding the development.
- **The Built Environment and the Public Realm** - An Camas Mòr will reflect consistently high standards of design at all levels in terms of both quality and sustainability in its widest sense. It will have regard to the building traditions of the area in terms of form and materials, but will reflect its time. It will create a distinctiveness that reflects its location in the Cairngorms. It will show how higher density is compatible with the landscape context, and will provide good quality housing where people will enjoy living and working. It will include landmark buildings and structures to contribute to its distinctiveness.

- **Affordable Housing** - An Camas Mòr will make a significant contribution throughout its development to the provision of the full range of affordable housing to meet local needs within the National Park. It will demonstrate how both the public and private sectors will work together to deliver affordable housing. It will show how such housing will remain affordable and available for local people.
- **A Place to Work** - An Camas Mòr will be designed and promoted to actively encourage the provision of jobs within the community and seek to minimise levels of commuting.

### **Cairngorms National Park Deposit Local Plan, Modifications**

207. The CNP Deposit Local Plan was considered at a Public Local Inquiry in June 2009. Following this and the subsequent receipt of the DPEA<sup>36</sup> Report, various post inquiry modifications were made. The post inquiry modifications have recently been agreed by the Board of the CNPA and a 6 week period of consultation is on-going at the present time. 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.

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 the policies in the Local Plan, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime.

208. Chapter 6 of the Plan focuses on Settlement Policies. It defines a hierarchy of settlements including strategic, intermediate and rural. An Camas Mór is identified as a strategic settlement for a new sustainable community. The Plan identifies an indicative settlement boundary for the site, within which it is expected that development of a community of up to 1,500 homes could be developed over time. In addition to housing, the development is also expected to provide commercial and community uses. The development of An Camas Mór is considered to present an excellent opportunity to provide opportunities for large and small scale developers and builders to work together to bring forward the delivery of the settlement. Mixed used which support sustainable developments and communities will also be supported where evidence indicates this to be the most appropriate way to take forward proposals.

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<sup>36</sup> Directorate for Planning and Environmental Appeals

209. Other issues highlighted in relation to the development of An Camas Mór as a Strategic Settlement include reference to the whole of the identified site being within the Cairngorm Mountains National Scenic Area. As such development will only be permitted if the planning authority is satisfied that proposals have been designed to the highest standards that avoid and mitigate any significant adverse effects on the environment and protect the overall integrity of the Cairngorm Mountains National Scenic Area. The plan also noted that the development of An Camas Mór has the potential to have significant effects on the River Spey SAC. Similar to the requirements in relation to the NSA, permission for development will only be permitted if the planning authority is satisfied that proposals have been designed to the highest standards that do not adversely affect the integrity of the River Spey SAC.

**DPEA Report on Cairngorms National Park Deposit Local Plan**

210. The DPEA Report was released in December 2009. Section 3 of the report focuses on objections to the content of Chapter 6 Settlements, which includes An Camas Mór. The Reporters note that the adopted Badenoch and Strathspey Local Plan (1997) carried forward provision from the Highland Council Structure Plan (1990) for the possible development of a new community at Cambusmore (now An Camas Mór). It was also noted that the more recent Highland Structure Plan (2001) plans for substantial housing growth. The reporters accept that the Structure Plan notes that the Badenoch and Strathspey Local Plan already provides for a new community at Cambusmore and quotes the recognition in national policy that new settlements can help to meet housing demand, especially where infrastructure or other constraints inhibit the growth of existing settlements. Paragraph 42.8 of the DPEA Report also refers to the Scottish Governments recent recognition of the An Camas Mór proposal as one of 11 exemplar projects that are working towards “Creating a Scottish Sustainable Community” via the Scottish Sustainable Communities Initiative and note that the projects have been selected as being best capable of demonstrating how sustainable communities can be delivered.
211. The reporters consideration of the allocation of An Camas Mór focused on four main issues –
- whether a new settlement of the size and hierarchy position is appropriate and in accordance with strategic and relevant national planning;
  - whether there are any landscape, biodiversity or other matters which constrain the allocation of land for this purpose;
  - whether An Camas Mór can be regarded as an effective land supply contribution in terms of **SPP3 : Planning for Homes**, especially for the local plan period; and
  - whether land at Kinakyle should be submitted as a better alternative that could deliver the required amount of new housing.
212. The DPEA Report expresses some concern that An Camas Mór has been designated as a strategic settlement in the finalised CNP Local Plan, “without adequate assessment of whether that role remains necessary, appropriate and

justified.” The Reporters question whether the amount of affordable housing that An Camas Mór could produce, particularly in the first phase of development, is as significant or persuasive as suggested by the CNPA and they also express uncertainty about whether that need could and should be accommodated in a different way. Overall, on the basis of evidence presented to justify the allocation of An Camas Mór, the reporters state that they “cannot conclude that the proposed new settlement at An Camas Mór accords with the strategic and relevant national planning policy.”

213. In the Reporters final recommendation on the matter at paragraph 42.44 of the Report they state that they “cannot endorse the proposal for a new settlement at An Camas Mór.” Significantly however, the reporters state that “given the site history in particular, we recognise that the CNPA may wish to continue to promote this proposal” and under those circumstances they recommend that the Plan text is modified to make clear that the Local Plan support for the proposal is in principle only. The DPEA Report advises that further detailed evaluation is required and that the CNPA must be completely satisfied regarding all of the potential negative impacts of the proposal before development can proceed. Finally, despite the concerns raised in the Report, the reporters commend the development principles produced to the Local Plan Public Local Inquiry.

**Cairngorms National Park Plan (2007)**

214. The Cairngorms National Park Plan highlights the special qualities of the Cairngorms, stating that the “Cairngorms is widely recognised and valued as an outstanding environment which people enjoy in many different ways.” It recognises that there is a wide diversity of landscape, land-uses, management and community priorities across different parts of the Park. The National Park Plan sets out the vision to 2030 as  
*“An outstanding environment in which the natural and cultural resources are catered for by the people who live there and visit : a renowned international destination with fantastic opportunities for all to enjoy its special places; an exemplar of sustainable development showing how people and place can thrive together. A National Park that makes a significant contribution to our local, regional and national identity.”*



215. The National Park Plan notes that the special qualities and resources of the National Park are part of a dynamic environment and the result of a long history of changing natural processes, management and perceptions. It is recognised that the designation of the National Park brings a particular focus to the qualities and a special responsibility for their management, but it does not halt the processes of change and evolution.<sup>37</sup>
216. The Park Plan sets out several Strategic Objectives which are intended to provide a long-term framework for managing the National Park and working towards the 25 year vision. In a section entitled 'Living and Working in the Park' the Cairngorms National Park Plan makes it clear that National Park designation brings new focus to findings solutions that are sustainable in the long term, with the National Park having the potential to contribute to the well-being of the wider region. The Cairngorms National Park Plan does not specifically refer to An Camas Mór as a strategic settlement, but Aviemore is identified as being distinct in being a significant economic driver and a growth centre for the wider region and city of Inverness. However, specific reference is made to "maintaining and creating sustainable communities."<sup>38</sup> The Strategic Objectives for Sustainable Communities, as outlined in the National Park Plan include encouragement of a population in the National Park that can continue to support thriving communities in the long term, and in the short term seek to retain and attract more young people, and make proactive provision to focus settlement growth in the main settlements.,
217. The specific subject of 'housing' is also explored in the National Park Plan. The Strategic Objectives in relation to housing refer to the need to ensure greater access to affordable and good quality housing in order to help create and maintain sustainable communities. A further strategic objective is to improve the quality, energy efficiency and sustainable design of housing in all tenures throughout the Park. It is expected that housing developments would be consistent with or enhance the special qualities of the Park through careful siting and design.
218. Section 5.1.2 discusses Conserving and Enhancing the Natural and Cultural Heritage. It includes strategic objectives which refer to landscape and the built and historic environment. Strategic Objectives include maintaining and enhancing the distinctive landscapes across the Park and ensuring that development complements and enhances the landscape character of the Park. Of particular relevance to the current proposal are the strategic objectives relating to the built environment, which require that "new development in settlements and surrounding areas and the management of public spaces should complement and enhance the character, pattern and local identity of the built and historic environment."
219. In setting out the vision for the National Park, reference is made to various outcomes desired in 25 years. On the subject of biodiversity the Plan anticipates that "that the Park will continue to have a rich biodiversity which

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<sup>37</sup> Section 3.3 – Managing the Park in a Changing Environment.

<sup>38</sup> Paras 5.2.1 and 5.2.2

will be better connected and able to adapt to a changing climate.” In terms of the built heritage, the Plan states that the “built heritage of the Park will be safeguarded and new buildings will complement or enhance their setting, including the settlement pattern and character.”

220. The Park Plan also includes strategic objectives for water. Objective (d) refers to promoting sustainable flood management consistent with natural fluvial processes. The Plan advises that potential flooding should be managed through a process of identifying risks. It also refers to the implications of climate change becoming clearer and advises that until then a precautionary approach should be adopted.

## **APPRAISAL**

### **Context**

221. This is an application for outline planning permission for a proposed new community comprising up to 1500 residential units (subject to regular review), with associated business and community facilities and infrastructure provision.
222. It is to establish the principle only and all of the details referred to in the description of the proposal and in consultation responses and representations are indicative with the exception of the route of a new distributor road into the site from the B970 to the south, and the route of a realigned B970 at Coylumbridge.
223. If outline planning permission is granted then there would have to be a further planning application for the actual Masterplan along with related design codes and other strategies. Only if this was in turn approved would applications for detailed proposals follow. At each stage the submitted proposals would need to be assessed against prevailing policy, the Principles adopted by the CNPA in December 2008, and of course the conditions attached to any outline consent.

The application therefore has to be assessed in this context:

- Does the principle accord with National and Local Planning Policy?
- Is it compatible with the status and aims of the National Park and the National Park Plan?
- Does the supporting material give sufficient confidence that agreement to the principle will allow any issues to be addressed and aspirations to be delivered?

### **History**

224. The process leading to this application has been underway for over 20 years starting with work by Highland Regional Council in 1989 in preparing a non-statutory Framework Plan to guide the future expansion and development of Aviemore. A Working Party was established and in 1990 it considered a report for a new village with An Camas Mòr as a possible location.

225. As part of the forthcoming Local Plan Highland Regional Council then considered the wider principle of new communities in Badenoch and Strathspey as an alternative to continuing expansion of existing settlements. An Camas Mòr (Cambusmore as it was then known) within the National Scenic Area was considered as part of this process.
226. The Consultative Draft Badenoch & Strathspey Local Plan was published in 1991 and suggested four locations for free-standing villages – Drumullie-Balvatten, An Camas Mòr, Alvie-Dalraddy and Balavil. The final draft published in 1992 retained only the provisions for An Camas Mòr.
227. The Public Local Inquiry into objections to the Local Plan was held in 1994. The Reporter recognised the constraints to long term growth of Aviemore and accepted the need for a new community at An Camas Mòr after 2005. This is the position in the current Badenoch & Strathspey Local Plan adopted in 1997 and taken forward in the Highland Structure Plan 2001.
228. A Council led Cambusmore Action Group was established in 1998 to progress the new community and prepare the background for a report setting out the vision. This group met only 3 times and after the final meeting in 1999 Rothiemurchus Estate prepared a Background Report to document and complete the work of that group. Rothiemurchus Estate then took work forward and in 2004 prepared Feasibility and Technical Effectiveness Studies indicating in the context of the existing local plan that around 600 houses could be accommodated. The Estate continued to develop proposals via a process that involved input from CNPA, Highland Council, other agencies, various stakeholders and public engagement events.
229. The Consultative Draft Cairngorms National Park Local Plan was published in 2005 and did not take a position on An Camas Mòr, but showed it by a dotted line as a potential future development zone on the basis that the CNPA would need to carefully consider the need as well as the many environmental and landscape impacts that would be involved.
230. The Deposit Local Plan 2007 and subsequent modifications continued the proposal for the new community at An Camas Mòr with up to 1500 homes over time. In December 2008 the CNPA Planning Committee adopted a set of Principles that it expected to see addressed and incorporated in any planning application that came forward.
231. In May 2009 An Camas Mòr was confirmed as one of 11 projects under the Scottish Government Scottish Sustainable Communities Initiative (SSCI) and this planning application was submitted.
232. The Reporters in the Local Plan Inquiry Report in December 2009 concluded that a new settlement was not supported by the National Park Plan or justified in terms of housing land supply and recommended a re-evaluation of the proposal including justification against the National Park Plan. They did not endorse the proposal, but did not recommend that it be taken out of the Local Plan and accepted that CNPA may wish to continue to promote it in

which case they wanted revision to plan text to make it clear that support is in principle only, further detailed evaluation is required and they commended the Principles adopted by CNPA for inclusion in the Local Plan. The Local Plan Post Inquiry Modifications were published for consultation on 24 May 2010 and take account of the Reporters' recommendations.

**Policy in Principle**

233. There are a variety of specific elements of the proposal that will have to be assessed against particular policies e.g. traffic, landscape, ecology. This will be done as part of the assessment under the set of Development Principles for An Camas Mòr adopted by the CNPA on December 2008 and now Appendix 4 in the Cairngorms National Park Local Plan Post Inquiry Modifications. It is useful, however, to carry out an initial broad assessment against the thrust of national and local policy to judge the overall 'fit' of the proposal.
234. In general terms there would appear to be conformity with the current National Planning Framework which has reference to the role of Sustainable Communities and specifically to the Scottish Sustainable Communities Initiative of which An Camas Mòr is part.
235. Scottish Planning Policy (SPP) has references to high quality sustainable places, sustainable economic growth, using careful planning and design to minimise potential for conflict with natural heritage interests, maintain the character of small settlements, and shift from cars to public transport/walking/cycling. There is specific reference to National Scenic Areas where development should only be permitted where it would not adversely affect the integrity of the area or the qualities for which it has been designated. SPP also refers to National Parks and discharge of the aims and the role of the first aim. Detailed consideration of landscape and ecology issues will follow, but Scottish Planning Policy is not fundamentally against the proposal in principle.
236. The National Park Plan is the overarching strategic policy document for the National Park. Whilst not referring specifically to An Camas Mòr, it seeks to create and maintain sustainable communities, encourage a population that can support thriving communities in the long term and retain and attract more young people in the short term. It seeks to have pro-active provision to focus growth on the main settlements and identifies Aviemore as being distinct from other main settlements in being a significant economic driver and growth centre for the wider region and city of Inverness. Aviemore itself does not have capacity for further growth to fulfil this role and in general terms An Camas Mòr can therefore fit with the National Park Plan.
237. Recognising the constraints on Aviemore, the existing Badenoch & Strathspey Local Plan 1997 and the Highland Structure Plan 2001 both make provision for An Camas Mòr after 2005 and it is in the Cairngorms National Park Local Plan as Modified Post Inquiry with the intention that it is in the eventual adopted Local Plan.
238. Overall there are no fundamental policy issues with the principle at national or local policy levels.

**The CNPA Development Principles for An Camas Mòr**

239. *“These are the principles that the Cairngorms National Park Authority expects to see reflected in any masterplan and planning application for the new sustainable community of An Camas Mòr. There is an expectation that the submitted proposals will describe how the principles can be delivered. There would then be a requirement that they would be fully worked up within subsequent detailed applications. It is appreciated that certain aspects of the principles will depend on the way the development is promoted and used once it is in place, but the layout, design and embodied culture can influence this to a significant extent. The way in which the principles are addressed in the documents supporting any planning application will be central to consideration of the application by CNPA acting as planning authority.”*
240. The statement above precedes the Principles and provides the context for applicants to consider and prepare proposals before submitting a planning application. In this section of the report the intention is to:
- consider the applicant’s assessment in their Planning Statement and elsewhere in the submission of how the proposals will deliver each principle
  - highlight issues that have been identified by CNPA as having a bearing on delivery of the principles

**Fit for a National Park**

241. *An Camas Mòr will have the distinction of being the only new community planned for a National Park. It will make a significant contribution to the delivery of the National Park aims and set an outstanding example of what is possible in a National Park context. It will help to deliver the Cairngorms National Park Plan and emerging Local Plan. It will reflect the special qualities of the National Park and incorporate a wide range of sustainability measures in its design, layout and function. An Camas Mòr will be internationally acclaimed as an exemplar of sustainable development and building design in a very sensitive location. It will be an inspiration and a delight.*
242. The submitted Planning Statement has no specific assessment against this Principle. It is in effect the overarching one reflecting that this is not just a new community, but a new community in the Cairngorms National Park. Although it is the detail and results on the ground that will be the ultimate demonstration, it is necessary to take a view on whether the rationale and vision in the submission points in the right direction. In terms of the mix of development, and the aspirations for design, layout and creation of a low car use woodland community with close connections to nature, it is considered that at this level it is generally contributing to the principle. There are, however, issues to do with landscape and ecology which are dealt with below and would have to be addressed before this position could be taken.

**A Real Cairngorms Community**

243. *An Camas Mòr will be an inclusive and vibrant community with a demographically balanced resident population. It will embrace diversity and provide for all abilities. It will be recognisably “Cairngorms”. It will be a real community, not a holiday village or second home enclave, and will provide the range of facilities commensurate with that status. It will be a healthy community with access to the full range of recreation and sports facilities. It will have a distinct cultural identity that takes account of existing traditions and way of life in the surrounding area.*
244. The Planning Statement refers to the socio-economic rationale of a high quality living, working and playing environment in a unique location with opportunities to live and work in close proximity, home working, 15000m<sup>2</sup> employment space, up to 1300 jobs, minimise commuting, a mixed community with all ages, all household sizes, all income groups, range of house sizes/tenures, community building from the beginning, green technology and energy efficiency.
245. Although an outline planning application, the submission certainly encompasses all of this although much of it is down to detail, particularly in relation to “*recognisably Cairngorms*” which will depend greatly on design, materials, layout and landscape/ecology context. The proposals for living and working, scope for social interaction through design, along with the notion of the ‘High Street’ and provision for a community building and school are all positive for this principle.
246. The issue of second and holiday homes cannot be addressed at this stage, but would need to be constantly considered through the life of the development. The issue has been raised with the applicant and the proposal is to address it by:
- design with the relatively high density not conforming with traditional expectations for a holiday home;
  - provide apartments some of which could be used for holiday homes,;
  - use a range of developers to disperse any holiday homes;
  - create a community ethos that would not be attractive to holiday home owners and common maintenance requirements favouring those who live there;
  - Control use of plots as much as possible within agreed Masterplan;
  - Allocate a high proportion of houses to mid market rent, shared ownership or built by housing associations or other trusts
  - Maintain an open market housing list with house releases planned to match it;
  - Use of plan forms that would not attract holiday or second home use.

A lot of this is down to subsequent detail and the principles would be constantly applied. At this stage it is considered that the proposals fit with this principle.

**Climate Change**

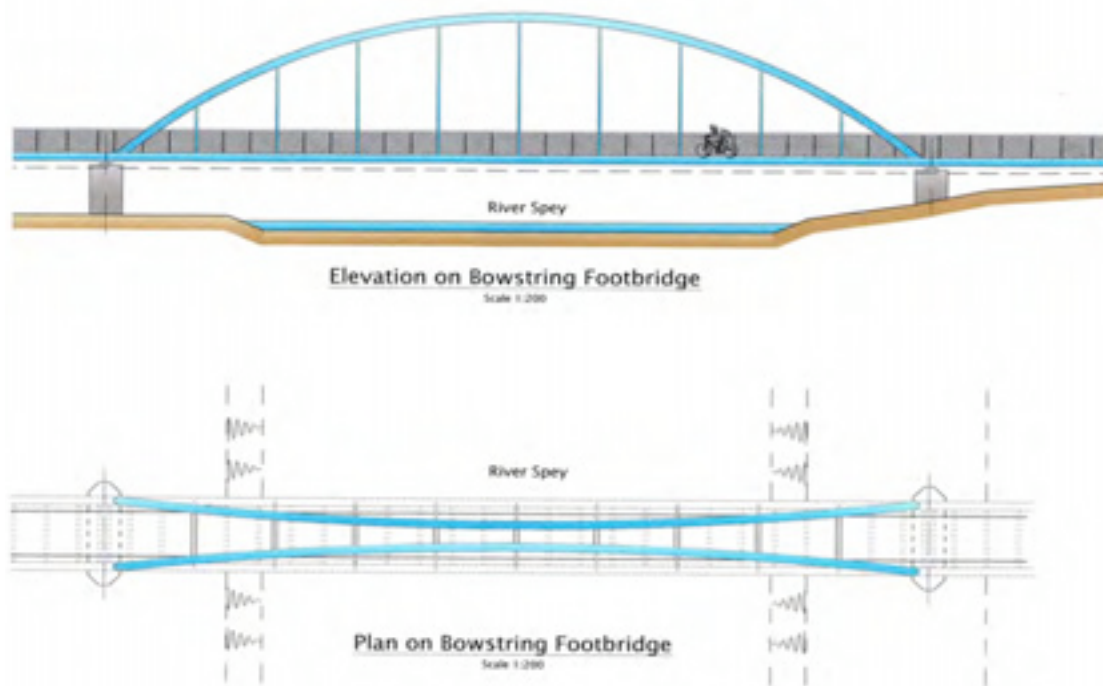
247. *An Camas Mòr offers an opportunity for a real community-wide contribution to the challenge of climate change. It will offer an exemplar of living with the weather: coping with exposure and maximising solar gain, capturing higher rainfall and dealing with longer dry spells. It will offer an opportunity to maximise use of existing technology and test new solutions to climate change issues including energy efficiency, use of a range of renewable sources for heat and power, water and waste minimisation/recycling.*
248. The Planning Statement states that the Proposed Masterplan for An Camas Mòr envisages very energy efficient homes with micro-generations and the prospect of district heating from a new community wood to energy plant at the site. The homes would have efficient grey water systems and buildings would be aligned to make good use of solar gain.
249. The application refers to the obvious measures that can be taken to address climate change issues, but at this stage there is not a lot of detail and it is not yet possible to say how An Camas Mòr would be an exemplar. The supporting information for the application certainly indicates that a lot of thought has gone into the work to date, but until detail emerges it is not possible to fully assess compliance with this principle. Any masterplan that comes forward would have to convincingly demonstrate that what then happens on the ground would live up to expectations.

**Relationship With Aviemore**

250. *An Camas Mòr will be a community in its own right, but by virtue of its location it will have a special relationship with Aviemore. Many of the services used by residents of the community will be in Aviemore and over time this will be reciprocated. There is a longstanding expectation locally, that the land on either side of the River Spey should be made available as a resource for the Aviemore and An Camas Mòr communities for recreation and leisure with potential, inter alia, for sports facilities, playing fields, paths, woodland, and allotments. Various parties are currently active in pursuing the realisation of this aspiration. Fundamental to its delivery is a new foot/cycle bridge across the River Spey with a path directly linking central Aviemore and An Camas Mòr to ensure that the communities are true partners. The masterplan for An Camas Mòr will be expected to acknowledge this objective and demonstrate how An Camas Mòr, with other parties, will directly contribute to its delivery.*
251. The Planning Statement refers to one of the Local Plan objectives that the open land either side of the River Spey between Aviemore and An Camas Mòr should be used for recreation and leisure. A new foot/cycle bridge across the River Spey with a path directly linking central Aviemore and the An Camas Mòr high street would open up access to this land and help bring the two communities together. A site and design has been identified for this bridge by the An Camas Mòr team. However the land required for this new recreation area and new bridge is not under the control of the applicant, An Camas Mòr LLP. Therefore the strategy to deliver these facilities would require the setting up of a 'partnership' between the Community, the

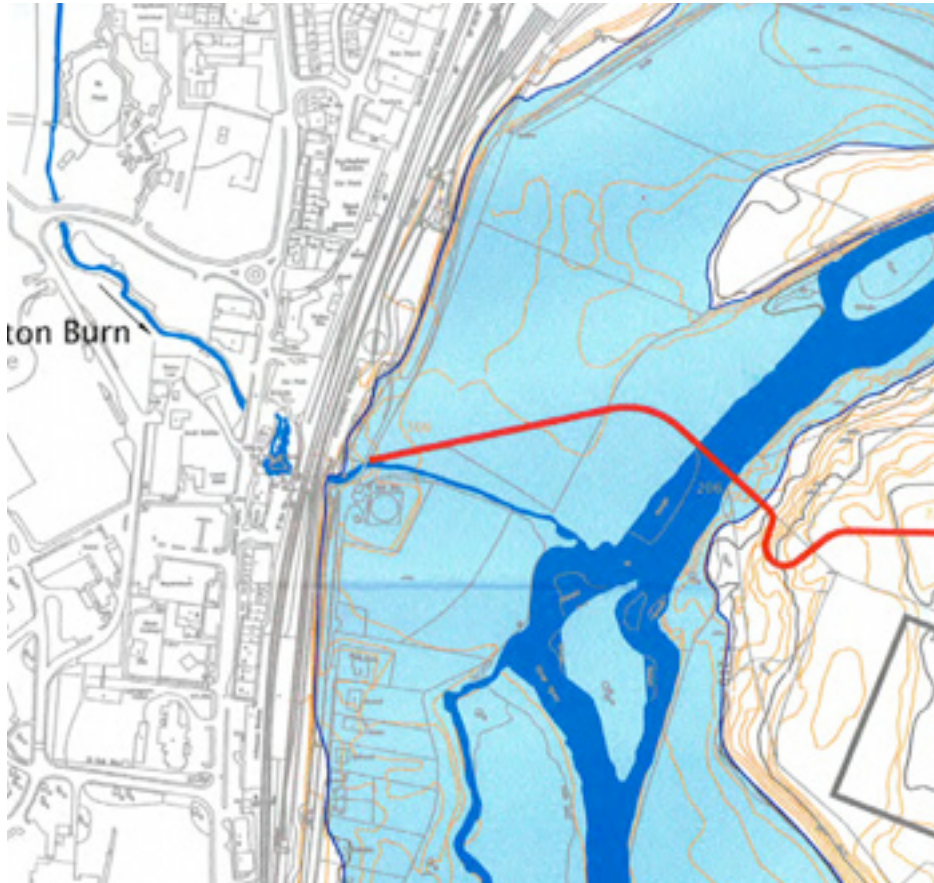
Council, the CNPA and the various landowners and occupiers. An Camas Mòr LLP would contribute financially and as a member of this 'partnership'.

252. The application clearly acknowledges the concept of the community park and the bridge across the River Spey, the opportunity it presents and demonstrates a willingness to contribute to its delivery financially, as a partner and indeed refers to a bridge design. It does not take lead responsibility for it.
253. The existing Badenoch & Strathspey Local Plan and the Cairngorms National Park Local Plan Post Inquiry Modifications both see the space between Aviemore and An Camas Mòr and the foot/cycle link across the River Spey as being key to the relationship between the two communities. Aviemore & Vicinity Community Council, Architecture + Design Scotland, Highland Council TEC Services and CNPA Access Team all see delivery of the direct link via the bridge to Aviemore as being essential to a successful An Camas Mòr. Although it is not stated who has to deliver this link, it is clear that it is necessary.
254. The application refers to the community initiative for a park with bridge. The Community Council has recently secured LEADER funding for a feasibility study for 'Aviemore Countryside Park' consisting of walks either side of the river joined by a footbridge and a path that would link the centre of Aviemore with An Camas Mòr. They wish to complete the study and start work on the project in 2011. AVCC have confirmed that they wish to lead the delivery of this project and the landowners on either side of the river have given agreement in principle to make land available for the park. A possible indicative design and location for bridge supplied to AVCC by An Camas Mòr LLP are shown below.



**Fig. 10 – An Indicative Bridge Design**





**Fig. 11 – A Indicative Path and Bridge Location**

255. The critical part of this principle is the statement that *‘Fundamental to its delivery is a new foot/cycle bridge across the River Spey with a path directly linking central Aviemore and An Camas Mòr to ensure that the communities are true partners. The masterplan for An Camas Mòr will be expected to acknowledge this objective and demonstrate how An Camas Mòr, with other parties, will directly contribute to its delivery.’*
256. This application is accompanied by the Proposed Masterplan Report which is intended to indicate at this stage what would be covered by the actual Masterplan.
257. If outline planning permission is granted then the next application would be for the Masterplan itself. The current submission acknowledges the objective for the link between the two communities, and gives some indication of how An Camas Mòr will contribute to delivery financially and otherwise. There is still uncertainty though as the wider community led process that is underway has some way to go.
258. At this point in time it is considered that a process is in train that will deliver the link, but it will require intensive participation by the applicant and others. The Masterplan is key, and any Masterplan application will be expected to demonstrate how realistic progress has been made to give confidence that the link will happen early in the development. In the meantime, a condition

could be attached to any grant of planning permission in principle requiring this issue to be addressed in accordance with the principle as part of the formal Masterplan and a Section 75 Agreement can secure funding for the bridge.

**Landscape Context**

259. *An Camas Mòr will take account of and respond to the wider landscape context. The development will incorporate a sequence of spaces that integrate it effectively with its surroundings. There will be a strategy for long term management of shared space and landscape. There will be a strategy of pre-planting from the outset both within and outside the site to ensure full integration with the landscape from an early stage.*
260. The Planning Statement states that the broad landscape setting of An Camas Mòr is characterised by the inter relationship of the low lying farmed strath with its clusters of buildings; the forest and the woodlands; and the high Cairngorm mountains. This rich setting, with designations of national importance, is the landscape context for the new community. The landscape strategy is a development which fits into a woodland setting with trees screening its boundaries, but with distant viewpoints out of the community to the surrounding hills and mountains. A high proportion of the trees currently on the site would be retained by careful and sensitive construction methods. New planting would provide a strong wooded landscape character to the mature community. The medium density housing plots would be separated by hedges and bio strips. The lower density housing would interface with the woodland edge, bringing the forest into the built fabric. A landscape management regime would be implemented that retains ownership of these key landscape assets and secures funding for long term maintenance.
261. This is a significant proposal within the Cairngorms National Park and National Scenic Area and landscape is therefore understandably an issue that has been the subject of considerable scrutiny and dialogue since the submission of the application.
262. The CNPA landscape response appended to this report (Appendix 3) summarises the effects and proposed mitigation from the Environmental Impact Assessment (EIA), identifies key landscape issues and policy challenges from a CNPA perspective, and then reaches some conclusions and recommendations.
263. The CNPA assessment finds that it is unacceptable to accept significant adverse landscape and visual effects for long periods of time, in some cases for 60 years or more, as identified beyond 630 houses in the EIA for the wooded character of the site and surrounds and from the B970 and a number of elevated locations. This level of impact is not consistent with National Park status or for the National Scenic Area and is not compatible with the National Park plan strategic objective for landscape. The proposal as submitted is therefore not acceptable in landscape terms.

264. The EIA was carried out on the proposals as submitted and discussions and consideration since have focused on whether the level of adverse impact identified in the EIA can be reduced to an acceptable level by revisions to the proposals. For the development to be acceptable in landscape terms the level and persistence of landscape and visual impacts must be reduced. It is our view that despite the suggestions made by the developer to reduce impacts by 2027 the pivotal issue in terms of reducing impacts and effecting a satisfactory transition from woodland to a woodland settlement is to do with the retention and creation of woodland habitats in the right place. Appendix 3 contains a total of 12 recommendations made in this context as a minimum requirement to address the significant concerns at the proposal as submitted. In summary these include:
- Retention and enhanced planting of wide areas of woodland on the western and eastern edges of the site, corridors of woodland within the site, retention and expansion of lowland heath in the southwest;
  - Establish proposed access road from the south at the outset;
  - Provide a phased Landscape and Ecology Masterplan prior to development of the Masterplan;
  - This to be underpinned by an evidence-based Landscape Method Statement, adhere to a range of concepts and principle, have reduction in landscape/visual impacts to 'not significant' by 2027 or 16 years as the primary aim,;
  - Delivery through a construction procedures handbook, developers contractually bound by the agreed plans and method statement;
  - Evidence that legal structures and agreements in place for ongoing site management and assurances/bond in place to ensure appropriate restoration should proposals be abandoned or delayed for a protracted period
  - Applicant to secure services of appropriately qualified and experienced landscape professionals for the duration of the development;
  - Planning permission for no more than 1100 units on the site with a full review after completion of 630 units and interim reviews at agreed timescales thereafter.
265. The site was originally included in the existing Badenoch & Strathspey Local Plan at a time when it was already within the National Scenic Area. It is now also within the National Park, and has been included in the draft Cairngorms National Park Local Plan. The Reporters at the Local Plan Inquiry, whilst not endorsing its inclusion, raised no fundamental landscape issues in respect of either designation and did not recommend that it be removed from the Local Plan.
266. Within this context and with reduction in numbers and the various checks that can be provided by the suggested conditions, it is considered that the proposal is acceptable in landscape terms within the National Park and the National Scenic area.

**Delivery**

267. *An Camas Mòr will show how private and public investment and a range of small and large developers will consistently work together when the land is no longer in one ownership, over all phases of the development, to create a new community with a distinct and cohesive identity and sense of place. It will demonstrate how the scale of growth is linked to social development of the new community.*
268. The Planning Statement has nothing specific to say on this principle. The Proposed Masterplan Report states that the rate of progress depends on the market and availability of finance. The exact nature of the partnership that would carry out the development cannot be worked out until an Outline Consent has been obtained. Likewise, the finance would not be in place until this has been obtained, but interest in the project is strong. Alongside the client body would be a community organisation of the residents and employers with a great deal of responsibility for advising on and contributing to the maintenance of the place which would grow with time, but which also cannot be defined at this stage. Elsewhere in the submission there is reference to self-build and small builders.
269. This is an area where the Masterplan would be expected to demonstrate in some detail how this principle can be delivered. At this stage there is sufficient intention by way of statements and the approach to layout, design and maintenance of common areas to indicate that this principle can be met.

**Movement**

270. *An Camas Mòr will seek to actively discourage the use of private cars through detailed design, early provision of regular and affordable public transport links, and provision of a network of paths for walkers and cyclists giving effective links within the community and with the surrounding area. Roads within the development will safely give priority to walkers/cyclists of all abilities and will seek to establish new standards for informal layout and design which The Highland Council will accept for adoption.*
271. The Planning Statement states that the Proposed Masterplan concept is for high density living, walking and cycling, and working close to home.
272. The detail in the Proposed Masterplan Report and proposals for a community bus service at an early stage bear out this intention, and the full Masterplan can build on this, but there are some movement related issues arising from the application that have to be addressed. The direct link foot/cycle link with Aviemore via the community park is fundamental to the success of An Camas Mòr and this has been dealt with above. There new vehicle access will be from the B970 east of Rothimurchus Fisheries. The application proposes a realigned Coylumbridge junction providing access via the B970 on the eastern boundary of the site for the first 12 years of the development. Construction traffic would use this route for the first 10 years. This has given rise to a large number of objections, particularly from residents of Coylum Road adjoining the realignment.

273. Highland Council TEC Services have confirmed that the existing B970 junction at Coylumbridge, with minor improvements, can take traffic for up to 200 units. It is considered that the new distributor road should be constructed at an early stage of the development, both to get people used to using it and also to address the reasonable objections that have been raised. Moreover construction traffic should not come via the Coylumbridge junction from the outset. The applicant has indicated agreement to the new distributor route being made available for construction traffic from the beginning and to be in use for all traffic before 200 units have been built.
274. There is an outstanding issue with Transport Scotland which is in the course of being resolved, but was delayed because of illness. This relates to the A9/A95 junction south of Aviemore and improvements that will have to be made to accommodate additional traffic. It is understood that it is a question of specifying the improvements, when they will be required and the cost. This can then be incorporated in a Section 75 Agreement along with contributions for public transport, the path network and the foot/cycle bridge.
275. At this stage the proposals are indicating that this principle can be delivered.

**Biodiversity**

276. *An Camas Mòr will be expected to demonstrate how a development of this size and quality can both conserve and enhance the biodiversity of the site and surrounding area. This will include a comprehensive range of mitigation measures integrated at every level within the development and enhancement of habitat networks throughout the area within and surrounding the development. Where mitigation is not possible within the site boundary, enhancement works beyond the site will be expected to ensure a net enhancement to the natural heritage of the Park.*
277. The Planning Statement does not expand on this principle, but the Proposed Masterplan Report has a section on celebrating wildness. The intention is to protect and improve the natural habitat within the development area and to enhance the experience and awareness of wildlife for people. Areas of greatest sensitivity are to be avoided existing habitat is to be extended and new habitat created by extending the woodland setting, creating dense and diverse shelter. Isolated mature trees will be retained. Additional habitat will be created in the form of biotope strips throughout the settlement in with thick belts of protected planting. These would form a network of nature corridors and interconnected with the help of 'green crossings' on streets. The entire settlement will be contained within a woodland setting with wedges penetrating the development. Existing topsoil and ground cover will be retained during construction and reused. Back gardens would be 'nature reserves'. Buildings would also make provision with sedum roofs, bat and bird boxes.
278. It is not possible to fully mitigate on site so provision is being made for enhancement and creation of compensatory habitat elsewhere as has been outlined earlier in this report.

279. The CNPA Ecologist has carried out a full assessment of the submission and her report is attached as **Appendix 3**. There are a number of concerns at the impact on the main development area and the capacity of the proposed woodland and biotope strips to make adequate provision. There are also concerns at the impact of the proposed realigned B970 at Coylumbridge on the existing habitat and red squirrels. Recommendations are made, in tandem with the response on landscape issues, to address these concerns and these can be accommodated in planning conditions and a legal agreement.
280. The proposal involves a crossing of the River Druie which is within the SAC and SNH wish to approve the detail of the bridge construction via a condition.
281. An Appropriate Assessment has been carried out in respect of the River Spey Special Area of Conservation and Tributary River Druie. This identified potential impacts on qualifying interests and lists conditions required to ensure adverse effects are avoided.
282. Within this context and with reduction in numbers and the various checks that can be provided by conditions, it is considered that the proposal is acceptable in terms of the various designations and in conserving and enhancing biodiversity within the National Park.

***The Built Environment & Public Realm***

283. *An Camas Mòr will reflect consistently high standards of design at all levels in terms of both quality and sustainability in its widest sense. It will have regard to the building traditions of the area in terms of form and materials, but will reflect its time. It will maximise use of locally sourced materials, particularly timber. It will create an An Camas Mòr distinctiveness that reflects its location in the Cairngorms. It will show how higher density is compatible with the landscape context, the provision of good quality housing and a place where folk will enjoy living and working. The design and location of spaces will be as important as the buildings. It will include landmark buildings and structures to contribute to its distinctiveness. Lighting on roads, paths and throughout the development will be designed to minimise impact on the night sky, to conserve energy and to provide for people's actual needs.*
284. The Planning Statement has nothing specific to say on this, but the Proposed Masterplan Report and the principles in it have people as the starting point, putting life first, creating a sense of place, seeing how people interact, look at the spaces and then the buildings within this context.
285. Assessment under previous principles has covered the various aspects of this one. The approach is considered to be the correct one for the site and at this stage it is the proposals demonstrate the intention to deliver this principle.

**Affordable Housing**

286. *An Camas Mòr will make a significant contribution throughout its development to the provision of the full range of affordable housing to meet local needs within the National Park. It will demonstrate how both the public and private sectors will work together to deliver affordable housing. It will show how such housing will remain affordable and available for local people.*
287. The Planning Statement states that discussions are taking place with Highland Housing Alliance to develop a long term joint venture for the delivery of a broad range of affordable housing in different tenure classes including social rent, mid rent, and low cost home ownership, over the full life of the project.
288. The CNPA Housing Policy Officer refers to the current intention of Highland Council to express an interest with Scottish Government for the National Housing Trust model to be used on the site. Highland Housing Alliance have drafted the terms of a delivery vehicle to provide housing on the site and the Council are seeking to have part of the first phase of any development in its Housing Investment Programme for start in 2011/12.
289. The intention is for the development to provide for the range of housing needs over a long period of time. This would require monitoring and ability to respond to the changing needs of the community over time as funding and delivery models change. There are particular challenges in the current economic climate, but the single land ownership with ability for longer term return on investment and work with Highland Housing Alliance and others is an indication that it should be possible to have a strong focus on affordable housing delivery.
290. Although a lot of detailed work will be required through the life of the development, it is considered that the proposal intends to delivery this principle.

**A Place to Work**

291. *An Camas Mòr will be designed and promoted to actively encourage the provision of jobs within the community and seek to minimise levels of commuting. It will incorporate space that is designed for or can be easily adapted for employment uses. It will facilitate home working. It will have a strategy for attracting and stimulating a wide range of business opportunities that complement the ethos of the community.*
292. The Planning Statement states that the Socio-economic Impact Assessment which accompanies this planning application identifies measures for enhancing the range and value of jobs by targeting entrepreneurial individuals and new business starts which can be attracted by the setting and quality of the development. The Proposed Masterplan contains houses designed for home working and units adaptable for business.

293. The assessment under 'Cairngorms Community' above lists the figures with regard to the creation of jobs and provision of employment space. There is a realisation and intention in the proposals that work has to be integrated with living to make An Camas Mòr function as a community.
294. It is considered that the proposals at this stage seek to deliver this principle.

## **IMPLICATIONS FOR THE AIMS OF THE PARK**

### **Conserve and Enhance the Natural and Cultural Heritage of the Area**

295. This is a unique development of a character and scale that cannot avoid having an impact on the natural and cultural heritage of the area. The conclusions of the CNPA landscape and ecology staff have highlighted the serious issues in relation to adverse impact of the proposal as submitted. The Environmental Impact Assessment identifies significant adverse impact for a prolonged period on landscape in particular and it would not be possible to say that a development with 1500 residential units complies with this aim: indeed it would conflict with it. Following discussions with the applicant's advisers, if the numbers are reduced to a ceiling of 1100 units, with a major review after 630 units, and other measures are required by condition to further reduce impact and ensure delivery of the applicant's aspirations under this aim, then it is considered that the conflict can be resolved and the development can meet the aim. It will also ensure that the integrity of the National Scenic Area is safeguarded in accordance with Scottish Planning Policy. There will be adverse impacts for periods of time, but these will be addressed as development proceeds and in the long term there is an opportunity for An Camas Mòr to make a positive contribute to the character of the National Park in much the same way as, for example, Ballater or Grantown on Spey.
296. One other consideration under this aim relates to the historical justification for An Camas Mòr in part being to help reduce pressure on other settlements in Badenoch and Strathspey. In other words, there will be an opportunity to contribute positively to conserving and enhancing the natural and cultural heritage and character of those settlements.
297. Several objectors refer to conflict with the aims of the National Park, particularly the first aim. Section 9 (1) of the National Parks (Scotland) Act 2000 requires the authority to ensure that the National Park aims are collectively achieved in relation to the National Park in a co-ordinated way. Section 9 (6) states that if it appears to the authority that there is a conflict between this aim and other National Park aims, the authority must give greater weight to this aim. If planning permission is granted on the terms described above and as detailed in the recommendation which follows, then it is considered that there is no such conflict.



**Promote Sustainable Use of Natural Resources**

298. The application refers to the proposals being based on sustainability at several levels. The site is located close to major transport infrastructure, including public transport, and the intention is that people rather than the car should be the focus with provision for walking/cycling and a public bus service. The use of 'native' materials, higher densities, layout/orientation for shelter/passive solar gain, energy conservation, opportunities for renewable, water conservation all contribute to this aim. There will be opportunities for living and working on the site and sharing some facilities/services with Aviemore. The intended approach is to create a community integrated with its natural surroundings. If measures are put in place to ensure that the detail delivers the aspirations then the proposals fit with this aim.

**Promote Understanding and Enjoyment of the Special Qualities**

299. Development within this setting in the form envisaged in the application will certainly promote enjoyment and understanding for the community itself. If the development makes a positive contribution to the built environment, the landscape within which it sits and embraces/promotes biodiversity it can do so for the wider community and those enjoying the Park. The proposals for walking/cycling, the network of paths, and opportunities to link with a proposed community park and bridge across the River Spey contribute to this aim. If measures are put in place to ensure that the detail delivers the aspirations then the proposals fit with this aim.

**Promote Sustainable Economic and Social Development**

300. The development envisaged in the application has potential to make a significant contribution to this aim by demonstrating in practice how the housing, employment and leisure needs of a community can be delivered in an integrated way that is based on how people would like to live their life and reflect the values of the National Park. If measures are put in place to ensure that the detail delivers the aspirations then the proposals fit with this aim

**Conclusion**

301. An Camas Mòr has had a long gestation in planning terms. The concept predates the existing adopted Badenoch & Strathspey Local Plan and it has been through a Local Plan Inquiry process to be included in that Local Plan. It is in the existing Highland Structure Plan. The Cairngorms National Park was then designated. It has been through the Local Plan Inquiry and is in the Cairngorms National Park Local Plan Post Inquiry Modifications with changes made to reflect the Reporters' conclusions. Scottish Government has accepted it as one of the projects in the Scottish Sustainable Communities Initiative. An Camas Mòr has been accepted in general policy terms, but planning permission does not automatically follow. That is dependent on the particular proposal complying with the range of detailed policy and the National Park aims.
302. This is likely to be the largest and most complex application to come before the Planning Committee. It is the only proposal for a new community in a UK National Park. In recognition of that the CNPA in December 2008

adopted the set of Principles that have been used as the basis for appraisal of the application, following which it has been assessed against the National Park aims.

303. This planning application is for outline planning permission to establish the principle. Under the changes introduced with the Planning etc. (Scotland) Act 2006, since August 2009 this is now referred to as planning permission in principle. If approved, there would be a further application for the formal Masterplan which would produce another level of detail and set out the guidelines for development. Detailed applications would then follow over the years for the various phases of development in line with the approved Masterplan and guidelines. This is unusual, but reflects the scale, nature and timescale for the development.
304. At this stage a lot of the detail necessary to demonstrate compliance with the adopted Principles is not available so the assessment has to be on the basis of compliance in broad terms with the understanding that each subsequent application will continue to be assessed under these same Principles and, if found deficient, will not be supported. Likewise with the National Park aims.
305. After assessing the planning application, it has been concluded that the proposal with the supporting information accords with the Principles except in certain key respects:
- 1500 residential units cannot be accommodated without an unacceptable level of prolonged adverse impact on landscape and ecology.
  - Insufficient woodland on the site edges and within the site.
  - B970 Coylumbridge junction realignment is unacceptable in ecological terms and is not necessary for the development to proceed.
  - The new B970 distributor road into the site from the south is provided too late in the development.
  - Arrangements for construction traffic to use the B970 from Coylumbridge in the early stages of the development are unacceptable.
  - Uncertainty regarding arrangements for delivery of the community park on either side of the River Spey outside the application site with the foot/cycle path and bridge linking Aviemore with An Camas Mòr.
306. It is considered that these matters can be dealt with by granting planning permission in principle for a lesser amount of development, up to 1100 units, with a review at 630 units, and conditions regarding provision of a Landscape and Ecology Masterplan and associated measures, omission of the Coylumbridge junction realignment, inclusion of a separate construction route from the outset and early provision of the new distributor road.
307. The project for a community park with bridge is being led by Aviemore and Vicinity Community Council who are currently carrying out a feasibility study with LEADER funding and a possible start date for a project of late 2011. They would expect a financial contribution from An Camas Mòr LLP and have said it would be useful if they could also provide a bridge design to Community Council specifications. The applicants have stated their

willingness to contribute financially and as a member of a partnership. There is obviously a community led process underway and it is therefore considered that the appropriate means of An Camas Mòr supporting it at this point in time is to provide the bridge in kind or fully funded to an approved design along with paths on the area under the applicant's control. In addition the full Masterplan when it is submitted will have to demonstrate how An Camas Mòr is contributing to this link.

308. An application for the full Masterplan, in accordance with the terms of a planning permission in principle that reflects the provisos listed in paras 306. and 307 above, will be the opportunity to really test the extent to which the sound statements of aspiration can be translated into measures that can then inform results on the ground and create the community that the CNPA has been supporting through the Local Plan and the adopted Principles.
309. It is therefore recommended that planning permission in principle be granted subject a Section 75 legal agreement covering a range of matters and to conditions reflecting the issues highlighted in this report. It will then be imperative that each subsequent application is the subject of rigorous examination and high expectations for quality of outcome.

## RECOMMENDATION

- I. That Members of the Planning Committee resolve to **GRANT** Planning Permission in Principle for a new community at An Camas Mor subject to the following:

### A. Section 75 Agreement to cover the following:

- Affordable housing provision
- Community facilities
- Education provision
- Health Care provision
- Waste Management provision
- Contribution to paths and the funding for a bridge on the foot/cycle path link to Aviemore via River Spey
- Provision of other foot/cycle paths
- Provision of distributor road before 201 residential units to satisfaction of Highland Council TEC Services including any off site works
- Upgrading of existing B970 Coylumbridge junction to satisfaction of Highland Council TEC Services including any off site works to serve up 200 residential units
- Trunk Roads contribution as required by Transport Scotland
- Green Transport Plan with funding for infrastructure involved and provision of a public bus service
- Off-site compensatory habitats
- Arrangements for maintenance of all non-private space

### B. The following planning conditions:

1. Plans and particulars of the matters listed below shall be submitted for the consideration of the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No works shall begin until the written approval of the authority has been given, and the development shall be carried out in accordance with that approval.

**Reason:** In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. Notwithstanding the description on the application as submitted, this permission is for up to 1100 residential units only with a full review of the impact of the development on landscape and ecology to be undertaken upon the completion of 630 units and interim reviews at timescales to be stipulated thereafter by CNPA acting as planning authority. All reviews will be undertaken against the site baseline of nil development. After each review further development will only take place with the approval of the CNPA acting as planning authority.

**Reason:** In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and because the site is considered only to have capacity for 630 to 1100 units without having a prolonged significant adverse impact both on the special qualities of the National Park (contrary to the first aim of the National Park) and on the integrity of the National Scenic Area.

3. Prior to the submission of any detailed application for this site a Masterplan shall be submitted for the approval of the CNPA acting as planning authority. The Masterplan shall be based on the principles established in the approved Landscape and Ecology Masterplan under Condition 4 and shall be the subject of wide community consultation of a type to be agreed with the CNPA prior to any consultation being carried out. The Plan shall include the following:

- Statement of Community Consultation.
- Sustainable Design Guidelines for the overall site covering layout, residential/business/community uses, building forms and proportions, densities, building heights, orientation, materials and colour, private and community spaces, surface and boundary treatments.
- Detailed phasing proposals and provisions for review.
- Mechanisms for ongoing delivery and long term management of the An Camas Mòr project.
- The contribution of An Camas Mòr to early delivery of a direct foot/cycle path link to central Aviemore via bridge over the River Spey.
- Mechanisms, including regular review, for providing the number and mix of housing types and tenures including the full range of affordable housing to meet local needs over the period of development.
- Mechanisms for ensuring that the development has provision for individuals and local small builders.

- Mechanisms for controlling level of second and holiday home use.
- Mechanisms, including regular review, for providing the amount and types of employment, shops and other services to meet the needs of the community over the period of development.
- Surveys to monitor the impact of the development on services, retailing and employment in surrounding settlements.
- Opportunities for provision for further and higher education
- Proposals to make the development accessible to all abilities, including design of buildings, road and path surfaces and edges, lighting, audio and visual information at bus stops, employment and facilities for young and older people
- Provision for a school site, playing fields, community hall and health facility.
- Street Hierarchy Proposals to accord with, as a minimum, the principles of Scottish Government Policy contained in Designing Streets 2010.
- A strategy and measures to minimise light pollution.
- Provision for treatment and disposal of sewage on site or details of means of connection to the public sewerage system to satisfaction of SEPA and Scottish Water.
- An assessment of the presence of contaminated land and measures to deal with any identified.
- Provision for a SuDS Scheme to the satisfaction of SEPA.
- Provision for water and electricity supplies to meet the needs of the community, including a water storage system for commercial premises.
- An Environmental Management Plan with arrangements for storage, segregation and collection of waste including location, access, maintenance arrangements and screening to satisfaction of SEPA.
- A Sustainability Statement including measures for energy conservation, generation of renewable energy, water conservation, waste recycling and disposal, local sourcing of materials and labour.
- Provisions for a high specification of telecommunications technology connections to all properties and premises.

**Reason:** In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that a clear framework is identified for the future development of this new community within a National Park and a National Scenic Area.

4. Prior to the submission of the full Masterplan for the development referred to in Condition 3. a separate Landscape and Ecology Masterplan shall be submitted for the approval of the CNPA acting as planning authority. This Plan shall have a primary aim of reducing landscape and visual impacts to 'not significant' by 20 years of commencement and include the following:
  - Woodland retention, new planting, street trees and open space, formal and informal footpaths, potential desire lines, links into potential and actual routes accessible from An Camas Mòr, integration with proposals for surface water drainage and lighting.
  - An evidence-based and objective driven Landscape Method Statement which underpins and accompanies the Landscape and Ecology

Masterplan and includes, a survey of existing tree cover and associated vegetation on the site, a soil survey, on site management and reuse of soil during development, site protection proposals during and after construction, planting proposals (species, ground preparation), maintenance during establishment, a long term management plan.

- Adhere to the concepts and principles of biotope strips, peripheral planting and management of existing woodlands, green crossings and back garden nature reserves as described in the application.
- Strategies for each phase of development to mitigate the potential impacts upon local habitats from the development and increased human disturbance.
- Details of the monitoring regime for habitats and species with provision for ongoing monitoring and specific surveys to be carried out before and after each phase of development all against the site baseline of zero development.
- Surveys to be undertaken during the optimum survey period, by specialists in the particular species field and to take account of protected species and UKBAP and Cairngorms LBAP.
- Specific surveys to include detailed habitat and botanical (including lichen), invertebrate survey (2 visits during each month May – September), mammal survey, bird survey (breeding and winter as required by CNPA), fungi survey, reptile and amphibian survey.
- Retention and new planting on the west side to create a minimum 150m wide area of woodland linking plantations to the north of the site to the ancient and semi-natural woodland in the south, and including the semi-mature plantation in the south west corner.
- Retention of the area of lowland heath in the south west corner of the site and augmentation of the habitat with measures to encourage expansion to the west.
- Retention of kettle holes as water bodies with as much peripheral vegetation as necessary to provide a resilient habitat.
- Retention and new planting to create a woodland corridor minimum 75m wide adjacent to the B970 linking woodland to the north and south of the site.
- Retention and new planting of woodland to create two north-south average 50m wide woodland corridors and one average 30m east-west woodland corridor that dissect the site and link areas of open green space.
- Creation of a wetland area of habitat in the marsh area within the fields to the west of the development area.

**Reason:** In accordance section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that a clear landscape and ecology framework is identified to provide a basis for the masterplan for the future development of this new community within the National Park and National Scenic Area.

5. Prior to any development commencing on site the following shall be submitted for the approval of the CNPA acting as planning authority:

- A construction procedures handbook for delivery of the method statement and management plan to which all parties and subsequent developers are signed up.
- Evidence that the Landscape and Ecology Masterplan and Landscape Method Statement form part of a contractual obligation with developers on site.
- Evidence that all necessary legal structures and agreements are in place for ongoing site management.
- Evidence that measures are in place to ensure appropriate site restoration by the CNPA should the proposals be abandoned or delayed for a protracted period.
- Evidence that appropriately qualified and experienced landscape and ecology professionals have been and will continue to be retained for the duration of the development to ensure implementation and compliance with the Landscape and Ecology Masterplan, the Landscape Method Statement, the construction procedures handbook and all other conditions of any planning permission.
- Details of measures during construction and the life of the development to ensure that invasive non-native species are not introduced to the site either in their own right or within contaminated topsoil.

**Reason:** In accordance section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that all necessary structures and measures are in place to underpin development of this new community within the National Park and National Scenic Area.

6. Notwithstanding that it is shown in the submitted application, no approval is given for the realignment of the B970 Coylumbridge junction. No development shall take place until the existing Coylumbridge junction and the B970 from there to the main development site have been upgraded in keeping with the established character of the road to the satisfaction of the CNPA in consultation with the Highland Council TEC Services. Thereafter the upgraded road and junction can be used to access the development of up to 200 residential units.

**Reason:** In accordance section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and because the works to provide a realigned junction would potentially damage valuable habitat and protected species within the National Park. In addition it is possible to service the new community by other means.

7. The new distributor road from the substation site to the east of Rothiemurchus Fisheries shall be provided before development can proceed beyond 200 residential units in accordance with details to be submitted to and approved by the CNPA acting as planning authority in consultation with the Highland Council TEC Services.

**Reason:** In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and because the early introduction of

the new distributor road will benefit the new community and minimise disturbance to residents at Coylumbridge.

8. Before development commences a construction road into the site shall be formed on the line of the new distributor road from the substation site to the east of Rothiemurchus Fisheries in accordance with details to be submitted to and approved by the CNPA acting as planning authority in consultation with the Highland Council TEC Services. When development commences all construction traffic shall thereafter use this road.

**Reason:** In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and because the introduction of this construction road from the outset will minimise disturbance to residents at Coylumbridge and Inverdrue.

9. Detailed design and construction methods for the bridge (including culverts for backwater channels) over the River Druie, along with a flood risk analysis, compensatory storage scheme, pre-construction surveys for European Protected Species, measures for protection of European Protected Species during and after construction, arrangements for an ecological Clerk of Works, Construction Environmental Management Plan (including management of runoff from construction in accordance with SEPA pollution prevention guidelines PPG's 05-06)), timescales for construction activity shall all be submitted for the approval of the CNPA acting as planning authority in consultation with Scottish Natural Heritage and SEPA before any works take place.

**Reason:** In accordance section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to protect the integrity of the River Spey Special Area of Conservation and European Protected Species within it.

10. Prior to the commencement of development, a programme of works for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development, including a timetable for investigation, all in accordance with the submitted specification, shall be submitted to and agreed in writing with the CNPA acting as planning authority. The agreed proposals shall be implemented in accordance with the agreed timetable for investigation.

**Reason:** In accordance section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to safeguard any archaeological and historic interest on the site in accordance with the first aim of the National Park.

**Advice Notes:**

1. Emergency overflow from any pumping station requires authorisation under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 and an application for a water license must be submitted to SEPA.
2. Road Construction Consent will be required in respect of all areas intended for adoption by Highland Council, as roads authority; only roads serving more than 4 dwellings, designed and constructed in compliance with the



requirements of Council Guidelines will be considered for adoption; also only strategic pedestrian/cycle links satisfying Council Guidelines will be considered for adoption.

3. Planning permission does not guarantee a connection to the service – application and appropriate details must be made to Scottish Water for this and should include a Development Impact Assessment.
4. The developer is advised to discuss deviation and undergrounding options with SSE in relation to existing plant in and around the area.
5. Upon receipt of detailed plans BT will issue proposals to the developer where the developer would be required to lay all boxes/duct etc. within the site.
6. Scottish Natural Heritage is to be consulted on any proposals for the construction of a bridge over the River Spey.

**Don McKee**

**2 June 2010**

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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.