
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: DON MCKEE, HEAD OF PLANNING

DEVELOPMENT PROPOSED: PROPOSED MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL, RETAIL, OFFICE, COMMUNITY, LEISURE, PARK, ENVIRONMENTAL IMPROVEMENTS, ROADS INFRASTRUCTURE, RESORT HOTELS EXTENSIONS, ADDITIONAL LODGES, AND DEMOLITION OF EXISTING ADMIN BUILDING

REFERENCE: 08/241/CP

APPLICANT: AVIEMORE HIGHLAND RESORT LTD
AVIEMORE
PH22 1PN

DATE CALLED-IN: 27 JUNE 2008

RECOMMENDATION: GRANT, SUBJECT TO RECEIPT OF REVISED DRAWINGS, COMPLETION OF A SECTION 75 AGREEMENT AND TO CONDITIONS

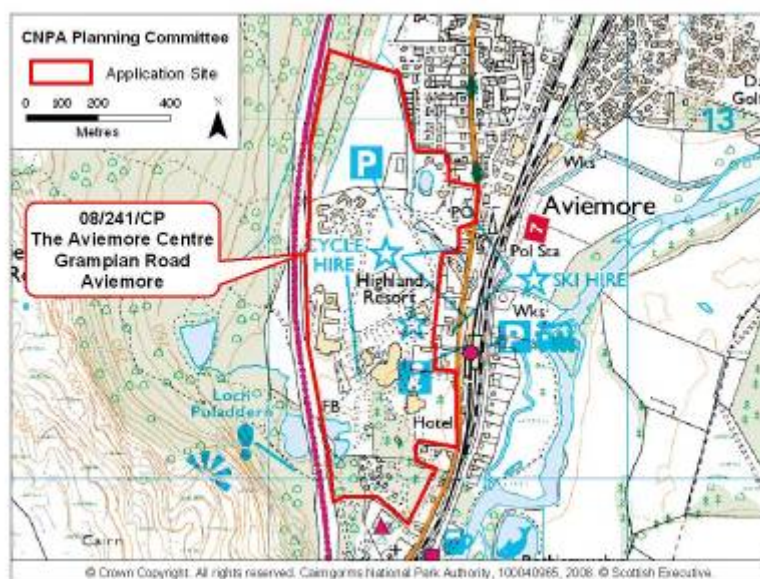


Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

Location and Access

1. The site lies between Aviemore and the A9 bypass trunk road, and comprises the entire site of the Aviemore Highland Resort. The extent of the site is not noted on the application but is approximately 30 ha (75 acres).
2. The site is bordered to the east by Grampian Road (B9152) and commercial properties, and to the west by the A9. The southern boundary adjoins Aviemore Youth Hostel and a caravan park. The northern boundary is formed by residential properties, Aviemore/Milton Burn, open land and woodland.
3. There are two existing vehicular accesses to the site from Grampian Road and both also offer pedestrian access. The south access, 7.3m wide access, with a 2.0m wide footway on the north side, lies to the south of the town centre opposite the railway station; it has a priority junction with Grampian Road and is used primarily by existing traffic generated by Aviemore Highland Resort. The north access is via a new roundabout and was completed in 2006 to accommodate future traffic movements on Grampian Road. At present the roundabout only accommodates through movements on Grampian Road; a third arm into the Resort has been constructed but at present is rarely used other than as an exit from the Resort. This roundabout will also give access to the as yet undeveloped Tulloch housing site to the north of the Resort and the 45000sqft supermarket site, both given planning permission by this Committee in December 2007.
4. Grampian Road (B9152) is the most prominent highway corridor within Aviemore, with a 30mph speed restriction. It acts as a distributor road linking many housing roads with amenities, and also links regional distributor roads north and south of the town. North of Aviemore the B9152 connects to the A95 at a junction, with a minor road providing a short link to the at-grade A9 junction. To the south of Aviemore the B9152 forms the major road at a priority junction with, again, a short link to the at-grade A9 junction. The A9 trunk road is the most important strategic highway corridor in the Highlands and to the rest of Scotland.

Site Description

5. The Monadhliaths and Craigellachie rise steeply to the west to dominate the site and Aviemore. The Resort has a direct footpath

connection to the Craigellachie National Nature Reserve located immediately on the west side of the A9. There are other footpath links to the north, south, and Grampian Road. Several of the paths are identified as Core Paths: LBS30 Aviemore Orbital to north and south, LBS37 Laurel Bank Lane.

6. Aviemore Highland Resort operates within the site and includes four hotels (Highland, Four Seasons, Academy and Aviemore Inn), conference centre facilities, associated leisure uses including swimming pool, a retail outlet and 18 holiday lodges. The Strathspey Lawns at the corner of the southern access to the Resort opposite the Cairngorm Hotel, slope down from the Four Seasons Hotel and are in occasional public use.
7. The majority of the site is currently undeveloped and is generally level with some gentle slopes. There are various groups of trees throughout the site but no significant areas of woodland other than the area of mature conifers at the south end providing a setting for holiday lodges. Part of the small Loch Puladdern is located within the site in the south west corner near the A9 and is now a pond.
8. The Resort generally sits higher by some 4 metres than Grampian Road although the site rises to equal level to the north. Buildings are three and four storeys high with flat roofs. The nine storey Four Seasons hotel, however, at the main south entrance has a dominating presence within the site, from central Aviemore and indeed across Strathspey. The hotel buildings are clearly visible from Grampian Road.

The Current Application

9. This application for full planning permission was validated by The Highland Council on 20 June 2008 and called in by CNPA on 27 June 2008. It is a full rather than reserved matters application as the formal decision notice for outline planning permission has yet to be issued.
10. As originally submitted the application comprised the following elements, from south to north, see **Appendix 1**:
 1. Block S in the south east corner of the site – 3No. 3 storey buildings containing 18 flats with access from Grampian Road.
 2. Block R in the conifer woodland in the south of the site – up to 29 woodland lodges, individual positions to be agreed with CNPA on site, in addition to the 18 lodges already in situ.
 3. Block M between Grampian Court and the Four Seasons Hotel – a 3 storey block of 12 flats with access from Grampian Road, play area in front.

4. Block Q – a 5 storey, 60 bedrooms, pitched roof extension on the south east corner of the Four Seasons Hotel.
5. A new roundabout at the junction of Grampian Road and the southern access to the Resort.
6. Formation of an amphitheatre on Strathspey Lawns
7. Block K to rear of Cairngorm Hotel – demolition of existing staff block and erection of 7 storey block of 39 holiday apartments.
8. Block L to south of existing swimming pool – site shown for Leisure Centre, not part of this application.

9. Block O to north of Aviemore Inn – extension to provide 800m² of retail.
10. Block P to north of existing retail pavilion – extension to provide 1200m² of retail.
11. Block N on northeast corner of Highlands Hotel – 4 storey extension to provide 40 bedrooms.
12. Block J1 on west side of new link road – a single storey public house.
13. Block J2 on west side of new link road – a 2 storey building with 755m² of retail
14. Block J3 on west side of new link road – a 2 storey building with 418m² of office accommodation.
15. Block D on east side of new link road – a 3 storey building with retail, office and 15 apartments.
16. Block E on east side of new link road – a 3 storey building with 1077m² of office accommodation.
17. Block F on east side of new link road – a 3 storey building with 963m² of office accommodation.
18. Block G east of Block F and south of link to north access – a 3 storey building with 762m² retail and 8 apartments over.
19. Block H east of Block G and south of link to north access – a 3 storey building with 777m² retail and 8 apartments over.
20. Block A in “square” to south of 17-19 above – 3 storey building round a courtyard with 19 retail units and 31 apartments.
21. Block B to south of Block A facing Academy Hotel – 3 storey building with 13 apartments.
22. Block C to west of Block B – 3 storey building with 14 apartments.
23. Block T immediately east of Scandinavian Village – open space with community building and coach drop off point.
24. New footbridge across Aviemore Burn opposite Block A.
25. Block I on south side of north access road to Resort west of “RD’s” – 2 storey building with 374m² retail leading to footbridge in 24 above.
26. New formal areas of car parking to north of Academy Hotel, rear of J1-J3 on west of new link road, north of Highlands Hotel and by Aviemore Burn.
27. Laurel Bank Lane (LBS37) on north side of existing Tesco car park enhanced with full disability access, new surfacing, landscaping, welcome signage and gateway with night time doors into the Resort.
28. Internal road improvements to be phased with the substantive link between north and south commencing 2009-10.

29. Material theme for buildings in the development includes blue black slate coloured tiles, zinc sheeting, larch boarding, cast stone, stainless steel, stained hardwood and polyester coated windows.

11. An assessment of the application following "call in" identified a range of information that had not been included and which would be required for various consultees to comment and for CNPA staff to take a view on the content. This included, inter alia, a full range of scaled drawings and sections, habitat survey, retail impact assessment, traffic impact assessment, number/location of affordable housing, Design Statement and comprehensive landscape statement and plans.
12. During July and August the applicant supplied additional information and consultations took place with a range of bodies. This included a Design Review in late August by Architecture + Design Scotland, the Scottish Government's appointed advisers on such matters. Following this Review, and having received various other consultation responses, CNPA officers had a dialogue with the applicant in September/October on changes to the proposals that would improve the quality of the application. The appraisal section expands on this point.
13. A range of revised drawings was received on 26 November 2008. The applicant has re-notified neighbours and CNPA has placed a notice in the Strathy advertising the availability of plans for viewing at various locations in the Park. Any comments received will be reported at the meeting.
14. The application as it currently stands includes the following elements from south to north, see **Appendix 2** for revised layout and revisions to building design where appropriate:
 1. Block S - one of the 3 apartment blocks repositioned in same general area.
 2. Block R - lodge proposals unchanged.
 3. Block M - block of flats unchanged, play area deleted.
 4. Block Q - design concept of Four Seasons extension changed, pitched roof omitted, more contemporary approach, increase in amount of glazing particularly on east and north elevations.
 5. Roundabout and amphitheatre deleted.
 6. Block K to rear of Cairngorm Hotel - building reduced to 5 floors with basement, section showing height level with surrounding trees and relationship with Cairngorm Hotel.
 7. Block L to south of existing swimming pool - site shown for Leisure Centre, not part of this application, position unchanged.
 8. Block O to north of Aviemore Inn - extension to provide 800m² of retail, unchanged.

9. Block P to north of existing retail pavilion – extension to provide 1200m² of retail, unchanged.
10. Block N on northeast corner of Highlands Hotel – 4 storey extension to provide 40 bedrooms, unchanged.
11. Block J1 on west side of new link road – a single storey public house, re-positioned slightly southeast closer to Block P.

12. Blocks D1 and D2 – in previous location of Blocks J1-J3 on west side of new link road; 3 storey blocks with total of 27 apartments.
13. Block J3 now on east side of new link road in lieu of Block D – a 2 storey building with 418m² of office accommodation.
14. Block E on east side of new link road – a 3 storey building with 1077m² of office accommodation, repositioned and elevations re-modelled.
15. Block F on east side of new link road – a 3 storey building with 963m² of office accommodation, repositioned slightly to south and elevations re-modelled.
16. Block J2 now on east side of new link road at junction with link to north Resort access – a 2 storey building with 755m² of retail, now facing into “Town Square”.
17. Block G now east of Block J2 and south of link to north access – a 3 storey building with 762m² retail and 8 apartments over, previous link to Block F deleted.
18. Block H east of Block G and south of link to north access – a 3 storey building with 777m² retail and 8 apartments over, unchanged.
19. Block A in “square” to south of 17-18 above – 3 storey building round a courtyard with 19 retail units and 31 apartments, unchanged.
20. Blocks B and C to south of Block A facing Academy Hotel – now 2 No. 3 storey buildings with 19 apartments, 4 storey on eastern most corner where retail unit on ground floor; elevations remodelled.
21. Block U northwest elevation of Academy Hotel – not previously included, but elevation now extended and remodelled to provide retail units at ground floor and enhance the building.
22. Block T immediately east of Scandinavian Village – open space with community building now at western end and coach drop off point relocated to south of link road adjoining retail/office/residential.
23. New footbridge across Aviemore Burn opposite Block A, unchanged.
24. Block I on south side of north access road to Resort west of “RD’s” – 2 storey building with 374m² retail leading to footbridge in 23 above, unchanged.
25. New formal areas of car parking now reconfigured. Area to north of Academy Hotel deleted and replaced by formal park/openspace. Rear of J1 and D1-2 on west of new link road and orth of Highlands Hotel all remodelled. Area by Aviemore Burn deleted.

26. Laurel Bank Lane (LBS37) on north side of existing Tesco car park enhanced with full disability access, new surfacing, landscaping, welcome signage and gateway with night time doors into the Resort, all unchanged.
 27. Internal road improvements to be phased with the substantive link between north and south commencing 2009-10, unchanged.
 28. Material theme very much as above, but some quite detailed specifications have now been given for several of the buildings as part of design statements.
 29. The latest drawings include a significant level of more detailed information regarding the approach to landscape context and details of landscaping for certain elements of the proposals.
15. The revised drawings are supplemented by a number of design statements and interpretive sketches that explain the rationale behind the proposals. These are attached as **Appendix 3**.

Relevant Planning Background

16. There have been a number of decisions in recent years by The Highland Council and CNPA that are relevant to this current application:
- Comprehensive amendment of Masterplan permissions at Aviemore Centre, for Aviemore Highland Resort Ltd, granted subject to conditions and reserved matters and prior completion of a section 75 planning agreement (02/00007/OUTBS, outline). Granted by The Highland Council 2003.
 - Increase in maximum gross floor area of supermarket with associated parking and ancillary buildings for Aviemore Highland Resort (04/120/CP, outline). Granted by CNPA December 2007.
 - Erection of 21 houses, associated infrastructure and landscaping at land to north of Aviemore Highland Resort for Tulloch Homes (Aviemore) Ltd (05/304/CP, full). Granted by CNPA December 2007.
 - Erection of 140 dwellings, construction of roads and services and landscaping at 'Horse Field' (land north of Scandinavian Village) for Tulloch Homes (Aviemore) Ltd (05/306/CP, reserved matters). Granted by CNPA December 2007.
 - Erection of 2,787 sq m (30,000 sq ft) supermarket and car park at land at north-west corner, Northern Link Road/Grampian Road junction, Aviemore for Aviemore Highland Resorts Ltd

(06/395/CP, reserved matters). Granted by CNPA December 2007.

- Outline planning application (based on an indicative masterplan layout) for mixed use development comprising retail, business/office, storage and distribution, residential, leisure, other commercial, holiday lodges and open space and car parking on the entire land holding of Aviemore Highland Resort. Resolution to grant subject to Section 75 Agreement by CNPA December 2007, revised terms March 2008. The S75 has yet to be formally concluded and consequently no outline permission has been issued.

DEVELOPMENT PLAN CONTEXT

Scottish Government Policy

17. **SPP2 Economic Development** promotes sustainable development of high quality siting and design in rural areas and Scotland's National Parks. Brownfield development is also supported. **SPP3 Planning for Housing** supports mixed communities. **SPPG8 Town Centres and Retailing** contains guidance and criteria in assessing proposals with town centers being the first choice to maintain their vitality/viability and maximize accessibility and use of public transport. Retail Impact Assessments and Transport Impact Assessments are also advocated to support applications for significant proposals. Specific guidance is contained in respect of shops in small towns and rural areas, with there being a clear presumption in favour of central locations.
18. **SPP15 Planning for Rural Development** notes a vision of vigorous and prosperous rural communities with most new development being in or adjacent to existing settlements; also noted is the vital importance of tourism. **SPP17 Planning for Transport** seeks to locate significant travel generating uses where they can support more sustainable travel patterns; and requires councils to define a set of maximum parking standards. **SPP20 Role of Architecture and Design Scotland (A&DS)** is a new body set up to champion excellence in architecture and the built environment. A&DS offers a supportive role to all involved in the development process. **SPP20** refers also to **Planning Advice Note 68 Design Statements**, a mechanism which enables applicants to explain in a structured format why a selected design solution is the most suitable.
19. **Scottish Planning Policy** was published in October 2008 and is the most recent statement of Scottish Government policy on land use planning. It states that planning guides the future development and use of land. Planning is about where development should happen, where it should not and how it interacts with its surroundings. This requires promoting and facilitating development, while protecting and enhancing the natural and built environment in which we live, work and spend our leisure time. Careful attention to layout, design and construction should result in places where people want to be. The Scottish Government believes that a properly functioning planning system is essential to achieving its central purpose of increasing sustainable economic growth. The way in which the planning system is structured and operated should be directed towards that purpose and to supporting the Scottish Government's 5

strategic objectives. Planning has a critical balancing role to play when competing interests emerge in the consideration of future development. It is essential to recognise that planning issues, by their very nature, will often bring differing interests into opposition and disagreement and the resolution of those issues one way or another will inevitably disappoint some parties. Planning cannot be expected to satisfy all interests all of the time. It should, however, enable speedy decision making in ways which are transparent and demonstrably fair. The primary responsibility for the operation of the planning system and service is with local and national park authorities.

There should be a clear focus on the quality of outcomes, with due attention given to considerations of the sustainable use of land, good design and the protection and enhancement of the built and natural environment. Development management is a key part of the planning system and must operate in support of the Government's central purpose. This means providing greater certainty and speed of decision making as a means of creating good quality sustainable places. The planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. However, it is important that stakeholders understand their role in the planning process and how decisions have been arrived at. There should be clear but concise reports of the considerations that have been taken into account in reaching decisions on all planning applications. The Planning Acts require decisions to be made in accordance with the development plan unless material considerations indicate otherwise. Material considerations should be related to the development and use of land. Where a proposal is in accordance with the development plan, the principle of development should be taken as established and the process of assessment should not be used by the planning authority or key agencies to revisit that.

The Highland Structure Plan 2001

20. **Policy R1 (Shopping Hierarchy)** supports development proposals which consolidate the shopping hierarchy and enhance the role of individual settlements as shopping centers. **Policy R2 (Every Day Shopping Needs)** will encourage development which safeguard and enhance the local provision of facilities. **Policy R4 (Major Foodstores)** states that in small towns foodstore provision will normally be located within town centers to support the vitality and viability of local services. **Policy R5 (Town Centre Shopping)** will

resist proposals which are adjudged to undermine vitality and viability. **Policy G2 (Design for Sustainability)** sets down a range of criteria. **Policy G3 (Impact Assessments)** states that where environmental and/or socio-economic impacts are likely to be significant by virtue of nature, size or location then appropriate impact assessments will be required from the developers. **Policy G4 (Community Benefit and Commitment)** expects developments to benefit the local community and contribute to the wellbeing of the Highlands, whilst recognizing wider national interests. **Policy TC9 (Car Parking)** requires provision to be carried out in accordance with the council's standards.

Badenoch and Strathspey Local Plan 1997

21. The principles of the Aviemore section seek to strengthen the village as a major shopping and service centre and to promote the village's economic renaissance. The site is allocated on the Proposals Map for Commerce/Tourism with the Aviemore/Milton Burn designated as Recreation/Open Space and this zoning extending north westward towards the A9. The centre is identified on the Map, as are the main access roads. The introductory Prospects section noted that "Major revitalization of the whole village centre is needed to transform Aviemore's image and promote the village as a high quality mountain resort. A major investment programme to redevelop, refurbish and integrate the centre with the wider community will open up a range of development opportunities and provide a comprehensive approach to local servicing and environmental problems."
22. The Principles section noted that among the main priorities are :
 - to promote the economic renaissance of the village as a mountain resort incorporating high quality design and an overall architectural theme
 - to strengthen the village as a major shopping and service centre
 - to improve traffic circulation, parking and servicing arrangements, whilst giving over more of the village centre to the pedestrian
 - to transform the image and texture of Aviemore, "green up" the village, and restore links with its setting and wider environment
23. **Policy 6.1.1** notes that the Council will promote improvements in the quality and design of Aviemore's built environment and its relationship with adjoining countryside in accordance with the principles of Gillespies' Urban Design Strategy. These provide a framework for renewal/refurbishment of the existing village fabric,

future expansion areas and the wider setting, and will form a basis for detailed proposals, planning briefs or other guidelines as appropriate. Conformity will be expected with the main design principles embodied in the Strategy insofar as these relate to building grain and fabric, building hierarchy, scale and lines; open spaces and trees, views and streetscape. A partnership of public, private and community interests has been set up to pursue the Strategy.

24. **Policy 6.2.1** supports major redevelopment of the Aviemore Centre to revitalise the village and reaffirm its status as an international visitor destination. **Policy 6.2.2** sets down that “With the exception of refurbishment work, developments are subject to agreement of an overall Master Plan which will be the subject of consultation with the public and other interests. This will provide a basis for detailed layout and design of new development, infrastructure, landscaping and enhancement; together with servicing and amenity safeguards associated with existing uses to be retained”. **Policies 6.2.3 – 6.2.6** then included a wide range of development proposals, many but not all of which now exist:

to the north

- mixed residential use with good screening and separation from the A9
- a major part of the linear park/walkway and open space corridor by the burn
- possible tourist accommodation overlooking the lochan

in the centre (west)

- extension and refurbishment of the main leisure, conference and exhibition complex
- upgrading existing hotels
- new residential accommodation south of the Scandinavian Village
- a major national interpretive/visitor centre by Loch Puladdern
- associated commercial and parking facilities

in the centre (east)

- caravan park improvements
- self catering/health and fitness facilities and retention of existing tree cover

25. **Policy 6.2.7** requires that new or improved access should be accompanied by a Traffic Impact Analysis. **Policy 6.2.8** notes that other land within the village centre adjoining Grampian Road is allocated for consolidation of existing shopping, office and tourist uses. It further notes that greater compactness and consolidation of Aviemore’s commercial core is a design priority; and that encouragement will be given to increasing the density of the built form, infilling of vacant or under-used sites, redevelopment and

facelift to properties to achieve extensive upgrading of the environment and complement wider improvements in parking, servicing and conditions for pedestrians.

26. **Policy 6.3.1** proposes a Village Park on 16 ha of land adjoining the Aviemore Burn and running through to the Spey margins, possibly incorporating the following features with selective parts to be provided by developers where sites are contiguous with its boundaries:
- a system of lit/landscaped walk ways and cycle paths connecting with the school, village centre and other facilities
 - informal woodland, riverside amenities, a kickabout pitch and additional planting including by the Primary School
 - suitable flood protection and landscaping measures, including access to bunding along the burn edge
27. **Policy 6.4.1 and 6.4.2** set down the Council's policy to pursue establishment of a link road to improve the distribution and management of traffic in the village centre and provide a basis for substantial enhancement of the main commercial thoroughfare focussed on Grampian Road. This is an essential part of the village, integral to the redevelopment/refurbishment of the Centre Lands and other commercial interests, and includes safeguards for:
- a new link to Grampian Road between the Red McGregor Hotel and Winking Owl
 - optional routes through the Centre Lands based largely on the existing network, with connecting service roads including rear service access to properties fronting Grampian Road
 - upgrading the centre access to the south by the Four Seasons Hotel
 - the route, design and landscaping of the link road will be specified as part of the master Plan for the Centre lands.
28. **Policy 6.4.3(a)** is relevant, particularly that part referring to the encouragement of a package of measures designed to improve "first impressions" of Aviemore, including re-defining the main village approach with a new "gateway" to the south of the village immediately beyond the Four Seasons Hotel. **Policy 6.4.8** notes that the Council will encourage appropriate action by riparian owners to prevent flooding of the Aviemore Burn, on the site's northern boundary. **Policy 6.5.1** notes that the Council's main objective is to create a major landscape framework within and adjoining Aviemore to achieve extensive and robust improvements in the structure and amenity of the village, and better integration with the surrounding environment. The Council will also safeguard and encourage active management of trees

and woodland important to the structure of the village; and, as a matter of priority. The Council has placed a Tree Preservation order on the entirety of the Centre Lands.

Aviemore MasterPlan 1997

29. This document prepared by the Aviemore Partnership was approved by The Highland Council in 1997 as the supplementary planning policy deriving from the Badenoch and Strathspey Local Plan (notably paras. 6.1.1, 6.2.1 and 6.2.2). The Council stated that "The provisions shall herewith constitute an important material planning consideration in the determination of planning applications lodged within the central area of Aviemore".
30. Strong pedestrian and vehicular links were shown between Grampian Road and the Aviemore Centre. It takes account of the issue of relief for Grampian Road but without resorting to the construction of a "by-pass" or "relief " road. MasterPlan principles included:
 - that creation of a 'real place' is essential to development of a successful resort;
 - integration of the Aviemore Centre lands and the remainder of the village core centred along Grampian Road;
 - the historical separation of commercial and community facilities in two locations has proved socially divisive; and
 - it must become one centre; development must be guided by a MasterPlan.
31. General principles included the creation of a new concentrated village centre; a layout which is disciplined and ordered yet flexible in use; a formal network of shared and managed village streets; emphasis on balancing public and private transport, pedestrians and cyclists; establishment of design principles which ensure consistent and coherent building forms in scale with their surroundings and a high quality public realm; a formal but irregular grid of village streets overlaid on existing topography; and maintenance of mixed use, active, frontage development on all main streets.
32. In particular, the MasterPlan proposed a number of initiatives, including a new public/community village green, linked to the existing landmark green space in front of the Four Seasons hotel, as a focal point of the Village Centre; a new community building including a pool, TIC and other facilities; a family entertainment centre including ten pin bowling, cinema etc; new retail space, residential units and shopping infill/replacement on Grampian Road; auditorium and new hotels; and a visitor attraction.

33. This MasterPlan is currently under review and CNPA with Highland Council and other partners has engaged Land Use Consultants to prepare an up to date MasterPlan to take account of current circumstances, National Park status and the likely provision of An Camas Mor within the new Local Plan.
This work has still to be brought to a stage where a document can be formally published for consultation.

Cairngorms National Park Plan 2007

34. The Cairngorms National Park Plan (NPP) has a vision that sees the National Park as a renowned international destination and exemplar of sustainable development showing how people and place can thrive together. The NPP has a list of outcomes for 2030 that reflect this vision and link thriving communities and businesses with conservation, enhancement, enjoyment and understanding of the area's special qualities.
35. The NPP has a range of strategic objectives that set out these aspirations in policy terms and 7 priorities for action that have 5 year outcomes to 2012 to make progress towards these objectives. Many of these are relevant to this proposal to varying degrees. The NPP is a material consideration under both the Planning and National Parks Acts.

Cairngorms National Park Local Plan – For Information Only

36. This is not a significant material consideration at this stage as there are outstanding objections that will be resolved at a Local Plan Inquiry in 2009. For information purposes only, the site is allocated AV/ED3 with encouragement to develop and enhance its facilities and pursue closer links with the village centre. The area proposed for woodland lodges is allocated AV/Env and is to be protected from adverse development.

CONSULTATIONS

37. **Scottish Natural Heritage (SNH)** was consulted because of the proposals' potential impact on sites of natural interest. They state that they have no objection to the proposal, but have comments to make. The Aviemore Burn runs through the site and is designated as part of the River Spey Special Area of Conservation, but it is considered unlikely that the proposal will have a significant effect on any qualifying interests. There have been signs of otter, a European Protected Species, and it is recommended that an otter shelf should be constructed on one side of the burn to allow otters

to pass easily in high water conditions: no works between 31 May – 15 October. The survey has shown signs of brown long eared bats visiting, but not residing in, a building scheduled for demolition. Recommend that the building be demolished between end October – beginning of March when least likely to be bats present. Survey showed no evidence of bat roosts in trees, but if trees likely to hold bats are to be lopped or felled then another survey should be carried out first. They note that a number of paths are shown on the map and welcome this suggesting that CNPA access team advise on design and specification. They further advise that the area shown as chalet development is close to the Craigellachie NNR and, in particular, to the breeding peregrine falcons on the Reserve. Works carried out too close to the birds at the wrong time of year could prevent them from breeding successfully, and recommend that construction should be carried out outside period 1 March – 1 July to avoid disturbance to breeding birds.

38. **The Scottish Environmental Protection Agency (SEPA)** has been engaged in an ongoing dialogue with the applicant's engineers and has commented on a number of occasions. It is understood that the applicant is in dialogue with SEPA to address outstanding issues and is hoping for a resolution by 12 December. At the time of writing, however, SEPA's most recent comments are as follows. SEPA notes that this is a detailed planning application. However, SEPA is concerned to note that the report implies that the detailed site layout has not yet been finalised and therefore the SUDS proposals cannot yet be finalised. In addition the General Layout Plan appears to show an indicative layout and it is not clear what forms part of the current planning application. **SEPA requests that this matter is clarified and SUDS proposals for the finalised detailed site layout are provided.**
39. **SEPA continues to object to the surface water drainage proposals for the following reasons:**
- It appears that one level (via soakaway or hardstanding) of treatment is proposed for some of the new development. In addition there appears to be new development proposed, including access roads, for which no SUDS proposals are indicated. SEPA previously requested two levels of treatment of surface water run-off from non-residential development, particularly its supporting infrastructure of delivery areas, roads and car parking should be provided. This requires to be incorporated into the Surface Water Drainage Report and clearly indicated on a site plan. SEPA notes that roof waters are to be intercepted for rainwater harvesting or may be

discharged with one level of SUDS treatment. This aspect is acceptable to SEPA;

- It should be clarified whether the proposed storage areas for overflow drainage are to act as detention basins and these should be clearly defined on plan. Clarification of discharges from these areas was previously requested and is still required.– is this to ground via soakaway?
 - SEPA previously advised that the information required includes full details of proposed SUDS methods and calculations demonstrating the suitability of the proposed measure in line with planning guidance within PAN61 (particularly paragraphs 23 and 24) and technical guidance within The SUDS Manual (C697). This has not been provided to SEPA.
40. SEPA notes that as advised in previous comments information on measures to address flood risk issues should be provided prior to the commencement of any development on site and that no information in this regard has been provided to SEPA to date. Once again the conditions will have to form part of any permission. Please note that water quantity issues with respect to the surface water drainage strategy are a matter for the Local Authority acting as the Flood Prevention Authority. In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk the application must be notified to the Scottish Ministers as per the Town & Country Planning (Notification of Applications) (Scotland) Direction 2007. SEPA has also provided regulatory advice notes for the applicant that would be attached to any permission as an informative.
41. **Scottish Water** has no objection to this planning application. However, they are unable to reserve capacity at their water and wastewater treatment works in advance of formal agreement to be made with them. Due to the size of the development it is necessary for Scottish Water to assess the impact this new demand will have on its infrastructure and the developer will have to submit a fully completed Development Impact Assessment form. There may be a requirement for the developer to fund works to allow for connection.
42. **Architecture+Design Scotland (A&DS)** was consulted due to the application's significance to Aviemore, the Highlands and Scotland and because they had requested ongoing involvement in this site. The proposals were presented by the applicant and reviewed by the Panel at a Design Review meeting in Aviemore on 20 August 2008. Their report was issued in September 2008 and

is attached as **Appendix 4**. A+DS had significant concerns about the AHR masterplan in terms of its vision, delivering a sense of place, the relationship with the village, segregation of traffic and pedestrians leading to over-dominance of roads, designs not good enough for a National Park. The applicant has had an informal meeting with A+DS to discuss how to proceed in light of the comments. A+DS formally considered the revised proposals on 2 December at a Review meeting in Edinburgh and it is hoped that the formal written report on their conclusions will be available by 12 December. CNPA staff attended this meeting and can confirm that, whilst some members of the panel voiced reservations about the proposals, others acknowledged the progress that has been made by the applicants. The landscape context was discussed at length and there appeared to be a common consensus that the north of the site, currently semi-wasteland, is planned to the same intensity as the established southern part. The need to have traffic truly subservient to pedestrians on the north-south link road was also identified. This, however, is verbal feedback and it is the formal report that will give the current definitive A+DS position.

43. **Aviemore & Vicinity Community Council** responded in September 2008 to the original submission with detailed comments on most aspects of the proposals including highlighting errors and omissions. They were unhappy with the provision for the community as well as commenting that Aviemore is Scotland's premier tourist resort and as such is deserving of the best. The community is anxious that the resort is a success, but only the best will do. The applicant has recently met the Community Council and they have been consulted on the latest drawings. Any new comments on the content of the proposals in response to this consultation will be reported at the meeting.
44. **Area Roads and Community Works Manager, Inverness/Nairn/Badenoch and Strathspey, The Highland Council** has been waiting for all of the necessary detailed information from the applicant in order to respond to this consultation. A transport assessment was made available in July, but up to date traffic monitoring data was not submitted until November. In the meantime revised proposals have been submitted and it is understood that highways comments will be available by the meeting.
45. **Highland Council Contaminated Land** requires a study of the site to be carried out to identify and deal with any contamination. This can be dealt with by way of condition.

46. **Transport Scotland (Trunk Roads)** want conditions attached to any permission requiring a roundabout at the A95/A9 junction north of Aviemore after a certain level of development has taken place, and for the submission of a Travel Plan.

47. **Head of Planning and Building Standards, The Highland Council** has submitted a detailed response to the original submission incorporating comments from his Forestry Officer and Conservation Architect. He comments that the quality and content did not reflect what was anticipated. He makes specific observations on various elements of the proposals, including lack of a landscape structure, and in summary is of the view that they do not set out a thoroughly considered master plan that takes cognisance of its surrounding and does nothing to integrate with or contribute to Aviemore Town Centre. A more fundamental review is required; one that stems from a logical and systematic analysis of the site and its context. His comments on the recently submitted drawings are awaited.

48. **CNPA Visitor Services and Recreation Group (VSRG).**
We have been asked to comment on the full planning application for the Aviemore Centre Master Plan presented by the Aviemore Highland Resort Ltd. This report is based on physical knowledge of the site; our previous comments of 30 November 2007 and 18 April 2008; a study of plans submitted and liaison with other CNPA colleagues. I have structured my response under three main headings.

1. PROPOSED CORE PATHS

The area of the AHR plan incorporates the following proposed Core Paths

- Aviemore Orbital (LBS30)
- Laurel Bank Lane (LBS37)

A. Aviemore Orbital (LBS30)

All-abilities path

The southern section of this route (from the open area at Area L) provides a critical link into the Craigellachie National Nature Reserve from the north and centre of the village. Landscape Master Plan, Drawing No. 1130-01 indicates a plan for a sealed surface (referred to as a "blacktop footway") on this route to Loch Pulladern. This is of an appropriate construction, given the immediate environs of pavement, road and building, and it secures a really high standard of access for wheelchair users and the less able bodied. However, the intentions for the path appear to peter out after Loch Pulladern and we recommend that the **whole** path is constructed to meet the BT Countryside for All Accessibility Standards for "urban fringe and managed landscapes" as a minimum

Steps

We would like to see the reinstatement of steps where the Youth Hostel path and this path join at the underpass into Craigellachie, as an alternative for walkers. There is evidence that people are walking directly down the short but steep bank, and steps would help manage the growing erosion issue. The steps should be an *addition, not a replacement*, to an upgraded all-abilities path, referred to in the previous paragraph.

Youth Hostel path

We would also like to see an upgrading of the link from the Youth Hostel to the underpass to all-abilities standard, and a commitment to its maintenance. We would prefer to see this constructed as an aggregate path (rather than sealed surface construction) as it passes through open birch woodland and would be more in keeping with this environment.

Car Parking and Interpretation

Given the opportunities for residents of the village, and visitors to AHR, to access the National Nature Reserve from the Resort grounds, there should be dedicated car parking and associated interpretation. A dedicated car park is required in Area L available

for those wishing to access the reserve from this point off the inner ring road. Additionally we would like to see an area of car parking in the main conference centre car park, closest to the path, with associated interpretation. We would also want to see associated directional signs and waymarking from the parking area(s) to the Nature Reserve.

In summary we recommend the following:

1. That the path linking into Craigellachie NNR from the Resort is improved to meet BT Countryside for All Accessibility Standards
2. That steps are reinstated at the junction of the Youth Hostel path and Aviemore Orbital where they enter the Craigellachie NNR
3. That the Youth Hostel to Craigellachie NNR path is improved to aggregate standard
4. That dedicated parking and interpretation for NNR is made available

B. Laurel Bank Lane (LBS37)

Laurel Bank Lane has, in the past, provided access between the Resort and town centre, but is currently obstructed by a 1metre high fence and planted vegetation. The CNPA's expressed policy position is that the path is an important community resource and that the current obstruction should be removed and a gap created. The importance of this path has been expressed in three ways:

1. Paragraph 10. of the Final Terms of Approval for Outline permission agreed by the CNPA Planning Committee on 20 March 2008 requests the removal of the section of the existing fence (see below):

"That unless otherwise agreed in writing with the CNPA acting as Planning Authority, prior to the commencement of any development on any part of the AHR master plan site hereby approved, the existing obstructing fence and planting on the eastern boundary of the master plan site located at the west end of the existing lane to the north of the existing Tesco car park and connecting Grampian Road with the master plan site, shall be removed and the lane between Grampian Road and the Aviemore Highland Resort site shall be connected, without further obstruction, to the road network within the Aviemore Highland Resort site in accordance with details to be agreed beforehand with the CNPA acting as Planning Authority"

Please note that the condition expressly mentions that there should be no "further obstruction".

2. CNPA has considered complaints from the public in relation to access rights and our duties as defined in the

Land Reform (Scotland) Act 2003. Advice was sought from the Local Outdoor Access Forum and, following the refusal by AHR managers of written requests to remove the obstruction, CNPA served a formal notice on Aviemore Highland Resort Ltd on 30th January 2008 to remove the obstruction. The notice has been appealed by the land managers resulting in ongoing proceedings in the Inverness Sherriff's Court. To date there have been two preliminary hearings and a legal debate which was held on 6th August 2008. A decision on several matters of principle is awaited. However, it is important to note that even once this decision is made, it may not be conclusive and further evidence may require to be heard.

3. Following widespread consultation, Laurel Bank Lane was proposed as a one of a number of Core Paths in and around Aviemore. The proposal reflects the desire from members of the community to use this path as part of a network to move in and around Aviemore. During the final formal consultation, no objection to this proposal was received from any party. The Plan was approved by the CNPA Board at its meeting on 31st October 2008 and will, with outstanding objections, be submitted to Ministers by Christmas. In forwarding the Plan we will draw to Ministers' attention to the outstanding legal case as described above.

In relation to the current application there are a number of points to note:

- The proposal to improve the access up the lane through lighting, planting and surface improvements is welcome as is the intention to create an all-abilities access between the Resort ground and the village by dealing with the current change in level at the fence line.
- A gated feature is unlikely to be in the community interest. The Aviemore and Vicinity Community Council in a letter to the CNPA of 17th March 2008 stated
"...we discussed this issue [AHR- Laurel Bank Lane Fence] at our meeting on 13th March 2008, when it was agreed unanimously that we are one hundred percent against a gate, locked or unlocked, at this section of boundary fence. We are adamant that this section of the fence should remain open at all times".
- A gate at this location would be out of keeping in the context of the Resort. Pedestrian traffic is unimpeded at other access points elsewhere. For example, no gate is proposed on the proposed

new bridge over the Aviemore Burn; there are no gates at the Craigellachie end or on the roads into the Resort.

- The area in the Resort directly adjacent to Laurel Bank Lane has now been identified as 'public greenspace' from which a network of paths radiates, and this lends weight to the lane being a principle entrance to the Resort with an appropriately open and welcoming feel.
- A gate at this location would present a barrier for users of all-abilities to negotiate. The Scottish Executive Guidance (p43) on core paths says that *"In most circumstances on the core paths, access points and boundary crossings should be simple openings, to provide unimpeded access (with car barrier bollards as necessary)"*. And the policy in the Outdoor Access Strategy for the National Park on provision of paths for people of all abilities (OAS Policy 3) says that there should be *"A presumption in favour of barrier free paths, managed for a wide variety of users, wherever appropriate"*. If a gate were to be judged acceptable, and that is not our preferred solution, it would require to be designed specifically so that it was able to be opened safely and easily from both sides by a wide variety of users, and that it should be at least 1.2 metres wide.
- The CNPA have a statutory remit to work with land managers and users to resolve access issues and we are happy to assist in resolving any access related issues that might arise in connection with the development and implementation of the Master Plan.

In summary, we welcome the measures to improve the lane and how it connects the Resort and Aviemore Village Centre. However our recommendation is that this important path and significant entry point to the Resort remains barrier free and that a gap is created for the following reasons:

- **A gate is not in the interest of the Aviemore Community**
- **A gate is out of keeping with remainder of resort**
- **A gate is an extra barrier for all-abilities users to negotiate**
- **Scottish Executive Guidance on Core Paths and the CNPA's own Outdoor Access Strategy recommend simple openings and barrier free paths**

2. SUSTAINABLE TRANSPORT

The following measures should be included throughout the Resort:

- Pavements alongside all roads, adopted or otherwise, with drop kerbs at clearly defined crossing points
- Separately identified cycle lanes as part of the road system, if possible with two-way travel even where one-way systems apply to vehicles

- Covered cycle racks provided at all of the places open to the public and private guests e.g. outside the hotels, the existing Conference area and retail centre, other shopping centres and the Leisure Centre.
- All car parking areas should have associated cycle storage areas
- Associated path signage and promotion of routes to non-motorised users should be consistent with the recently approved CNPA guidance of directional paths signs.

3. PEDESTRIAN BRIDGE AND OTHER PATHS

We support the path link from proposed Core Path LBS41, and the provision of other paths as an alternative to pavements in the northern section of the development. All paths should be constructed to the standards appropriate for urban or urban fringe environments as outlined in the BT Countryside for All guidance, and should be available for cycle as well as pedestrian use. We note and welcome the new pedestrian bridge across the Aviemore Burn linking to the new retail site and facilities on Grampian Road.

49. **CNPA Sustainable Tourism Officer**

Visitor accommodation

I welcome the provision of further quality visitor accommodation in the area. The extensions to the Highlands Hotel (N) and the Four Seasons Hotel (Q) both seem well-planned and appropriate to the development.

The additional chalets to be developed (R) are particularly welcome, as self-catering accommodation is becoming more popular, especially with family groups. Self-catering guests are also likely to spend longer in the area than other visitors. Looking at apartment block K, I express reservations at the height of the development (7 stories) and its potential dominance over the adjacent Cairngorm Hotel, one of the more traditional and characterful buildings in Aviemore.

Retail and office

Although the development will significantly increase the retail floorspace in Aviemore, I don't foresee this having a significant negative impact on existing retail businesses, most of whom have prominent locations on Grampian Rd. I suspect that the increase in population and visitors to the remainder of the development, and the fact that additional shops will give Aviemore a more critical mass as a shopping destination, will counteract any negative effects. The inclusion of office space in the development is welcomed, as it should attract a variety of SMEs, helping to diversify the local economy. I am concerned that retail and offices will move from Grampian Road into newer and potentially, in the short-term, cheaper sites. This may lead to the run-down of the retail strips on the Grampian Road. Although new development is likely to claw back retail business from Inverness, I would like to see a retail impact assessment. Mitigation might also be made by improving the Grampian Road retail areas which are currently difficult to get to and badly designed for walkers and cyclists.

Transport

I am concerned that the additional development will further overburden Grampian Rd, already near gridlock at busy times. The plan seems light on transport details only, relying on the outline good practice in the Master Plan. I would like to see a Green Travel Plan completed for the development and more work presented on the flow dynamics of vehicle, cycle and walking journeys within the development. Motorised vehicles should be restricted more in the plan. At present they are given generous parking in central areas. It would encourage active travel if parking was restricted and at the periphery of the development.

Only deliveries and disabled persons should be allowed close to flats, offices and retail. This would allow for the pedestrianisation of the development. Clear priority could be given to foot and cycle transport. Cycle storage should be placed in more prominent positions directly outside buildings. Cycle parking should be part of the build design, with secure cycle boxes well lit and covered cycle storage and lockers and showers within offices to encourage cycle use. I do not note any showers in offices at present. There should also be clear walking and cycling routes, with priority over cars, from the development into Aviemore Grampian Road, and a link to National Cycle Route 7, and the Speyside Way for cyclists and walkers. Buses – bus stop standards should be as per the Master Plan. They should include secure cycle storage facilities. Provision should be made for the recharging of electric vehicles at priority parking sites outside retail, commercial and residential units.

Sustainability

The sustainability framework sets out options for the development, but does not commit to any actions. I would hope that the development goes beyond legal standards and looks to best practice within the industry, particularly as regards energy use, water & waste. Currently AHR have silver / bronze accreditation through the Green Tourism Business Schemes. The new tourism developments should aim to achieve a gold award.

50. **CNPA Housing Policy Officer** This development contains 8 blocks of flats either standalone blocks or which retail units below. This would appear to be a high number of densely populated flats (89) in what is essentially a rural area. Some of these are obviously luxury flats for the upper end of the market with good views of the Cairngorms. There is included in the submission a paper on Sustainable Energy Design Solutions and a Sustainability Framework which highlights how these buildings will be designed to certain standards which is commendable. There is no mention of affordable housing. If there is affordable housing it would have to comply with Scottish Government guidelines for Housing Association Grant funding. This may differ from the layouts indicated. Aviemore is the 3rd most pressured settlement with 8.5 applicants competing for each let over the last 3 years. It ranks 24th in Highland. In relation to all the other large towns in Highland, Aviemore has the greatest relative pressure. Combined with the overall demand for Aviemore, this demonstrates the continuing need for social rented housing in this community. From the waiting list information there is demand for housing in Aviemore. It is suggested that this project could have a mix of house/flat sizes and different tenures ie housing for both rent and low cost home

ownership. This should assist people to access housing in Aviemore however the majority of accommodation seems to be flats. Housing accessing Housing Association Grant can only be accessed if the funding has been identified in the longer term (in line with the estimated phasing of the project) through Cairn Housing Association or Albyn Housing Society. This would have to be agreed with the Local Authority and housing associations. Then this project should proceed in the future however this depends on funding from the Scottish Government.

51. **CNPA Heritage and Land Management Group - Landscape**

Commented on the initial submission that the proposals were still very vague even considering the scale for the drawings. Considerably more detail was required in the landscape statement and there were fundamentals still missing such as a thorough analysis of the existing site landscape and its context. Also missing was a long term strategy for the tree structure of the site.

Comments on the most recent drawings received are as follows:

1. There are many areas where significant improvement has been made to the layout of this project. In the following comments I have tried to draw attention to those areas where such improvement have been made as well as identifying areas that require more explanations or are of less successful nature.
2. The drawing style suggests a range of planting types but it is not yet clear exactly what they are. If my interpretation is correct then they seem to be a good range of styles – broadly speaking less formal more naturalistic planting along the periphery of the site becoming more formal towards the central commercial area. The central feature appears to be a stylised naturalistic planting scheme incorporating natural boulders and planting alongside a sinuous water feature. This is a good strong design element that would establish an appropriate character and theme for the area. I welcome this bold approach. However the details are limited and so far only suggestive. How for example does the water move along the feature – is the lochan the start or end of the flow?
3. The broad pattern of tree planting is acceptable. However the planting mixes need a little further thinking. For example the range of shrubs seems a little low for such a big site. There is a lack of some definition about where the more native ones will be and how they will be organised on site. The trees listed are

likewise limited and a broader range especial the ornamental species within the commercial areas would be appropriate. Aspen is a key indigenous species and on the LBAP priority list. They could be planted in the more natural areas. These should be obtained from local origin sources. It might be better, subject to approval from the case officer, to condition the details of species. Discussion with the applicants landscape adviser suggests that further changes along the lines suggested here would be acceptable.

4. Layout of the main commercial area is much improved with the central POS now playing a pivotal role in the centre of the development. Some kind of gateway feature would be good at the entrance the POS from Laurel Bank lane to emphasise the arrival point. This might be reflected in the layout for the footpaths.
5. The Public Open Space to the north is significantly improved by alteration of the location of the community building and placing the set down bay for buses on the opposite of the road.
6. The footbridge approach from Tesco has too many trees removed. I understand the desire to open views but the extent of removal could detrimentally affect the qualities of the area. It could be possible to crown lift the large tree to the north to provide some additional visibility whilst maintaining the best of the tree cover. I would suggest a site meeting to discuss this in detail and I feel that the comment "existing trees to be removed to open visual link" should include "as agreed by the CNPA and HC" at the very least.
7. Block M is still located behind the car park and I still think that there is an opportunity to make a stronger relationship to Grampian road by having it set in front. I note that there is no longer a play area in front of this – will this be provided elsewhere and if so where?
8. Details of how Block Q will be constructed without undue harm to the important trees in front are still needed. More detail has been supplied in respect of the building itself, but a Tree Protection Plan will be required for all retained trees and woodland.
9. 29 new lodges within the pine woodland is too great a number to be accommodated without significant damage to its integrity. Leaving this open in the way suggested on the

drawing is not specific enough for the purposes of effecting development management. We now have more detail on this issue in drawing 08418-90-01 rev A. This shows the approximate location of an additional 29 lodges (numbered consecutively with the existing ones 19-47). Many of these have encroached into woodland areas that are of special value to the area; they are all protected by TPO and are on the ancient woodland and ancient semi-natural woodland inventories. Of these proposed lodges numbers 19-28 are in line with my previous comments and are likely to be acceptable, subject to micro-siting to minimise damage to trees. Numbers 42, 43 and 47 are also likely to satisfy the same conditions. The remainder are serviced by a new road through the pine and birch woodlands and do themselves occupy these woods (44-46 in the pine woods and 29-41 in the birch). I feel that there is a high probability that the new road and the lodges would require the removal of a significant number of trees which would impact upon the integrity of the woodlands. This would not conserve or enhance the natural or cultural heritage value of the woodlands and would be contrary to the first aim of the park. There is a suggestion of an extended pond in this drawing. This does not appear on the landscape master plan. This would be an enhancement and therefore something that we would encourage but I am unsure about its status because of the contradiction between the drawings.

10. We now have more detail on the buildings. My principle concern is still over unit K. We have previously asked for cross sections of the building showing the relationship to the existing trees and the Cairngorms Hotel to the east. These have not been provided. We can now see that there is a basement car park and this might impact upon the trees. The cross sections will also help us to evaluate the landscape and visual impacts from this building. This underlines the importance of the cross section so that a full evaluation can be made. [**Cross Sections have since been received and comments of the landscape adviser are awaited**]

52. **CNPA Heritage and Land Management Group – Ecology**
This is attached as **Appendix 5**. There are particular concerns regarding the impact on squirrel dreys in the southern end of the site and the need to avoid impact on bats or nesting birds. Enhancement opportunities are identified for the pond at the southern end of the site, and for otters, bats, swifts, house martins and aspen. The need to avoid importing invasive species is highlighted.

REPRESENTATIONS [See Appendix 6]

53. A letter has been received on behalf of Cairngorm Hotel raising concerns with regard to Tower Block behind the hotel, the new roundabout at the southern access, and the size of the extension to the Four Seasons Hotel with limited parking and given current number of bedrooms on site.
54. Martin Stacey of Pineuilh in France objects on the grounds that it will create no more employment in the area, AHR offers little for local people, no need for more housing, and Aviemore is an area of outstanding natural beauty and should not be turned into a money making scheme for house builders, investors and those with money.
55. Mr. R. Tozer of Barclay Road comments that the Four Seasons is already out of scale to other buildings and is an eyesore in the Park, to add to the front will compound this. With regard to Block K, the last thing Aviemore needs is a building that will detract from the natural setting of Aviemore. Commenting on the most recent plans he maintains his views on the Four Seasons extension, and considers Block K is still too high. He also commented on lack of clarity on the plan for the lodges following the site visit on 28 November.
56. Mr. G. Stirling of Glasgow who owns a flat in Grampian Road is concerned with regard to the flats in Block M, contradictory statements in the landscape plan, the loss of trees, increase in number of lodges, impact on squirrels, increase in retail space and taken as a whole the plans should be investigated at a public enquiry or by the Scottish Government.
57. Mr. R. Sefton of Craig na Gower Avenue considers it imperative that access from the A9 is included in the project.

APPRAISAL

Context

58. This is an application for full planning permission for a complex range of development spanning the entire extent of Aviemore Highland Resort (AHR) site. The CNPA accepted the principle in December 2007, but this application is for the detail of the buildings, streets and public realm that the applicant wishes to develop on the site. In other words, whatever is approved can be built. It is within this context, and bearing in mind the aspirations

expressed last December regarding development of this scale and nature within a National Park, that CNPA staff have been engaged in dialogue with the applicant's team since the application was called in.

59. The applicant has been anxious for a decision since submission of the proposals. As has been highlighted elsewhere in this report, the application as called in was not accompanied by the full range of information. This was received during July and August and only then could consultees respond and CNPA staff make a full assessment. Architecture + Design Scotland (A+DS) had commented on the previous application and expressed a particular interest in continued involvement with the site. The applicant did not have sufficient information available for the A+DS Design Review until late August and the A+DS report was not available until September. This report, along with other consultation responses and CNPA staff assessment highlighted deficiencies in the proposals that required to be addressed. Several discussions have since taken place and there have been significant changes to the scheme which are contained in revised drawings currently out for consultation at the time of writing.

Aviemore Masterplan

60. The "fit" with the existing Aviemore Masterplan 1997 has been an ongoing issue as these proposals have evolved. It envisaged a strong grid of streets linking Grampian Road with the Resort and active frontage to the rear of Grampian Road properties along the eastern boundary of the Resort facing onto a substantial community space ("New Village Green") with a new community building at its northern end by the burn.
61. This Masterplan is in the course of being revisited and Land Use Consultants have been working with CNPA and others to produce an Aviemore Design Framework. This work is yet to be concluded and progress has been affected by the speed at which applications have been coming along for major development sites in central Aviemore. It is hoped that it can be completed in 2009 with full community consultation. While some of the thinking has been fed into the consideration of this application, the existing Masterplan is the one with a statutory basis.
62. The current site layout allows for the creation of a frontage to the rear of Grampian Road properties. It only has the two road links to the north and south, but the link via Laurel Bank Lane has been reinforced. The community space and building is occupied by the Academy Hotel and Blocks A-C, E-H, and J2-3. The Masterplan

envisaged retail within the resort, but more in the form of a street frontage either side of the green.

63. It is considered that the most recent proposals with clear links to and through the site and a network of public spaces is an improvement and closer to the intent of the Masterplan than the initial submission. There is, however, no clearly defined significant community provision. The public space is dispersed and there is limited allocation to the north for a kickabout pitch and site for a community building. This is still an area of concern for the Community Council and does not accord with the condition to be attached to the outline permission.

Badenoch and Strathspey Local Plan and Highland Structure Plan

64. The proposals comply with the Development Plan in general terms and the discussions that have taken place have been to secure compliance with the specifics in terms of road links, design quality, provision for public open space and community benefit. It is considered that the progress that has been made is sufficient to indicate that full compliance is possible.

National Park Plan

65. This is a high level and wide ranging document, but it is material to planning decisions and developments within the Park have to demonstrate how they will contribute to its realisation. This is particularly the case with developments of this scale, complexity and high profile. A successful and sustainable resort demonstrating what is possible in a National Park context will help to deliver the Plan. The proposals as submitted raised concerns on several levels in terms of quality of design, layout, landscape context and overall sustainability. It is considered that the progress that has been made is sufficient to indicate that full compliance is possible.

Transport Assessment

66. At a strategic level Transport Scotland have no objection subject to the same conditions they requested on the previous application regarding junction improvements to the A9/A95 and submission of a Travel Plan.
67. Highland Council Highways have still to submit road and surface water/flooding comments on the most recent scheme and taking account of additional technical information that has been made available. It is assumed that the requirement for the Section 75 to

make provision for the north – south link road will remain. The deletion of the roundabout at the southern access, pedestrian priority for the link road and amount of car parking will be considered and comments submitted prior to the meeting.

Retail Assessment

68. An updated Retail Impact Assessment has been submitted in support of the proposals and takes account of the variety of retail provision within the development. Max Cowan on behalf of CNPA has considered this and concluded that the current proposals for the Resort do not appear to raise significant issues of retail capacity and impact. Furthermore the increased retail offer may have the effect of boosting visitor numbers and expenditure. Both of these considerations support the granting of planning permission in his opinion.

Design and Layout

Original Proposals

69. The proposals as originally submitted did not reflect a proper appreciation of the landscape context or the need for integration and linkage with Grampian Road and other parts of Aviemore. The layout lacked cohesion and the designs of several of the buildings were not of sufficient standard for a National Park. Two different architects have been involved, which is not itself a bad thing, but it was clear that there was a lack of consistency in the approaches to building design to give a common theme.
70. Whilst appreciating that provision has to be made, the amount and location of car parking were a considerable concern as it would have dominated the entire site. The arrival into the site via Laurel Bank Lane from Grampian Road would have been on to a road and large car park. This is a principle point of entry and a sense of arrival and welcome was fundamental.
71. The proposal for up to 29 lodges in the woodland to the south has been and still is a concern. The applicant suggests that the phrase “up to” and agreement on positions on site allows scope only to allow those which can be accommodated within the woodland to the satisfaction of CNPA. This view is not shared and as the CNPA Landscape Adviser has highlighted, it is considered that only a much smaller number can be accommodated.
72. The position of Block K to the rear of Cairngorm Hotel has been a particular concern in terms of its design, height in relation to the

surroundings, and ability to fit on to the site without adversely affecting the trees.

73. Laurel Bank Lane is shown as an enhanced route from Grampian Road in to the Resort. Various works are proposed to make it a more attractive approach, accessible by people of all abilities. The drawing for this element does clearly show a gate to be closed at night. In planning terms it is the actual provision of the access route and the design approach to it that is important. The matter of a gate being locked at certain times is an access issue and one which CNPA can pursue under separate legislation as is currently the case in this location. An informative to any permission can make this clear.

Revised Proposals

74. In terms of layout there have been significant improvements. There has been greater analysis and presentation of landscape context and rationale behind the approach taken. The sequence of spaces and movement through the development is more logical. The pedestrian priority street framed by Blocks D-F and J1-3 creates a better environment as does the tighter relationship between Blocks A-C and G-H. The coach drop off is in a more practical location.
75. Parking is now located in the centre of the site allowing scope for green spaces and landscaping throughout the northern part of the development. The approaches from Laurel Bank Lane and over the new footbridge are enhanced and give a greater sense of arrival. The deletion of the roundabout at the southern access leaves Strathspey Lawns undisturbed.
76. In terms of building design, there has been significant progress and it is considered that the remodelling of the Academy Hotel and the architecture for most of the new buildings is of high quality and will create an interesting environment and sense of place. The revisions to the Four Seasons extension and Blocks B-D are welcome..
77. It is, however, felt that a number of buildings require further work before they are of the same standard. Blocks J1-J3 (pub, convenience store, and offices) do not reflect the common theme that is emerging and still appear to be somewhat dated and utilitarian in design terms. Block M requires parking to be relocated to the rear and elevations to be remodelled to fit with its location. Block S requires further work to create interest and reflect the woodland location. Block K is still a real concern;

although the height has been reduced there is a worry about the impact on trees and we are not convinced that the design is appropriate for this location. The number of lodges has to be substantially reduced.

Conclusions

78. The aspirations for development of the Resort site and central Aviemore were set out in my report in December 2007:

“Paraphrasing the Gillespie report (especially pages 23-25), the vision of the new Aviemore village or town centre emerges, and remains key:

“... the creation of a new village centre in Aviemore ... a convincing village core with its own character and sense of place ... a new coherent arrangement of streets, buildings, public and private spaces ... respect to neighbouring development ... a layout which is disciplined and ordered ... a formal network of shared and managed streets ... an urban form which is visually and environmentally sustainable ... establishment of design principles which ensure consistent and coherent building forms in scale with their surroundings and a high quality public realm ... mixed-use, active, frontage development on all main streets ... a management and maintenance regime which enables the village centre to come to maturity and be sustained at a high level of quality ...”

79. The precise rationale for achieving this vision may have evolved with the passage of time, but it is clear that there is still a widely held desire to make real progress on many of the components within it. The initial proposals were clearly deficient, but it is accepted that progress has been made and there is potential with further work on certain elements, and in the detailed implementation, to create a quality “urban” environment that reflects its location in a National Park.
80. There are still outstanding responses awaited from Highland Council Highways and SEPA with regard to the revised proposals. It is understood that there are no matters of principle involved and it is simply technical assessments. The provision of the link road and other highway improvements via a Section 75 is accepted. The applicant has been urged to ensure all necessary information is available to allow response to be made before 12 December.

81. The key to the grant of a planning permission and successful implementation of the proposals within this application lies with the applicant. Revised drawings are required for Blocks J1-J3, Block K, Block M, Block S and the Woodland Lodges. The detail of implementation with regard to materials, substantial landscaping etc. can be dealt via conditions that CNPA will rigorously enforce.
82. The final comments of the Community Council are also awaited. Provision for the community was an important element in previous deliberations and it is understood that the applicant has been in dialogue with the Community Council. It is understood that further information will be available by 12 December.
83. The applicant has verbally stated that there will provision of affordable housing, but the precise level and location is still to be defined. This will be required by 12 December.
84. A full and detailed recommendation with conditions will be made available prior to the Planning Committee on 12 December, but, given the progress that has been made to date; it is considered that a recommendation to grant planning permission can be made at this stage subject to some caveats.

Conserve and Enhance the Natural and Cultural Heritage of the Area

85. The site contains a substantial number of trees covered by a TPO so development will require to be carefully implemented to minimise impact. Given the current condition of much of the site, the landscape setting and wider backcloth have offered potential for a development that could enhance central Aviemore. It is imperative to have a sophisticated and substantial landscaping scheme and high quality of finishes for the buildings to realise this potential. The impacts on the NNR and the Milton Burn SAC have been carefully considered and taken into account. Other impacts on species and habitat have also been assessed. Overall and with appropriate conditions it is considered that the proposals accord with this aim.

Promote Sustainable Use of Natural Resources

86. Any development will obviously use resources, some of which will not be from sustainable sources. The application was accompanied by a Sustainability Report by Rybka which identified arrange of sustainability features that could be included in the development, but did not actually specify with regard to the particular buildings. It is clear that there is potential in the designs for use of timber, significant energy efficiency, and because of the scale, the use of economies of scale for use of renewables, grey

water recycling etc. This can be dealt with by condition and it is therefore considered that the proposals can help deliver his aim.

Promote Understanding and Enjoyment

87. The proposals now show integration of the resort with central Aviemore and surrounding areas by developing the existing footpath network and maintaining access to the NNR etc. The existing blocked pedestrian access from Grampian Road by Laurel Bank will also be opened up. The realisation and enhancement of access and enjoyment can be achieved via conditions on the permission.

Promote Sustainable Economic and Social Development

88. The mix of development will make a positive contribution to this aim in terms of providing a range of employment and retail opportunities and additional housing. The level of affordable housing provision has not yet been stated and has to be clarified.

RECOMMENDATION

That Members of the Committee support a recommendation to: **GRANT Full Planning Permission for the proposed mixed use development comprising residential, retail, office, community, leisure, park, environmental improvements, roads infrastructure, resort hotels extensions, additional lodges, and demolition of existing admin building at Aviemore Highland Resort subject to:**

- a. No substantial issues being raised in outstanding consultation responses from A+DS, SEPA, Highland Council Highways and Aviemore Community Council on the revised proposals
- b. Receipt of satisfactory revised drawings for Blocks J1-J3, Block K, Block M, Block S and reduction in number of the Woodland Lodges
- c. Agreement on the amount and location of affordable housing provision
- d. A Section 75 Agreement between CNPA, The Highland Council and Aviemore Highland Resort in relation to the provision of the north-south link road within the site, and the provision of rights of access to neighbouring land fronting Grampian Road, such agreement to have regard to the terms of this permission and other relevant requirements of the existing minute of agreement between AHR and Highland Council; and
- e. To a number of conditions and informatives – full details to be made available by the meeting on 12 December.

DETERMINATION BACKGROUND

This application was lodged with The Highland Council on 20 June 2008. The CNPA called in the application on 28 June 2008. The applicants did not provide all of the necessary information until end of August 2008. Following assessment and consultation responses the applicants made revisions to the proposals. These were submitted on 26 November 2008. This site plays an important role in the economy of

Aviemore and the National Park and CNPA has therefore sought to bring the application to Planning Committee at the earliest opportunity.

Don McKee
4 December 2008

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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.

Selection of Photographs

Others Will Be Available for the Meeting



Looking to Block K Rear of Cairngorm Hotel from Southern Access Road



Looking over towards Block M across Strathspey Lawn from Southern
Access Road



Block L – Future Leisure Development



Looking to Academy Hotel on right Blocks J3, C & B on left.



Looking over Block A etc. towards Scandinavian Village



By Entrance to Tulloch Housing Site looking across to Academy Hotel and Blocks A – C, G-H on left and Blocks J2, F, E, J3, J1, D1-2 on right



Entrance to Tulloch's site looking across to Development Around Town Square, footbridge on left