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# CAIRNGORMS NATIONAL PARK AUTHORITY

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

**Prepared by: FIONA MURPHY  
(PLANNING OFFICER,  
DEVELOPMENT MANAGEMENT)**

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**DEVELOPMENT PROPOSED:**

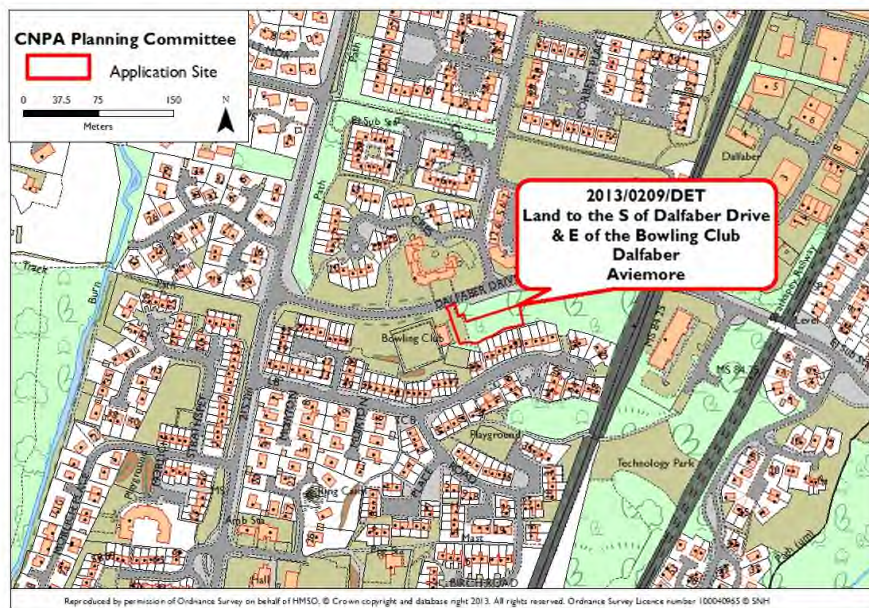
**CONSTRUCTION OF TWO STOREY BUILDING FOR THE TRAINING OF ARMY CADETS AND AIR FORCE CADETS INCLUDING CAR PARKING, PATHWAYS, LANDSCAPING, FLAGPOLES AND SERVICES AT LAND TO THE SOUTH OF DALFABER DRIVE AND EAST OF THE BOWLING CLUB, DALFABER, AVIEMORE**

**REFERENCE: 2013/0209/DET**

**APPLICANT: HIGHLAND RFCA**

**DATE CALLED-IN: 15<sup>TH</sup> JULY 2013**

**RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS**



**Grid reference: 289854 E / 813659 N**

**Fig. 1 - Location Plan**

## SITE DESCRIPTION AND PROPOSAL

1. The application site lies to the south of the junction of Dalfaber Drive with Frank Spaven Avenue and to the east of the Bowling Club in Aviemore. It is presently undeveloped, forming part of an open area of ground that extends eastwards along Dalfaber Drive to the railway. There is existing housing to the south of the site along Burnside Avenue. On the northern side of Dalfaber Drive west of Frank Spaven Drive is a housing complex set back from the road, whilst to the east of Frank Spaven Drive there is the mixed use development, comprising retail and other commercial and community uses, with housing above. The buildings in the vicinity are predominantly two storey, with the exception of the Bowling Club which is single storey. They are all finished in render with tiled roofs, with the addition of timber cladding features on the more recent buildings. The photograph below illustrates the context of the site.



### Development Proposal

2. The proposal is to erect a single 'L' shaped building with principal elevations facing northwards onto Dalfaber Drive and westwards onto the existing car park. The accommodation comprises a drill hall, three lecture rooms, four offices, and associated ancillary facilities for the Air Training Corps and the Army Cadet Force.



5. The building is to be provided with solar voltaic panels to the south facing roof and will use an air source heat pump for space and water heating.
6. The application includes a Design and Access Statement, a Sustainable Design Statement, an Ecological Survey and a Soft Landscape Maintenance Regime. The Ecological Survey concludes that the site is of low ecological value overall and that there are no ecological constraints to development of the site.

### **Site History**

7. A similar application was submitted earlier this year and subsequently withdrawn. The reference number was 2013/0029/DET. In this case, the proposal was for a simple, single storey building containing all of the required accommodation and set back from the Dalfaber Road frontage.
8. Following consideration of this earlier application, the concerns that were put to the agent about this proposal by the CNPA Planning Officers included:-
  - the expectation that the building would be designed specifically for the site,
  - the requirement that the building would be set towards the front of the site,
  - a requirement that any building proposed on the site should be designed to have improved proportions and should reinforce the local vernacular and local distinctiveness, and
  - some of the surrounding area should be used to introduce a cohesive landscape strategy
9. Following the withdrawal of the application, there were detailed negotiations between the CNPA Planning Officers and the agent. These culminated in the designs for the site that have been submitted in the current application.

## **DEVELOPMENT PLAN CONTEXT**

### **National Policy**

10. *Scottish Planning Policy (SPP) (February 2010)* is the statement of the Scottish Government's policy on nationally important land use planning matters. It encourages planning authorities to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth and has the basic aim 'to achieve the right development in the right place'.

11. The SPP advises that decisions on the location of new development should:
- promote regeneration and the re-use of previously developed land,
  - reduce the need to travel and prioritise sustainable travel and transport opportunities,
  - promote the development of mixed communities,
  - take account of the capacity of existing infrastructure,
  - promote rural development and regeneration, and
  - prevent further development which would be at risk from flooding or coastal erosion.

### **Strategic Policies**

#### **Cairngorms National Park Partnership Plan (2012 - 2017)**

12. The Partnership Plan sets out the vision and overarching strategy for managing the Park and provides a strategic context for the Local Development Plan. Three long term outcomes have been identified to deliver the vision for the Park and development proposals would be expected accord with those :
- A sustainable economy supporting thriving businesses and communities;
  - A special place for people and nature with natural and cultural heritage enhanced; and
  - People enjoying the park through outstanding visitor and learning experiences.

The CNP Partnership Plan can be viewed on the Cairngorms National Park Authority website at <http://cairngorms.co.uk/park-authority/about-us/publications/?publicationID=299>

13. These outcomes address the interaction of the three main characteristics of the National Park these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. A series of work programmes to help deliver the outcomes is set out in the Plan.

### **Local Plan Policy**

#### **Cairngorms National Park Local Plan (2010)**

14. The Cairngorms National Park Local Plan was formally adopted on 29<sup>th</sup> October 2010. The full text can be found at :  
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>

15. The Local Plan contains a range of policies and new development requires to be assessed in relation to all policies contained in the Plan. 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.
16. Policies are not cross referenced and applicants are expected to ensure that proposals comply with all policies that are relevant. The site-specific proposals of the Local Plan are provided on a settlement by settlement basis in Chapter 6. These proposals, when combined with other policies, are intended to meet the sustainable development needs of the Park for the Local Plan's lifetime. The following are particularly relevant to the current application:-
17. *Policy 16: Design Standards for Development*, sets out the design standards to be met by new development, including reflecting and reinforcing the character of the local area, minimising the effect of the development on climate change and protecting the amenity of neighbouring properties.
18. The *Settlement Proposals Section* within the Local Plan includes proposals for Aviemore, which is described as a strategic settlement within the settlement hierarchy. The application site is not identified as a specific development site, which means that the proposals must be considered on their merits in accordance with the general policies within the Local Plan highlighted above.

### **Supplementary Planning Guidance**

19. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted, including:-

### **Sustainable Design Guide**

20. This guidance encourages everyone involved in development in the Cairngorms National Park to adopt a more sustainable approach to design, and this should help to deliver individual buildings and larger scale developments which:
  - are sensitively located, reflect existing development pattern and setting, and respect the natural and cultural landscape of the Park;
  - reflect traditional materials and workmanship and take on board innovation, contemporary design and the emergence of modern methods of construction;
  - maximise efficient use of natural resources;
  - minimise negative environmental impacts; and
  - provide the foundation stone for sustainable communities.

## CONSULTATIONS

22. **Aviemore and Vicinity Community Council** strongly supports the application and sees the new building as an extremely important addition to facilities in Aviemore. The Community Council provided a detailed history of the site. With regards to the building itself, the Community Council feels that the building is well designed and with the associated soft landscaping will fit in well at the location. The Community Council have requested to be **heard**.
23. The **CNPA Landscape Adviser** has considered the revised site plan and soft Landscape Proposals and is content that the re-siting of the building and the planting proposals reflect earlier advice and the discussions with the applicant's agent. The officer considers that the result will be a development that fits with, and contributes to, the landscape character of the settlement.
24. The **Highland Council TECS Roads** recommends that a series of planning conditions are attached to any planning permission, including provision of a suitable turning head, all internal roads and parking areas to be to a generally adoptable standard, provision of covered cycle storage facilities, safeguarding visibility splays, drainage measures in accordance with SUDS principles, storage and collection of refuse, and street lighting.
25. **Aberdeenshire Council Planning Gain** advises that as the application is for a non commercial proposal which will benefit younger members of the local community as well as the wider community, it is deemed inappropriate to seek developer contributions from this application.
26. It is hoped to have a response from **Highland Council Environmental Health** to report to the Committee meeting.
27. No response has been received from the **Badenoch & Strathspey Disability Panel**.

## REPRESENTATIONS

28. Three representations were received from local residents within the timescale. All object to the two storey building but advise that they did not object to the previous plans. The objections are on the grounds of loss of privacy, overlooking and loss of light. There is also a concern that the car park will attract anti-social behaviour.

## APPRAISAL

29. As the site lies within the Aviemore settlement boundary, is currently vacant and lies close to other commercial and community facilities, it is considered that the principle of erecting a community building in this location is acceptable.

30. There have been no objections from consultees. The objections from local residents relate to properties that will be separated from the building by the car parking, hence overlooking and loss of privacy are not deemed to be an issue. The issue of potential noise from the car park and the facility itself requires to be addressed by Highland Council Environmental Health in response to the consultation request.
31. The use of the site for the Cadets' building and associated car parking and landscaping is appropriate in this area of generally mixed commercial, community and residential uses.
32. The development reflects the general scale of the community and commercial buildings in the vicinity and has been designed to accord with the detailed advice supplied by the Planning Officer, based on the Local Plan policies and Sustainable Design Guidance.
33. In conclusion, it is recommended that application is approved.

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

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

34. The development with its associated landscaping will enhance this currently vacant site within an otherwise developed area. It will also provide facilities for Army and Air Force Cadets, contributing to the cultural heritage of the Area.

### **Promote Sustainable Use of Natural Resources**

35. The development of a vacant site within the settlement boundary is preferable to the use of a greenfield site, facilitating access by foot, cycle and public transport. It will also incorporate measures for energy conservation.

### **Promote Understanding and Enjoyment of the Area**

36. The development will help promote understanding and enjoyment of the area for a particular group of young people.

### **Promote Sustainable Economic and Social Development of the Area**

37. The development will provide facilities for Army and Air Force Cadets, contributing to the social development of the Area. The construction of the facility will provide employment.



## RECOMMENDATION

**That Members of the Committee support a recommendation to grant planning permission subject to**

- a) The receipt of comments from Highland Council Environmental Health with any conditions required incorporated, and**
- b) The following conditions:-**

1. The development to which this permission relates must be begun within 3 years from the date of this permission.

**Reason:** To comply with Section 58 of the Town and Country (Scotland) Planning Act 1997 as amended by the Planning etc Scotland Act 2006.

2. Prior to the commencement of development on site, samples of the proposed external materials, including the render, tiling and timber cladding shall be submitted for the consideration and written approval of the Cairngorms National Park Authority acting as Planning Authority.

**Reason:** To ensure that the quality and colours of the materials are appropriate for this visually prominent location, to ensure the new development fits in well with the surrounding area, in accordance with Local Plan Policies

3. The window frames and external doors shall be finished in the same colour as the timber cladding.

**Reason:** To better relate to the palette of materials and colours used throughout the development to ensure the new development fits in well with the surrounding area, in accordance with Local Plan Policies.

4. Prior to the commencement of development on site, detailed proposals for the photovoltaic panels, which shall be designed as an integral part of the roof, shall be submitted for the consideration and written approval of the Cairngorms National Park Authority acting as Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

**Reason:** To ensure that the panels are designed as an integral part of the roof, rather than as an add-on feature, in the interests of visual amenity.

5. Prior to the commencement of development on site, detailed proposals for the air source heat pump shall be submitted for the consideration and written approval of the Cairngorms National Park Authority acting as Planning Authority, in consultation with Highland Council Environment Health. The development shall thereafter be implemented in accordance with the approved details.

**Reason:** To ensure that the siting and design of the air source heat pump is appropriate in visual terms and does not adversely affect the amenity of local residents.

6. No work shall commence on site until details of the arrangements for the disposal of surface water from the development have been submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority. Drainage arrangements shall accord with SUDS principles and shall satisfy the respective requirements of Highland Council, Scottish Water and SEPA. The arrangements shall thereafter be implemented in accordance with the approved details before the development is brought into use

**Reason:** To ensure that satisfactory arrangements are made for surface water disposal on site in accordance with Local Plan Policies

7. Before the development hereby approved is brought into operation details of the arrangements for the storage, segregation and collection of waste internally within the building shall be submitted to and approved by the Cairngorms National Park Authority acting as Planning Authority in consultation with The Highland Council's Waste Operations Manager. The arrangements shall be implemented before the use is brought into operation.

**Reason:** To contain these facilities within the building both as no external provision has been shown and to minimise the opportunities for anti-social behaviour, in the interests of the amenity of local residents and to ensure that adequate provision for waste management is made in accordance with Local Plan Policies.

8. The landscaping proposals shall be implemented within the first growing season following the completion of the development, in accordance with the approved landscape drawing. Thereafter the external areas shall be maintained in accordance with the Soft Landscape Maintenance Regime in perpetuity.

**Reason:** To enhance the setting of the development and provide a local amenity.

9. Prior to the commencement of development, revised proposals for the car park layout, to include suitable turning facilities for service vehicles and coaches, shall be submitted for the consideration and written approval of the Cairngorms National Park Authority acting as Planning Authority, acting in conjunction with The Highland Council's TECS Services. The approved layout shall be implemented before the use is brought into operation.

**Reason:** To enable all vehicles to enter and leave the site in the interests of road safety.

10. Prior to the commencement of development, detailed proposals for secure, covered cycle storage facilities for all users accessing the building by cycle shall be provided for the consideration and written approval of the Cairngorms National Park Authority acting as Planning Authority. Such proposals, once approved, shall be implemented prior to the occupation of the building.

**Reason:** To ensure that adequate facilities are available in the interest of green travel.

11. No part of the development or planting shall adversely affect visibility splays at the development junction with Dalfaber Drive. The visibility splay is the triangle of ground bounded by the first 2.4 metres along the centreline of the access (the x dimension) and the nearside edge of the public road (the y dimension) measured a minimum of 90 metres from the intersection of the development junction with Dalfaber Drive.

**Reason:** In the interests of road safety.

**Advice notes:**

1. For further detail and advice about roads issues, please refer to Highland Council's TEC Services consultation response on this application, which is available on the CNPA website -this will assist in preparation of information required to satisfy condition 9.

**Fiona Murphy**

[planning@cairngorms.co.uk](mailto:planning@cairngorms.co.uk)

**Date 5<sup>th</sup> September 2013**

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.