
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

Prepared by: ROBERT GRANT, PLANNING OFFICER

DEVELOPMENT PROPOSED: PLANNING PERMISSION IN PRINCIPLE FOR THE CONSTRUCTION OF NEW COMMUNITY SCHOOL; ASSOCIATED ACCESS ROAD; WITH PLAYING FIELD AT LAND TO EAST OF FOOTBALL PITCH, BIRCH ROAD, AVIEMORE.

REFERENCE: 08/433/CP

APPLICANT: HIGHLAND COUNCIL

DATE CALLED-IN: 24TH DECEMBER 2008

RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS

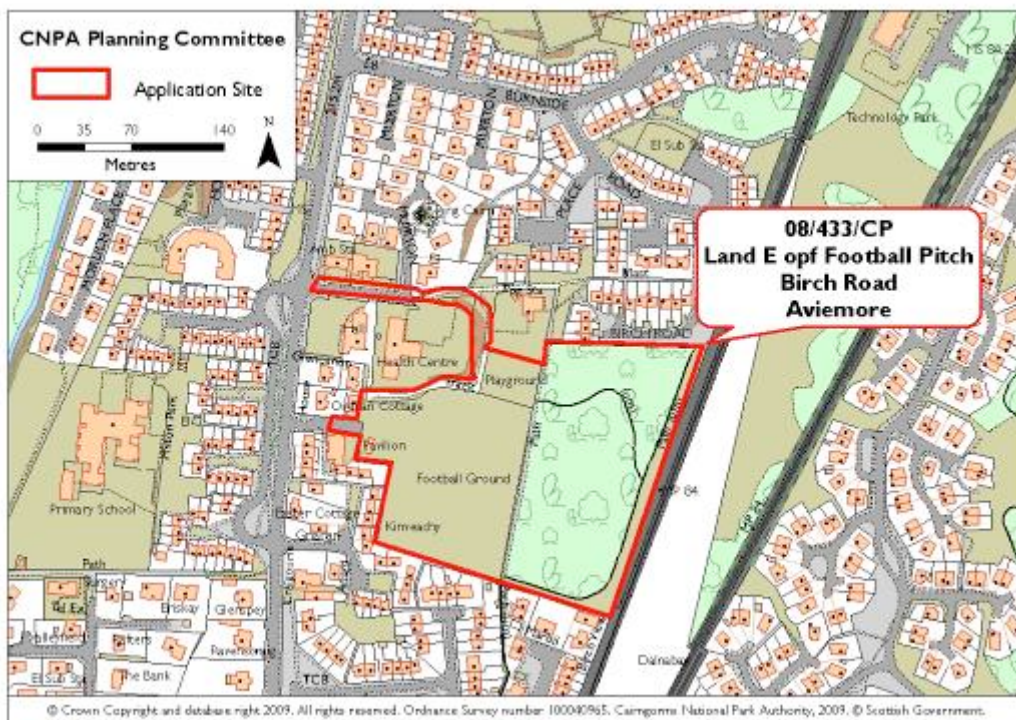


Fig. 1 – Location Plan

SITE DESCRIPTION AND PROPOSAL

1. The application site is located on the eastern side of Grampian Road, Aviemore and comprises an existing area of recreation ground with a play park, football pitch and associated pavilion, the remainder of the site features a large area of birch semi-natural woodland. The site encompasses some 3.6 hectares, extending from Grampian Road, taking in Muirton, passed the Aviemore Medical Practice and the British Legion Club to the north, the Inverness – Perth railway to the east and a number of residential properties to the south and west.
2. The adjacent area is predominately residential in nature; however a fire station, ambulance station, medical centre and community hall are located on Muirton. An existing gravel track provides access to the north of the recreation ground, taken directly from the medical centre car park, whilst an existing road serving the nearby Glen Centre provides an alternative access point from Grampian Road. An informal path network provides access to the recreation ground and woodland, connecting it with the surrounding residential areas.



Fig. 2: Vehicle access on Muirton



Fig. 3: Existing gravel track



Fig. 4: View across to public park and woodland looking east



Fig. 5: View across to football pitch looking west

Background

3. Planning permission in principle is sought for the construction of a community school, with associated access roads and community playing field. The proposed community school would provide accommodation sufficient for 300 primary school pupils plus staff and various community facilities. This application is to establish the principle of development on this site only.
4. The proposed community school would be a replacement for the existing Aviemore Primary School, located nearby at Milton Park. Highland Council highlight that the existing building is approximately 40 years old and is recognised to suffer from structural problems, is poorly located on an inappropriate site with poor drainage, accessibility constraints and has insufficient capacity for expansion. The school catchment area serves Aviemore and the surrounding district (based around the Loch Morlich Road communities) and has a current roll of approximately 226 pupils, 17 nursery children and 38 staff (including visiting and specialist staff with nursery and special needs).



Fig. 6: Existing Aviemore Primary School, Milton Park

5. Highland Council has assessed four potential sites within Aviemore, suitable for the community school, made up of a primary school and other community and civic facilities. The sites include the existing school site, discounted for its history of poor drainage, along with access constraints through the adjacent housing estate. An alternative site at Dalfaber was considered of insufficient size to accommodate the level of community facilities required along with the proposed school.
6. A further site, adjacent to the river was identified as having potential flood risk issues, poor site access owing to the nearby railway and requiring underpass pathways. Lastly, the present site located at Muirton, this was chosen over the other potential sites for a number of factors, including its central location, its pedestrian and vehicular accessibility and its recognised local plan designation for community use, along with the site being of suitable extent and size to accommodate the proposal.

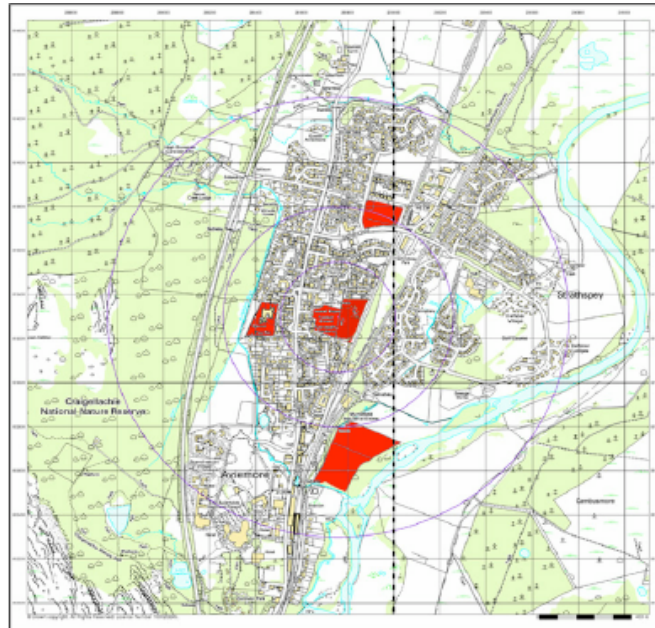


Fig. 7: Potential Site Selections

Indicative Proposals

7. Indicative proposals have been submitted illustrating the general configuration of the site, showing the proposed community school. These include:
 - a school building featuring four teaching 'wings' including up to ten classrooms, a nursery and community functions including a community/school library and service point;
 - a main central area featuring the school entrance, offices and other support accommodation alongside a sports hall;
 - an access road utilising the existing track taken directly from Muirton with a footway installed on its southern side, a shared pedestrian access point would be taken directly from Grampian Road immediately adjacent to the Glen Centre;
 - car parking provision for 128no. cars (including 12 disabled spaces) including 39 dedicated school spaces, 66 for civic functions, 14 for the Glen Centre and an emergency service access and overspill car park (9 spaces) to be laid with a 'grass road system';
 - various playground area's for nursery, lower and upper school uses, provided immediately around the building, along with courtyards and other area's of garden ground;
 - a community sports field, including a football pitch (90m x 45m approximately) within a 0.75 ha (roughly 103m x 66m) cleared area of the woodland; a number of enhancements would be introduced including a wildlife pond, tree and habitat planting.



Fig. 8: Indicative Proposed Layout

8. A Traffic Impact Assessment and Ecological Impact Assessment have been provided to enable further assessment of the outline application; on issues of traffic generation, access and impact on the area of woodland and habitat.
9. Various measures would be adopted to conserve and enhance site ecology and the woodland habitat including the retention of an area identified as a wildlife buffer/corridor adjacent to the east boundary. Compensatory planting would be introduced off site on an area, to be identified and agreed as suitable, to include the planting of an area of equivalent size or value to offset the loss of approximately 50% or 1.0 ha of the semi-natural birch woodland. Negotiations are still ongoing to determine the exact location of this. However it is considered that this matter can be dealt with by way of a condition or legal agreement with Highland Council.

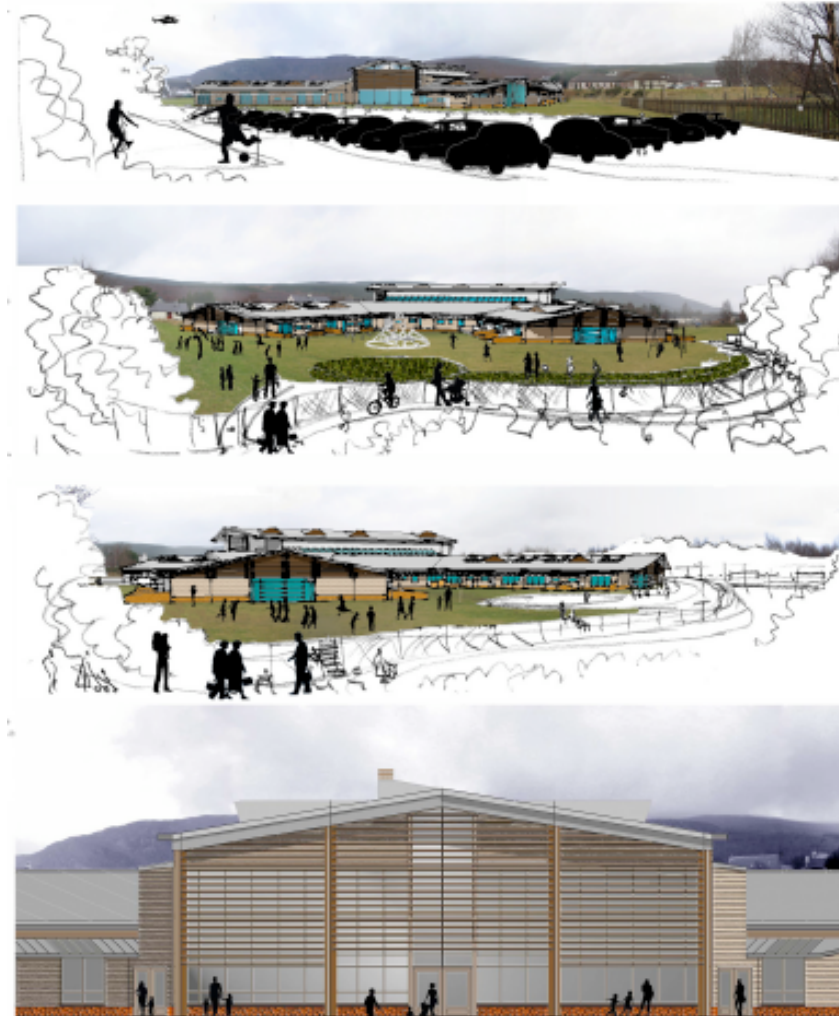


Fig. 8: Indicative 'sketch' perspectives

DEVELOPMENT PLAN CONTEXT

10. Section 25 of the Planning etc (Scotland) Act 2006, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan covering the application site comprises the Highland Council Structure Plan 2001 and the Badenoch and Strathspey Local Plan 1997.

National Planning Policy

11. **Scottish Planning Policy (2008)** provides the national context for decision making and sets out the key priorities for the planning system. The primary objectives are; to set the land use framework for promoting sustainable economic development; to encourage and support regeneration; and to maintain and enhance the quality of the natural heritage and built environment.

12. **SPPII Open Space and Physical Activity** sets out national planning policy for the protection and enhancement of open space and playing fields and indicates how they are an important resource for sport and can have a key role within the community. The overall objective should be to ensure that there are

sufficient playing fields in terms of quantity, quality and accessibility to satisfy current and likely future community demand. Playing fields and sports pitches should not be redeveloped except where the playing field which would be lost as a result of the proposed development would be replaced by a new playing field of comparable or greater benefit and in a location which is convenient for its user.

13. **SPP11** stresses that only where there is strong justification should open space or playing fields be developed either partly or fully. Justification must include evidence that the development would not result in a deficit of open space provision of that type within the locality and that alternative sites and any community concerns have been properly considered.
14. **NPPG 14 Natural Heritage** states that conservation and development can often be fully compatible and the potential for conflict can be minimised. In relation to statutory designations, and in particular to National Parks, para. 33 states that “while conservation of the natural heritage will be a key objective in any National Park, the Government considers that due weight must also be given to the social and economic interests of local communities.”
15. **SPP 17 Planning for Transport** notes that an approach to integrated land use and transport planning should be prioritised according to the following principles, walking, then cycling, followed by public transport and then cars. The guidance notes that new development should be accessible on foot, both in internal layout and in external connections.
16. As one of the tools of demand management to encourage modal shift, each council is required to adopt a set of maximum parking standards for on-site parking at new development. Council standards may where appropriate provide for operational parking over and above the maximum parking standards. Travel plans may be one mechanism for handling the sensitive transport issues arising, by organising dedicated buses or car sharing schemes.

Highland Council Structure Plan 2001

17. **Section 2.4 ‘Services and Facilities’** notes that access to a range of services and facilities are an important aspect of quality of life. The Structure Plan strategy supports the role of existing settlements, based on an assessment of the provision of shopping, social, cultural, health, business, recreational and other services and facilities upon which communities of different sizes depend.
18. The Structure Plan includes a specific section on Education, in which it is noted that such facilities are an important focal point in local communities. Educational services are also vital to the future economic prosperity of an area.
19. **Policy S2 (Education facilities)** states that the ‘Council will actively support the development of educational and associated facilities throughout the Highlands.....particularly where they contribute to the social and economic development of communities.’

20. **Policy G2 (Design for Sustainability)** states that developments will be assessed on the extent to which they meet a range of sustainability criteria.
21. **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 the appropriate impact assessments will be required from developers.
22. **Policy G4 (Community Benefit and Commitment)** states that the Council will expect developments to benefit the local community and contribute to the wellbeing of the Highlands, whilst recognising wider national interests.
23. **Policy SR2 (Sports facilities and open space provision)** seeks to protect sports facilities and amenity open space from development, unless provision for replacement facilities of an equivalent standard is made within the locality.
24. **Policy TC9 (Car Parking)** requires car parking provision to be carried out in accordance with the council's standards.

Badenoch and Strathspey Local Plan (1997)

25. The application site is included within the settlement of Aviemore, designated as recreation/open space and allocated as **open space/community/leisure uses under section 6.3.2**, including community facilities and ancillary formal recreational facilities. It further states that access should be taken from Grampian Road, footpath links along the margins should be safeguarded and a comprehensive layout plan will be required.
26. In a section of the Plan referring to Services and Infrastructure it is stated that the Council is continuing its regional investment priorities with a major school building / refurbishment programme. The Aviemore section of the Settlement Policy Objectives seeks to strengthen the village as a major administrative service centre, together with further opportunities in education, while considerable investment is needed in community and social facilities.
27. **Policy 2.5.4** states that protection will be given to existing trees and established woodland areas, including small groups of trees or individual granny pines which are important landscape, wildlife and amenity features. These should include significant areas of ancient and semi-natural woodlands, incorporating important areas of remnant native forest as well as exotic specimens, notably associated with estate policies. Under the section of main principles for Aviemore, this is reiterated by measures to improve the village setting and wider environment by efforts to 'green up' Aviemore, by transforming the texture and image of the village.

Cairngorms National Park Plan (2007)

28. In a section entitled 'Living and Working in the Park' the Cairngorms National Park Plan notes that the social and economic development needs are similar to those throughout rural Scotland. Strategic Objectives for Sustainable

Communities include promoting the provision of local services that meet the needs of communities. The Plan recognises that “the provision of services should contribute to thriving communities that have the appropriate facilities to meet their needs” with access to services including schools, health care and social infrastructure all being recognised as key to the long term sustainability of communities.

CONSULTATIONS

29. **Aviemore and Vicinity Community Council** has written to express its full support for the application, stating that they have waited several years for the proposals to come to fruition.
30. **Scottish Natural Heritage** have commented that the site does not lie within or adjacent to any designated site and are not aware of any European Protected Species which could be either directly or indirectly affected by the proposal.
31. **Highland Council, Area Roads Manager** considers that Muirton would provide a suitable means of access to both the existing developments and the proposed new primary school/community centre. During preparation of the Traffic Impact Assessment relating to the proposed new development, both the fire and ambulance services were consulted and expressed no concerns with the access route proposed. It is recommended that a number of conditions are attached to any consent and that enhanced pedestrian and cycle links investigated and a Green Travel Plan established.
32. **Highland Council, Contaminated Land Section** has examined the proposals and has indicated that the site lies adjacent to a former refuse dump, which may have resulted in some potential for land contamination. It is recommended that a suspensive condition be attached to any grant of planning permission requiring the submission of and approval of an assessment of potential land contamination issues.
33. **CNPA Heritage and Landscape Management (HLM)** highlight that the extent and integrity of the woodland will be greatly reduced causing a corresponding loss in the amenity of the woodland. However HLM are satisfied that no ecological interests are to be affected and that the compensatory woodland planting of an equivalent area at a site as identified by the applicant is considered suitable mitigation.
34. **SEPA** were consulted on the proposals but returned no comments.

REPRESENTATIONS

35. The application was advertised as a ‘Potential Development Plan Departure’ within the Badenoch and Strathspey Herald from the 31 December 2008 to 26 January 2009.
36. Fifty eight (58) letters of support (as attached within Appendix 1) have been received in respect of the proposed development, all but two of these are a pro-

forma letter highlighting the urgent need for a new school and the poor state of the current facility, which is in their opinion both unsuitable and unable to meet the growing demand of Aviemore.

37. Twelve objections have also been received; many of them duplicated, in addition a petition (8 signatories) has been lodged from residents of Birch Road, Aviemore. Many of these recognise the need for a new school however raise site-specific issues. Concern has been expressed in the letters including impact on residential amenity, both during construction and operation, with associated noise, traffic and privacy issues in particular being highlighted. The loss of an area of the woodland is considered to alter the character of the area and impact on the local wildlife, whilst the loss of the playing fields, public access issues and other related concerns including drainage are also mentioned.
38. Aviemore Medical Practice object to the application and have major concerns regarding the proposed access, recognising the existing uses including emergency services, highlighting that the practice is often utilised as an Accident and Emergency centre. The existing road is often busy and the resultant traffic pressures associated with the new school may lead to increased risk of road accidents, they raise concern at why a separate new access via the Glen Centre has not been fully considered.
39. The Highland Council Roads Manager has responded directly to these concerns stating: *that the Glen Centre access road was designed to serve limited development only, due to its geometry and construction the road is considered unsuitable to serve as the main access to the proposed new community school. Muirton is already a well used and established access road, with the modifications recommended it is considered that the road would provide a suitable means of access to existing developments and the proposed community school. During preparation of the Traffic Impact Assessment, both the fire and ambulance services were consulted and expressed no concerns with the access route proposed.*

APPRAISAL

Principle of Development

40. In determining this planning application regard is to be had to the development plan and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The current statutory plans are those listed above, with the planning policy applicable outlined in paragraphs 8 – 24 of this report.
41. The Highland Structure Plan and Badenoch and Strathspey Local Plan provide clear and specific policy on the provision of educational facilities, promoting them as clear focal points within local communities, contributing to social and economic development and recognising that considerable investment is needed in the area's educational and associated facilities. The site is designated as recreation/open space under section 6.3.2 of the Badenoch and Strathspey Local Plan and allocated for open space/community/leisure uses, therefore the proposal benefits from broad support from the Development Plan.

42. National planning policy recognises the implications of the loss of open space provision and also areas of woodland, which contribute to recreation and amenity, including SPPII alongside various policies within both the Structure Plan and Local Plan. It is recognised that the proposal represents a significant alteration to the nature of the existing area within the local context; the main issues in this application are the loss of open space provision, loss and impact on the woodland, alongside other issues related to landscape, visual and other associated impacts.
43. SPPII stresses that only where there is strong justification should open space or playing fields be developed either partly or fully. Justification must include evidence that the development would not result in a deficit of open space provision of that type within the locality and that alternative sites and any community concerns have been properly considered.
44. It is considered that the loss of the recreation ground including the existing football pitch and play area would be offset, in part by their direct replacement on site including the formation of a new football pitch within the woodland area providing an enhanced, modern facility of comparable or greater benefit. The play park equipment would be relocated elsewhere within Aviemore. While there would be a net loss of the level of provision of open space in the area overall recognising the need for enclosed playground areas for the proposed school due weight should be given to the enhanced community and education facilities associated with the proposed community school which outweigh those benefits currently offered by the existing recreation ground. It is considered that the proposed community school provides a strong justification in itself to allow for the loss of the recreation ground, appropriate measures have been made to offset this loss by ensuring the proposed football pitch and community facilities are accessible to the public.
45. Similarly, NPPG14 considers a balanced view recognising “while conservation of the natural heritage will be a key objective in any National Park, the Government considers that due weight must also be given to the social and economic interests of local communities.” It is recognised that the loss of part of the existing woodland area is necessary for the development of the proposed community school and in particular, the proposed football pitch, it is considered that the benefits of this new replacement facility outweighs the loss of 1.0Ha of the total woodland area. The applicant has made significant moves to retain and enhance substantial areas of woodland around the north, east and southern boundaries.

Landscape and Natural Heritage Impacts

46. The application site comprises a recreation ground and an area of semi-mature native woodland, which is dominated by birch trees (estimated at approximately 25 years old) of low ecological value. There are no designated sites within the proposed development. An Ecological Impact Assessment highlights the possible presence of bats and breeding birds for foraging only and the presence of a badger sett in the woodland (outwith the proposed area for clearance); it

concludes that there would be no significant effects on these species. In addition, an addendum to the report highlighted that a wood ant colony was identified within the woodland, however this area would not be affected by the proposed playing field and also found no signs of red squirrels or evidence of occupation of the badger sett. The proposed wildlife corridor shall be maintained along the eastern edge of the site, alongside the railway embankment, indicatively shown as some 15.0 metres in width and this would allow for the movement of animals and plants and continue to bring wildlife into more developed areas of Aviemore.

47. The change in character from the existing area of open playing field and defined woodland, the largest area of woodland in the centre of Aviemore, in itself a significant landscape feature, would be a significant loss for the area. The woodland is visible from many parts of the local area outwith the village. The proposal would mean the removal of a large central portion of the woodland, as much as 1.0Ha or slightly over 50% of the total area. It is indicatively proposed to retain trees on the north and east side, including the wildlife corridor and a section of the woodland in the south of the area, however the extent and integrity of the woodland would be greatly reduced causing a corresponding loss in the amenity of the woodland. This is a significant loss in terms of the quality of the woodland.
48. Nonetheless, it is considered that it is clear that there is potential for this development to be accommodated on this site without adverse effects upon natural and cultural heritage. It would seem that the main landscape issue, though of a very significant nature, is manageable if the recommendations for mitigation are followed, including a woodland management plan to enhance the value of the retained woodland, woodland corridor and the creation of a number of habitat zones which would provide enhanced area's of natural heritage. The nature of the area would be replaced by a similar balance of characteristics of higher quality woodland, albeit on a smaller scale. There would also be significant off site enhancements through the additional woodland planted offsite within Aviemore.
49. The area of woodland to be removed from the proposed school site is required to provide the area of the proposed sports playing field. An area of compensatory planting of equivalent extent and value, the location as yet to be agreed, has been identified as being satisfactory to provide for loss of woodland and offset this. The implementation of this compensatory planting would be appropriately conditioned to ensure it was put in place, at a satisfactory time. Negotiations between the CNPA and the applicant are ongoing to identify a suitable area.

Access and Servicing

50. The primary school catchment area is mainly focused on Aviemore and the Loch Morlich Road communities; access to the proposed community school site for pedestrians and vehicles is a crucial consideration, with the need for the school site to be both safe and easy to access. The accompanying Traffic Impact Assessment suggests that traffic levels on Grampian Road are likely to be of a similar level as those associated with the existing school, with the existing school access currently sited directly opposite Muirton.

51. It is recognised that the proposed school would utilise Muirton to provide vehicle access, including drop off facilities and car parking, this road presently provides access for the health centre and the fire and ambulance stations, as well as a number of residential properties and other community facilities. The number of vehicles and possible pedestrians utilising Muirton is recognised to increase significantly, it would be required to manage vehicle movements to maintain road user and pedestrian safety. A number of road improvement measures are proposed including the preferred use of the Glen Centre shared access for the main pedestrian flow, the identification of a 'Safer routes to school programme' and 20mph speed limit amongst a number of other measures. The Traffic Impact Assessment indicates that discussions have taken place with the Fire and Ambulance services are assured that no issues should arise. The Area Road's Manager considers that with these measures to upgrade the existing roads network, vehicular and pedestrian access to the site for pupils and staff and the general public can be satisfactorily accommodated. Other measures to require a Green Travel Plan to promote more sustainable modes of transport to school and the 'Safer Routes to School' programme would assess the pedestrian and cycle links into the proposed community school site.
52. The indicative car parking proposed would be sufficient to provide on-site parking for 128no. cars, the Traffic Impact Assessment outlines that a maximum of 103 spaces (39 dedicated school spaces, 66 for civic functions) should be provided for the community school, with an additional number providing additional parking for the adjacent Glen Centre - 14 in total and an overspill car park (9 spaces) to be laid with a 'grass road system.' This has been identified as providing adequate provision for most situations including when both the community hall and other facilities are occupied. It is considered that the proposed car parking would provide satisfactory levels of parking and would not require car parking to overspill to surrounding roads.

Other issues

53. Twelve objections have also been received; many of these recognise the need for a new school however raise site-specific issues. Concern has been expressed in the letters including impact on residential amenity, both during construction and operation, with associated noise, traffic and privacy issues in particular being highlighted. It is considered that any impact to residential amenity would not be to a significant level, a number of conditions are recommended primarily related to construction works, contractor vehicle parking and working methods to be put in place, additional conditions regarding hours of work and operational matters such as floodlighting, noise, odours and waste would be dealt with during the respective Matters specified within condition's applications.
54. Objectors also raise issues related to the loss of an area of the woodland, which is considered to alter the character of the area and impact on the local wildlife and the loss of the playing fields. It is considered that the applicants have made sufficient steps to retain as much of the woodland as possible and ensure retention of a wildlife corridor.

Conclusion

55. This is an application for planning permission in principle only, aiming at establishing the principle of use of this site only. There are no fundamental planning policy objections to the proposal, indeed policies for the area promote and endorse improvement of education provision and community facility uses in the area. The proposed community school would clearly augment and add to the range of facilities and services available within Aviemore and would provide for enhanced facilities for the local population particularly school children, whilst adding to the vitality and amenity of the village.
56. It is considered that the loss of the recreation ground including the existing football pitch would be offset, in part by their direct replacement on site including the formation of a new football pitch within the woodland, providing an enhanced, modern facility of comparable or greater benefit. The displaced play area would be relocated to an area as yet to be identified, within Aviemore.
57. In reaching this conclusion, it must be recognised that the proposal represents a significant alteration to the nature of the existing area within the local context, despite the proposed removal of an area of woodland, a wild life corridor would be retained and an ecological management plan would provide sufficient mitigation to offset this loss. There would also be significant off site enhancements through the additional woodland to be planted within Aviemore. The change in character from the existing area of playing field and woodland would be replaced by a similar balance of characteristics of higher quality, albeit on a smaller scale.
58. It is considered that Muirton would provide a suitable means of access to both the existing developments and the proposed community school with the proposed modifications as recommended. Appropriate measures to include enhanced pedestrian and cycle links would address concerns related to the resultant traffic pressures and potential risk of increased road accidents.
59. To conclude, this proposal is a development of significant scale within an existing local context, aiming to establish a much needed replacement primary school and community facilities which would bring significant enhancements to the levels of education and community provision in Aviemore. The proposal benefits from the broad support of the Development Plan, as outlined above, and raises no significant concerns in relation to impact on natural and cultural heritage, loss of amenity and open space or community facilities. It is recommended that planning permission in principle is granted subject to a number of conditions.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

The proposed community school would aim to secure sustainable building methods, materials and operating systems consistent with minimizing the impact of the development on the natural environment and limiting carbon emissions. Use of

school buses, other local public transport and bicycle parking will reduce car dependency.

Retention of an area of the woodland, appropriate landscaping and a woodland management plan would minimise any natural heritage and visual impacts.

Promote Sustainable Use of Natural Resources

There are no significant negative impacts associated with the proposed development. The enhancement of the retained woodland would assist in promoting walking and recreation, and in this respect can be considered as a positive sustainable use of the National Park's natural resources.

Promote Understanding and Enjoyment of the Area

The proposed development would result in improvements to the education facilities available to children in the area and could therefore indirectly assist in promoting their understanding and enjoyment of the area. Other community facilities would provide essential recreational, further educational and service provision for the area.

Promote Sustainable Economic and Social Development of the Area

The school role of Aviemore School is expected to continue to rise in the immediate future as a result of a number of recent housing developments in and around the local area. The provision of the proposed new community school would address the immediate problems (highlighted in paragraph 4) associated with the existing building, and provide improved educational and community facilities, which would be of immediate benefit to the social and economic development of the area.

RECOMMENDATION

That Members of the Committee support a recommendation to :

Grant Planning Permission in Principle subject to the following conditions:

- 1) A formal planning application and detailed plans indicating all matters relating to the siting, design and external appearance and finished floor levels of all buildings, means of access thereto, existing and proposed levels across the site (including cross-sections details), car parking and setting down space, servicing space, cycle and bin storage, means of enclosure and landscaping and screening proposals shall be submitted for the prior approval of the CNPA acting as Planning Authority within 3 years of the date of this permission and the development must be commenced within 3 years of the date of this permission or within 2 years from the date of final approval of all the foregoing Matters specified in conditions.

Reason: To comply with Section 59 of the Planning Etc (Scotland) Planning Act 2006.

- 2) The permission hereby granted shall be restricted to a building or buildings broadly located on the western half of the site and the football pitch located on the eastern half of the site, as shown on indicative drawing ECSC0068A-LP003D.

Reason: In accordance with the application detail and to ensure that the layout is broadly in accordance with those as indicated in the supporting information.

- 3) A Drainage Impact Assessment shall be submitted to the CNPA acting as Planning Authority in consultation with SEPA to demonstrate that satisfactory Sustainable Urban Drainage Systems can be accommodated on the site and provide an acceptable impact on the water environment. This shall be in accordance with the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, CIRIA C521 2000. The approved details shall be fully installed prior to the building coming into use.

Reason: To ensure the site is adequately drained to meet Best Management Practice and to prevent pollution of watercourses.

- 4) Prior to any development commencing on site, a scheme will be submitted by the Developer (at his/her expense) to deal with potential contamination on site for the prior approval of the CNPA acting as Planning Authority. No construction work must commence until such a scheme has been submitted to and approved by the planning authority, and is thereafter implemented to its satisfaction. The scheme shall contain details of proposals to deal with contamination and must include:

- a. The nature, extent and type of contamination on site, identification of pollutant linkages and assessment of risk (ie Contaminated Land Risk Assessment and Remediation Plan).The scope and method of this assessment must be agreed in advance with the planning authority and undertaken in accordance with PAN33 (2000) and BSI0175:2001;
- b. Remedial Strategy (if required) to treat/remove contamination to ensure the site is fit for the uses proposed (this shall include a method statement, programme of works and proposed verification plan);
- c. Submission of a Validation Report (should remedial action be required) by the competent person employed by the developer who will validate and verify the completion of works to a satisfactory standard as agreed by the planning authority;
- d. Submission, if necessary, of monitoring statements at periods to be agreed with the planning authority for such a time period as is considered appropriate by the planning authority.

Reason: To identify and remove unacceptable risks to human health and the Environment.

- 5) Prior to the commencement of any development on site, a comprehensive Green Travel Plan that sets out proposals for reducing the dependency on private car use shall be submitted to and approved in writing by the for the

prior approval of the CNPA acting as Planning Authority. The Travel Plan shall include:

- a. Details of the proposed sustainable transport modes;
- b. Details of the proposed monitoring schedule and reporting procedures;
- c. Details for the management of the travel plan identifying the persons responsible for implementation;
- d. Details of mode share targets;
- e. Details of proposed pedestrian and cycle infrastructure within the site and connections to the existing networks;
- f. Details of cycle parking provision and location within the site;
- g. Details of proposed measures to improve public transport facilities;
- h. Details of initiatives such as car share schemes;
- i. Details of employee locker and shower facilities;
- j. Details of travel information to be provided within the site; and
- k. Details of car parking provision and management.

Reason: In the interests of promoting sustainability and reducing car dependency.

- 6) Prior to any other work starting in connection with the proposed development the works listed in the following, shall be completed and approved by the CNPA acting as Planning Authority in consultation with the Roads Authority:
 - a. Details of all alterations to the public highway and the provision of the internal road and footway layout shall be submitted to and agreed in writing.
 - b. The new access road shall be designed and constructed in accordance with the requirements of the Highland Council's Road Guidelines for New Developments;
 - c. The private road serving the Glen Centre shall be upgraded, to the satisfaction of the Planning Authority in consultation with the Road's Authority, as necessary to accommodate the additional vehicular and pedestrian traffic that will be generated by the new development;
 - d. Street lighting shall be provided throughout to the satisfaction of the Council's Area Lighting Engineer;
 - e. In accordance with Safer Routes to Schools principles, the introduction of a 20mph speed restriction on the main vehicular access shall be fully investigated and implemented as required, in consultation with Highland Council's Road Safety Officer;
 - f. In consultation with Highland Council's Road Safety Officer and the Aviemore Primary School Safer Routes to Schools Team, pedestrian and cycle links shall be provided to link the new school with existing pedestrian and cycle links in the area;
 - g. In the interests of road safety and to assist vehicular and pedestrian movements at the junction, consideration shall be given to the introduction of 4 way signals at the Muirton/Milton Park/Grampian Road crossroads;

- h. Provision for car and cycle parking, coaches, school bus services, emergency and service vehicles shall be made within the site, all in accordance with the recommendations of the Addyn Consultancy Traffic Impact Assessment dated April 2008.

Reason: In the interests of road and public safety.

- 7) The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by the CNPA acting as Planning Authority before development commences. The scheme shall include indications of all existing and proposed trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of the development and shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and to the extent of any areas of earthmounding, and shall ensure:-
 - (a) Completion of the scheme during the planting season next following the completion of the development.
 - (b) The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the CNPA acting as Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In order to conserve and enhance the natural heritage of the area.

- 8) The proposed development shall not be occupied until the Highland Council have committed to a scheme of compensatory planting, for the prior approval of the CNPA acting as Planning Authority.

Reason: To ensure that adequate compensation for the loss of the woodland on the proposal site is suitably replaced.

- 9) Prior to the commencement of works on site, a detailed Tree Protection Plan, in line with the requirements of BS:5837 (Trees in Relation to Construction) shall be submitted for the further written approval of the CNPA acting as Planning Authority. This Plan shall detail all areas of trees to be retained and removed, and shall indicate all measures for the protection of the retained trees from damage during the construction phase. For the avoidance of doubt, all retained trees shall be protected by Heras type fencing, fixed to the ground outwith the root protection area and crown spread. The location of fencing shall be established in advance of development commencing and shall be shown on a plan of the site.

Reason: In order to conserve and enhance the natural heritage of the area and to safeguard as many trees as possible on the site.

- 10) Clearance work of trees should avoid the recognised bird breeding season (March – July inclusive) unless otherwise agreed in writing with the CNPA acting as Planning Authority, and should be supervised by an ecologist to ensure no breeding birds are affected. In the event that work is required in exceptional circumstances to be undertaken during the period from March to July, a nesting bird survey shall be undertaken immediately prior to any work. If nesting birds are recorded the works shall stop until the birds have ceased nesting or a license had been obtained from the Scottish Government to permit disturbance.

Reason: In order to protect nesting birds and in the interests of conserving and enhancing the natural heritage of the area.

- 11) A woodland management plan should be drawn up to enhance the value of the retained woodland, opportunities to improve biodiversity and value of the site for species such as bats and birds should be investigated. Plant species within the proposed development site should be native and of local provenance.

Reason: In order to conserve and enhance the natural heritage of the area.

- 12) The existing wood ant nest located on site at NH 89818 13249 shall be protected during the construction process. The nest shall be clearly marked prior to the commencement of development and a minimum of a 5 metre buffer zone strip shall be established and maintained around the nest for the duration of construction activity.

Reason: In the interests of conserving and enhancing the natural heritage of the area.

- 13) The proposed development shall not be occupied until details of a relocated play area to be provided elsewhere in Aviemore or agreed alternative provisions to compensate for the loss of the play area on site are submitted and agreed in writing with the CNPA acting as planning authority.

Reason: To ensure that the level of public play park provision is maintained in Aviemore.

- 14) That prior to the commencement of works on site, details of the playing field and any structures and/or fencing are to be submitted and agreed in writing with the CNPA acting as planning authority.

Reason: To ensure that the layout of the playing field is regulated.

- 15) That prior to the commencement of works on site, a detailed method statement indicating the on-site constructional and operational management procedures for the continued protection, and reinstatement of all public access/recreational routes in the vicinity and affected by the development,

during and after construction, shall be provided for the further written approval of the CNPA acting as Planning Authority.

Reason: In the interests of conserving and enhancing the existing public access links in the area.

- 16) Prior to the commencement of development a method statement and detailed proposals for the siting of the temporary construction compound, trial pits, and contractors parking shall be submitted for the agreement of the CNPA acting as Planning Authority.

Reason: In the interests of regulating the development and in the interests of protecting the natural heritage and visual amenity of the area.

INFORMATIVE

1. The applicant and any developer is advised that Road Construction Consent will be required in respect of any roads related works intended for adoption by the Highland Council.
2. Any additional measures deemed necessary to accord with Safer Routes to Schools principles and encourage sustainable travel to and from the school shall be provided by the applicant.
3. The use of woodland type planting around the school itself to reinforce the woodland character found around the housing in adjacent areas is encouraged. This will require close planting of trees to the building, playgrounds, around the car parking and close to the footpath. There need not be a dense under-planting of this where this might cause security issues.
4. The applicant and any developer are advised that it will be necessary to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) with respect to squirrels, that may be using buildings, trees and shrubs on the site.
5. The nests and eggs of birds are protected during the breeding season by the general provisions applying to breeding birds in Part I of the Nature Conservation (Scotland) Act 2004:
“Subject to the provisions of this Part, if any person intentionally or recklessly
 - kills, injures or takes any wild bird
 - takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
 - takes or destroys an egg of any wild bird,He shall be guilty of an offence.”
6. Care must be taken to avoid entrapping badgers in excavations during construction and to avoid barriers to movement of badgers both during and after construction.

7. Badgers are protected by the Protection of Badgers Act 1992. This makes it an offence to:
 - Wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so
 - interfere with a sett by damaging or destroying it
 - obstruct access to, or any entrance of, a badger sett
 - disturb a badger when it is occupying a sett
8. All bat species are designated as European Protected Species protected under The Conservation (Natural Habitats, &c.) Regulations (as amended) 2007. This high level of protection reflects their vulnerability to changes by humans to the built environment or the felling of trees that they are dependent upon for roosting sites. For advice on the most appropriate means of incorporating bat roosts into the building design please contact the Bat Conservation Trust (tel no. 01786 826792). Advice on the incorporation of bird nesting opportunities into the building design may be sought from Concern for Swifts (www.concernforswifts.com/Opportunities.asp) or alternatively liaise with the CNPA's Heritage and Land Management Group
9. The perimeter screen planting and habitat zones indicated on the site development plan should be linked around the periphery of the site as much as possible, this is important for connectivity and will increase their ecological value. Any plantings should be of native species and of local provenance. Aspen saplings from the existing woodland should be removed and relocated within these habitat zones. Guidance should be sought from an ecologist during relocating these trees. Paths created in the woodland must not be dug below ground and must be composed of porous materials to maintain the integrity of the trees.
10. Any SUDS ponds created should be planted with native aquatic plants that will encourage invertebrates and amphibians into the area. The open areas existing within the woodland could be enhanced by creating woodland glades. These habitats can be rich in biodiversity as they provide suitable habitat for wildflowers, invertebrates, deer and birds. Log piles can be created within this woodland to provide valuable habitat for fungi, invertebrates and amphibians.
11. Care should be taken to avoid the spread of invasive, non-native plant species to the site either through planting, or because of construction activities, e.g. the importing to the site of soil contaminated with seeds of any of the above species. Should it be clear that any of the above species have arrived at the site because of the development, then effectively removing them as soon as possible and disposing of them responsibly should be made the responsibility of the applicant. Equally, if any of these species occurs on the site already, then the development should not allow the species to spread off-site.

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CAIRNGORMS NATIONAL PARK AUTHORITY
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